

P W Hill
15 September 2011
1st
Exhibit: "PWH1"

IN THE MATTER OF THE LEVESON INQUIRY

WITNESS STATEMENT OF PETER WHITEHEAD HILL

I, PETER WHITEHEAD HILL, Journalist,

WILL SAY AS FOLLOWS:

- A. I am the former editor of The Daily Express Newspaper. I make this statement in response to a request of the Leveson Inquiry (the "Inquiry") pursuant to a letter dated 8 August 2011. A copy of this letter can be found at pages 1-4 of Exhibit "PWH1".
- 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 "PWH1". 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 junior reporter and have worked for various newspapers throughout my career. Before moving to London, I worked for the Manchester Evening News and the Oldham Evening Chronicle. I have also worked for The Mirror and joined the Daily Star in the late 1970s as sub-editor. I was promoted to Editor of the Daily Star in 1998. I moved to the Daily Express in December 2003 as Editor of the newspaper. I left the Daily Express in February 2011 but continue to write a column as a freelancer.

Question 2: How you understand the system of corporate governance to work in practice at the newspaper where you were 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 employed at the Daily Express.
3. There is a management side and editorial side to the newspaper. When I was appointed as Editor it was recognised by the management side that I had the requisite knowledge and experience to do the job. As such I was generally given the responsibility to run the editorial of the newspaper. There is no hard and fast rule about how an Editor should run a newspaper: some are autocratic, whilst others take a more collegiate approach including senior members in decision making.
4. I explain briefly below the process of putting the newspaper together from an editorial perspective. Each day, the news desk produced lists of items to pursue and the executive editing side decided whether to use the information gathered. I would also talk to the different sections of the newspapers and decide if and how the content would work. It was important that the newspaper had a balance of news, features and pictures and it was for me to decide this. There were also several conferences during the course of the day, chaired by the Editor, at which content for the newspaper and its use would be discussed.

5. There was a clear chain of command at the Daily Express. This was split between those people that gathered the information, namely the reporters, photographers and their chiefs, and the people on the executive side who decided what stories would run, namely the sub editors, the designers and their chiefs. Whilst I had overall management of the paper it was not possible for me to read every word of every story and so I relied on my sub-editors, night editor, associate editors and the lawyers at the paper to assist. It was understood that it was everyone's job to ensure that we did not get into difficulties.
6. Whilst I was Editor every member of my team was aware of the PCC guidelines and, later the Editors' Code of Practice [page 5]. I ensured that all staff were given a copy of the Editor's Code of Practice. All staff also had access to an internal staff handbook, which contains guidance on defamation and contempt of court laws. These laws can be difficult to interpret and so staff must be familiar with them.
7. In January 2011, the newspaper withdrew from the PCC. We had become increasingly unhappy with the organisation. We considered that the PCC had become less effective. For example, in the past when complaints went to the PCC for ruling, it was understood by all concerned that such complaint was instead of legal action. However, in recent times, the PCC rulings were being used to support legal actions. This was unfair and was contrary to the PCC's main purpose to resolve disputes. Ultimately, this was a decision taken by the directors.
8. The administration side of the newspaper, i.e the Managing Editor, did not get involved in editorial decisions. If there was a very controversial matter then I may have discussed this with the Chairman or the Group Editorial Director. There was nothing stopping the senior management from giving their opinion. However, it was very rare for the administration side to intervene.
9. At the Daily Express there is a Managing Editor's department which handled the staffing appointments, expenses and other administrative details that needed to be dealt with by editorial. If there had been any large bills, I would discuss these with the Managing Editor and if there was a very large bill I would always discuss this with the Chairman or the Group Editorial Director. We did not usually deal with very large payments, except

for when we bought biographies, for example, and this would be discussed in detail with the managing editor.

10. When new reporters join the newspapers, I never considered it necessary for them to be trained about the company's ethical conduct policies. This was because recruits to national newspapers are usually experienced journalists who know their business. The exception might be graduate trainees, but they spend a great deal of time working closely with experienced staff and therefore they get "on the job training". Young reporters will in any case have gone through the journalist training scheme, which covers legal and ethical issues affecting the industry.

Question 3: What your role was in ensuring that the corporate governance documents and all relevant policies were 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. I am not sure what is meant by the term 'corporate governance' in this context as it seems to be usually used to refer to the management of accounting systems. However, as Editor you supervise, as best you can, the daily production of the newspaper in that the stories are truthful, laws are not broken and that everything is done within a legal framework.
12. On a daily basis I would ask for the veracity of stories and the provenance of photographs to be checked. Often photographs were received from freelancers so it was not immediately clear to the editorial team how the pictures were taken. With today's privacy laws newspapers have to be careful about which pictures are published. However, there is only a limited amount of time available to check the sources of stories and pictures and so it was very difficult to make sure that every item is 100% correct.

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

13. I believe that the policies and practices were adhered to.

Question 5: Whether these practices changed, and if so, when and what the reasons for the change were.

14. I do not think that there were any fundamental changes to the newspaper's practices during my time as Editor.

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 was done in practice (with some representative examples to add clarity).

15. The reporters of The Daily Express are responsible for verifying the sources of information for their stories. After that it is the executive that first sees the copy/picture. This could be an assistant on the news desk or the Sub-Editor, then the News Editor, the Night Editor and the Lawyers, and ultimately the Editor.
16. I used to query stories every single day. There would not be a day when I did not question something.

Question 7: To what extent an editor is aware, and should be aware of the sources of the information which make up the central stories featured in your newspaper each day (including the method by which the information was obtained).

17. I was always fully aware of the sources of the central stories featured in the newspaper, and it is right that I should have been. The only circumstance in which I may not have known is if I was called away from the office on other business and that business took all day or if I was absent on leave. However, in such circumstances the deputy editor would have been fully aware of 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.

18. I believe that ethics play a role in print and every other kind of media of course. We do our best to serve the public with accurate information and sound opinion and you should always be questing for stories of national or even local importance.

Question 9: The extent to which you, as an editor, felt any financial and/or commercial pressure from the proprietors of your newspaper or anyone else, and whether any such pressure affected any of the decisions you made as editor (such evidence to be limited to matters covered by the Terms of Reference).

19. There are commercial pressures in any organisation and I was always aware of the need for the paper to work financially. One might decide not to spend money on a particular story if one does not consider it to be worth it or because of the financial restraints of the business.
20. From time to time the proprietor may have reminded me of the financial situation of the business and require me to economise. But there was never any financial or commercial pressure from him or anyone else which affected my decision as to the editorial content of the newspaper.

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).

21. There were never any financial incentives for me from the proprietor 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).

22. I am not aware of ever using a private investigator at The Daily Express.

23. I do not know of any payments made in connection with police informers, public officials, mobile phone companies or any others with access to the same information.

Question 13: If such investigators or other external providers of information were used, what policy/protocol, if any, was used to facilitate the use of such investigators or other external providers of information (for example, in relation to how they were identified, how they were chosen, how they were paid, their remit, how they were told to check sources, what methods they were told to or permitted to employ in order to obtain the information and so on).

Question 14: If there was such a policy/protocol, whether it was followed, and if not, what practice was followed in respect of all these matters.

Question 15: Whether there are any situations in which neither the existing protocol/policy nor the practice were followed and what precisely happened/failed to happen in those situations. What factors were in play in deciding to depart from the protocol or practice.

24. These questions are not relevant to me.

Question 16: The extent to which you were/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. With regards to any protocols or policies in operation in relation to expenses or remuneration paid to other external sources of information, there was a recognised convention and rates of payments to freelances/agents/columnists. If there were exceptional items, this would usually be on the picture desk, then as the Editor I would consider it and decide whether to use the picture. I would only look at items where the fee was in the £1,000s not the £100's.
26. If the payment was in relation to a minor exclusive, the News Editor would deal with this. But if it related to a major exclusive then I would be involved in the decision.

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.

27. 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 used my long experience in the newspaper industry to weigh up the question and come up with a decision on whether to run the story.
28. It is sometimes easy to get carried away with stories because of the public interest. There are times when the interest of the public is insatiable, for example the story of Ian Huntley abducting Holly Wells and Jessica Chapman.
29. Sometimes it is difficult to balance the family interest against the genuine demand for knowledge in a story. In those situations, I tried to make sure that the paper did not intrude too closely into any private grief, but sometimes this was unavoidable.

30. The business is also driven by public demand for information and the competition between the newspapers to obtain that information. Papers try to get the best information about big stories and it is usual to ask reporters to get that information. It is important to note that whilst a reporter may act within the parameters of the law it may not be within the bounds of public taste.

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.

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

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

32. The only names that I can think of that may be able to provide some assistance to the Inquiry are Greg Swift, the news editor of the Daily Express and Hugh Whittow the editor of the Daily Express.

STATEMENT OF TRUTH

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

PETER WHITEHEAD HILL
Dated: 15 September 2011