

J Robinson

27~~th~~ September 2011

LEVESON INQUIRY INTO THE CULTURE, PRACTICES AND ETHICS OF THE
PRESS

WITNESS STATEMENT OF JAMES ROBINSON

I, James Robinson, of Guardian News and Media Limited, Kings Place, 90 York Way London, N1 9GU, WILL SAY as follows:

1. I am a journalist employed by Guardian News and Media Limited. I have been a journalist at Guardian News and Media Limited ("GNM"), or its predecessor Guardian Newspapers Limited since November 2003. Unless stated otherwise, the facts stated in this witness statement are within my own knowledge and belief.
2. I am currently the media correspondent at the Guardian, Observer and guardian.co.uk. I was the media business correspondent and then the media editor at the Observer until the end of 2008, when the Guardian and Observer papers operationally merged. I write about the industry predominantly for the news section. I also write occasionally for other parts of the paper - including the sport section. I was previously deputy business editor at the Sunday Express and worked as a reporter for Sunday Business and, before that, the Birmingham Post.
3. I make this statement in response to a Notice dated 5 August 2011 served on me under section 21(2) of the Inquiries Act 2005 and the Inquiry Rules 2006, by Lord Justice Leveson, as Chairman of the Inquiry. These require me to provide evidence to the Inquiry Panel in the form of a written statement and/or to provide documents as requested in the Notice.
4. I do not waive privilege. Accordingly anything I say in this witness statement is not intended to waive privilege and should not be read as doing so. In this context I refer to paragraph 3 of Mr Rusbridger's witness statement.
5. I have been asked to provide documents relating to any policies or protocols referred to in the questions asked and / or any details or documents relating to expenses paid to private investigators and/or other specified external sources of information. As to the former, I have had the benefit of seeing a draft of the statement of Alan Rusbridger, which explains the relevant GNM editorial procedures and policies including their histories. This reflects my understanding of the current

guidance. I have nothing further to add in this context. As to the latter, I have no such documents in my possession and I refer to my answer to Question 11 below and for completeness also to my answer to Question 17.

6. **Q (2) How you understand the system of corporate governance to work in practice at the newspaper where you were/are employed with particular emphasis on systems to ensure lawful, professional and ethical conduct.**

Please see paragraph 5 above. In summary, journalists should follow the Editorial Code and other guidance such as the Anti-Corruption and Bribery Policy. In any case of difficulty, the journalist should consult senior editorial staff. The lawyers are also consulted on cases of difficulty. I refer to Mr Rusbridger's witness statement, which reflects my understanding of how the system works in practice.

7. **Q (3) What your role is/was in ensuring that the corporate governance documents and all relevant policies are adhered to in practice. If you do not consider yourself to have been/be responsible for this, please tell us who you consider to hold that responsibility and why.**

I do not have any such role, other than ensuring my own conduct complies with the relevant policies and procedures. Wider supervision is a matter for senior editors and the legal department, whom I would consult as necessary.

8. **Q (4) Whether the documents and policies referred to above are adhered to in practice, to the best of your knowledge.**

Please see paragraph 5 above. I am aware of the Guardian's Editorial Code and the PCC Code and would consult with senior editors and our editorial lawyers as the occasion requires. My personal experience is that the guidance and policies are generally followed.

9. **Q (5) Whether these practices or policies 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.**

Please see paragraph 5 above and the detailed account in Mr Rusbridger's witness statement.

10. **Q (6) Where the responsibility for checking sources of information lies (including the method by which the information was obtained): from reporter to news editor/showbiz editor/royal editor to editor, and how this is done in practice (with some representative examples to add clarity).**

I have an obligation to ensure my own conduct complies with the relevant GNM policies and procedures.

The level and degree of scrutiny that will be applied to the sourcing of a piece of information will depend on the nature of the story and the source of the information. Generally speaking, I take responsibility for ensuring that my sources of information are accurate and that I comply with the relevant GNM codes and policies. Many sources are straightforward and require no editorial involvement. If there are issues relating to, for example, a confidential source or a very contentious story, I would discuss this with my immediate editor, who is the Head of Media and Technology. Thereafter, subject to the sensitivities involved, it might be necessary to go higher to the National News Editor. If I was relying on a confidential source, I would expect to have a conversation with my editor about the reliability of that source. I would not necessarily reveal the identity of the source to my editor – that would depend upon what I had agreed with the source. Where necessary I would also involve the editorial legal department.

11. **Q (7) To what extent a reporter or journalist such as yourself 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)**

In relation to my own stories, I obviously need to know who my sources are and to be clear about their reliability. As to stories written by others, I have no responsibility. Indeed I am unlikely to know the sources unless they are apparent from the article itself.

12. **Q (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.**

GNM has a strong and visible code of ethics as set out in its Editorial Code. In addition, this is supported and added to by the PCC Code and the NUJ Code. Guardian readers tend to expect high standards of us and will hold us to account if they feel we fall short, so it is important that we retain their confidence.

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

As in any job, there are the usual competitive pressures in that if you get good stories it may help your prospects in the future. Otherwise, I

have never felt under any financial or commercial pressure from GNM or the Scott Trust.

14. **Q (10) The extent to which you, as a reporter, had a financial incentive to print exclusive stories (NB. It is not necessary to state your precise earnings)**

Subject to what I said in answer to Q 9, none.

15. **Q (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).**

I am aware from disclosures relating to Operation Motorman, such as the ICO Reports "What Price Privacy" and "What Price Privacy Now" that in the past journalists from the Observer used and paid for private investigators. I was not aware of this when I worked at the Observer. I have never used or paid a private detective, a policeman or mobile phone company. I have never paid public officials. Others on the newspaper will no doubt have sources in the police and the public service. However to the best of my knowledge such sources will not have been paid for any information provided. I have no reason to believe that Guardian or Observer journalists use mobile phone companies.

For the avoidance of doubt, like all journalists, I will occasionally take sources out for lunch and pay for our lunch or buy our drinks. I have brought meals and drinks for public officials but not for police, mobile phone companies or private investigators. I would reclaim such things through my expenses.

16. **Q (12) What your role was in instructing, paying or having any other contact with such private investigators and/or other external providers of information.**

Please see my answer to Question 11 above.

17. **Q (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)

Please see my answer to Q 11 above.

18. **Q (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**

Please see my answer to Question 11 above.

19. **Q (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?**

Please see my answer to Question 11 above.

20. **Q (16) The extent to which you are aware of protocols or policies operating at your newspaper in relation to expenses or remuneration paid to other external sources of information (whether actually commissioned by your newspaper or not). There is no need for you to cover 'official' sources, such as the Press Association.**

These matters are governed by the Editorial Code and more recently by the Anti-Bribery and Corruption Policy. There is a procedure governing the reclaiming of expenses which is available on the internal intranet.

21. **Q (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**

Any such practices are governed by the Editorial Code and more recently by the Anti-Bribery and Corruption Policy.

For the avoidance of doubt, I have occasionally paid "tip" fees – generally a very small amount to other journalists – for diary stories in particular. I have never paid a tip fee to a policeman or a public official (or indeed a mobile phone company). I would reclaim such things through my expenses.

22. **Q (18) In respect of editorial decisions you have made or participated in to publish stories, the factors you have taken**

into account in balancing the private interests of individuals (including the fact that information may have been obtained from paid sources in the circumstances outlined under paragraph 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

Ultimately, it is the decision of the relevant senior editor with whom I am dealing on the day whether to publish a story; where appropriate, depending on the nature and source of the information etc, where a story potentially involves issues relating to the private interests of individuals, it may well be appropriate for me to discuss that story with senior editors and editorial lawyers, who would normally be alerted to the existence of any such stories prior to publication. I would also be guided by GNM's Editorial Code and the PCC Code in such circumstances.

The nature of the stories that I have written tend not to involve the private interests of individuals. Indeed, no recent examples come to my mind which would assist the Inquiry on this particular issue.

23. **Q (19) Whether you, or your newspaper ever engaged in or procured others to engage in 'computer hacking' in order to source stories, or for any reason**

To the best of my knowledge, no.

24. **Add anything else want to add.**

I believe that the contents of this witness statement are true.

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