

IN THE MATTER OF:

AN INQUIRY UNDER THE INQUIRIES ACT 2005

INTO THE CULTURE, PRACTICES AND ETHICS OF THE PRESS

CHAired BY THE RT HON LORD JUSTICE LEVESON

FIRST WITNESS STATEMENT OF PAUL ANDREW VICKERS

I, **PAUL ANDREW VICKERS**, of Trinity Mirror plc, One Canada Square, Canary Wharf, London E14 5AP **WILL SAY** as follows:

1. I am a barrister and an Executive Director of Trinity Mirror plc ('**Trinity Mirror**'). My current job title is Secretary and Group Legal Director.
2. I am making this statement in response to a notice addressed to me in my capacity as Group Legal Director dated 5 August 2011 pursuant to section 21(2) of the Inquiries Act 2005 (the '**Notice**').
3. I understand that the Notice has been sent to me in connection with Part 1 of the Inquiry chaired by The Right Honourable Lord Justice Leveson into the culture, practices and ethics of the press (the '**Inquiry**'), the Terms of Reference for which were published by The Right Honourable Mr David Cameron MP, Prime Minister, on 20 July 2011 (the '**Terms of Reference**'). The Notice requires me to provide evidence to the Inquiry panel in the form of a witness statement and to provide any documents in my custody or under my control as specified in the Notice.
4. Where the contents of this statement are within my own knowledge they are true and where the contents are not within my own knowledge I indicate the source of my belief and believe them to be true.
5. As the Notice states, Trinity Mirror has been asked to provide certain documents, in the notice from the Inquiry dated 5 August 2011 addressed to me in my capacity as Company Secretary (the '**Document Request**'). Trinity Mirror is responding separately to the Document Request. Where I refer in this statement to documents that are being disclosed pursuant to the Document Request, I cross-refer to them there.

Overview of statement

6. The Notice asks me to cover quite a number of matters over, on its face, an unlimited period of years. I understand that the Inquiry is content for me to focus on the period from 1 January 2005, to correspond to the Document Request. As such, unless I otherwise state, I am referring to this period. I am conscious in doing so that the Inquiry would be grateful for any additional information outside the terms of the Notice. I have therefore structured my statement to address the Inquiry's questions as follows, referring to the questions as '**Matters**' and adopting the Inquiry's numbering:

(1) **Part 1**: In this Part, I cover:

- i. my background and experience (Matter 1);
- ii. my position at Trinity Mirror (Matters 2 and 9);
- iii. policies, training and guidance provided to me (Matters 4 and 6); and
- iv. commercial / financial pressure and incentives (Matters 15 and 16).

(2) **Part 2:** In Part 2, I address the corporate governance system at Trinity Mirror, including my views on the role of ethics in the print media (Matter 14), and in particular to deal with:

- i. how the system works in practice to ensure lawful, professional and ethical conduct (Matters 8 and 11), including policies in relation to sources of information for stories (Matters 12, 13, 17-19, 22); and
- ii. adherence in practice to systems (Matters 7, 10, 20, 21, 23).

(3) **Part 3:** in this Part, I provide additional information about an internal review of controls and procedures.

7. I attach a schedule in the Appendix hereto mapping my witness statement to the Inquiry's Matters.
8. Some of the questions asked of me would require the waiver of privilege in order for me to address them. I am not authorised to waive any privilege on behalf of Trinity Mirror and nothing in this statement is intended to constitute a waiver of privilege on behalf of Trinity Mirror.
9. However, I am authorised to say in relation to Matter 3 that I do not recall ever being asked to advise on the legality of methods of obtaining information, including phone or computer hacking and 'blagging'. Similarly, I am authorised to say in relation to Matter 5 that I do not recall ever being asked to advise on the legality of paying public servants (including police constables) for information, whether in cash or in kind, other than in relation to the company's general updating of its policies to reflect the coming into force of the Bribery Act in mid-2011, as I return to below in relation to Matter 11.

PART ONE

My background and experience

10. I was called to the Bar in Trinity 1983 (Inner Temple). I did my pupillage in a specialist libel set and a general common law set before practising at the Bar for three years. During this time, I acted as a night lawyer providing pre-publication advice for The Sun and Today. Pre-publication advice involves providing the Editorial teams at newspapers with advice on stories before they are published. I also provided relief holiday cover for the fulltime in-house lawyer on Today. I also contributed a chapter on international and comparative law for the leading textbook *Carter Ruck on Libel and Slander* (third edition).
11. In September 1986, I moved to an in-house position at the London Daily News, where I was Legal Manager. I was the principal pre-publication adviser working in the newsroom everyday to review most stories before publication.
12. I was appointed as the Company Lawyer for the high-profile breakfast television broadcaster TV-am plc ('TV-am') in September 1987. In this role, I was the principal pre-broadcast lawyer advising on the content of programmes and dealing with any post-broadcast complaints. In my role, I was heavily involved in interaction with the (then) regulator, the Independent Broadcasting Authority. In November 1988, I was promoted to Company Secretary and Head of the Legal Department. The focus of my job shifted from pre-publication advice to corporate commercial work, although I was asked to give pre-publication advice on some significant or contentious stories and I remained involved in more significant post-publication complaints and queries. In September 1991, I was promoted to Assistant Managing Director, where I deputised for the Managing Director over extended periods throughout the year. I also joined the plc Board of Directors, but remained as Company Secretary. I was also appointed a director of the company which became Virgin Radio (in which TV-am had a 50% stake) and I was an alternate director on the board of Metro Radio plc.
13. In December 1992 I joined Mirror Group plc ('Mirror Group') as Secretary and Group Legal Director. This was a senior executive position and in this role I was a member of the senior management team and the senior lawyer in Mirror Group. The Editorial Legal Department, which was staffed with very experienced lawyers, reported to me. Throughout this period, my approval was necessary for any settlement of legal actions that

involved paying damages of any amount, however small (this continued in place until around 2004 / 2005, as I return to at paragraph 21 below).

14. In April 1994 I was promoted to Mirror Group's Board and became an Executive Director. I was heavily involved in the development of Mirror Group's early adoption of corporate governance best practices, in particular following the discovery of the fraud perpetrated by Mirror Group's former Chief Executive (before my time), Robert Maxwell. Amongst many other matters, I coordinated Mirror Group's response to Mr Maxwell's fraud, from dealing with all litigation to being the main company representative on the Pension Fund Board dealing with Global Settlement with City Institutions. In my role, I handled all director and senior executive contractual and remuneration issues including share options, share awards and long-term incentive plans ('LTIPs'). I also had high level control of libel and copyright litigation.
15. In 1999 I played a key role with the then Chief Executive and former Finance Director John Allwood in re-positioning Mirror Group ahead of its eventual merger with Trinity plc in October 1999. I was involved in a full strategic review of the business (this review was not of matters relevant to the Inquiry). During the merger process, I was the key executive on Competition Commission and Department of Trade and Industry processes, the drafting of Offer documents, prospectus and listing particulars, the co-ordination of Investment Bankers, Brokers, Lawyers and Financial PR advisers. I had the main responsibility for due diligence.
16. I have served on a number of industry bodies over the years and I am currently a member of the Press Standards Board of Finance ('PressBoF'), the body which oversees the remit of and funds the Press Complaints Commission ('PCC').

My position at Trinity Mirror

17. On merger, I became an Executive Director of Trinity Mirror and retained the title of Secretary and Group Legal Director.
18. I am one of three executive directors of the company, together with (since February 2003) the Chief Executive Sly Bailey and (since May 2003) the Finance Director Vijay Vaghela. In addition to my position on the Board, I also sit on the Executive Committee ('ExCom') which has day-to-day responsibility for managing Trinity Mirror. Mrs Bailey and Mr Vaghela also sit on ExCom, together with senior executives including the Managing Director ('MD') of our Nationals division, Mark Hollinshead. Our Nationals division

publishes the three titles to which I understand the Notice to relate, namely the Daily Mirror, the Sunday Mirror and The People.

19. I am responsible to the Board for a very wide portfolio, including line responsibility for pensions, human resources ('HR'), training, group services (property, insurance, utilities, security and fleet), internal audit, environment, corporate social responsibility, health and safety, printing operations and public affairs. My role covers corporate governance issues.
20. I remain formally responsible to the Board for all legal, regulatory and compliance matters and am the principal contact for most of our external legal advisers. Trinity Mirror is one of the UK's largest newspaper publishers, employing around 6,350 people. My main legal responsibilities relate to mergers and acquisitions, corporate compliance matters including UKLA and FSA regulation, major contracts, significant non-publication related litigation, significant property transactions and pensions.
21. The Editorial Legal Department, which deals with day-to-day publishing matters including pre-publication advice and post-publication issues, reports to me. It is headed by Marcus Partington, who since April 2007 has also been the Deputy Group Legal Director. Mr Partington is very experienced and recognised as an industry leader in media law. He is the Chairman of the Media Lawyers Association and has served on both the Neuberger Committee on super-injunctions and the Ministry of Justice Working Group into the reform of defamation law. Mr Partington and I have a 'no surprises rule' and he keeps me fully briefed on most issues. Since around 2004 / 2005, Mr Partington has had delegated authority to settle smaller claims without referring them to me in advance, but always ensuring that I know about them. In practice, Mr Partington does mostly inform me in advance. My approval is still required for major settlements above a specified limit. I receive a copy of a monthly status report on all outstanding legal actions in any event.
22. My responsibilities for risk management include day-to-day oversight of the Internal Audit Department, which is otherwise segregated from the business: its reporting line is to Mrs Bailey and the Board's Audit and Risk Committee, which is currently chaired by one of our non-executive directors, Kathleen O'Donovan.
23. Following the passing of the Bribery Act in April 2010, I chaired a small working group to undertake a risk assessment of the company's exposures, to review and revise the Group's policies and procedures (as I come back to below) and to create a training programme for our staff. The updated policies and procedures were rolled out in October 2011 and the

training programme is now underway for those staff who are required to complete it, including all journalistic staff. A note on the Bribery Act review has been provided at tab 1 of the bundle of additional information provided by Trinity Mirror.

Policies, training and guidance provided to me

24. I am an Employed Barrister. I am bound by the Code of Conduct of the Bar of England and Wales (the 'Bar Code'). I have to maintain the Bar Standards Board's minimum requirement of 12 hours continuing professional development ('CPD') each year. I believe that the training and CPD opportunities which Trinity Mirror makes available to me are adequate to support my ability to advise the company accurately, including on the legality of methods of obtaining information and issues of bribery and corruption.
25. I look to attend courses that are relevant both to my day job and also to the sector in which I work. I am acutely aware that I have reporting to me people who are the acknowledged leaders in their field and I do not wish to be embarrassed when they seek my views on things. I therefore try to split my CPD training between courses on City Regulation (including corporate governance), employment law and media law. Media law is a growing industry and over the last few years has focused on the twin hot topics of Conditional Fee Agreements and privacy. Inevitably, methods of obtaining information have begun to feature. My employer pays for all these courses. By way of example, I attended the LexisNexis Privacy, Defamation and The Media Conference in 2009 and the Sweet & Maxwell Privacy and the Law Conference in 2010.
26. In relation to training in respect of the issues of bribery and corruption, over about 18 months, I received very many (around 30 or 40) unsolicited briefing notes from various firms of solicitors, both large and small, in relation to the new Bribery Act. I cannot claim to have read all of them, but I did study the briefings from the firms that we instruct directly or who have a very good reputation.
27. For completeness, I would add that Trinity Mirror supports the two solicitors and three employed barristers of the Editorial Legal Department in their CPD, including by paying for courses.

Financial / commercial pressure and incentives

28. As a Director of Trinity Mirror, I have my fiduciary duties to ensure its success. However, I do not believe that is success at any cost, and certainly, since the coming into force of the

Companies Act 2006 I believe I owe a duty to a wider constituency of stakeholders. That aside, I do not believe that I have ever felt any financial or commercial pressure that has affected my decisions as a legal adviser, or, for completeness, as Director or Company Secretary.

29. I have no financial incentive as a legal adviser in the Daily Mirror, the Sunday Mirror and The People printing exclusive stories. My remuneration, bonus schemes, share option schemes and LTIP have never been linked directly to the circulation of any of our titles. My bonus, LTIP and share options have traditionally been linked to the overall financial performance of the Group, most frequently profit but often also revenue and share price. Before 2009, my bonus was also linked to a series of key tasks (none of which relate to the matters under consideration by the Inquiry); from 2009 onwards we moved to a single Group profit target. Ultimately, the success of the individual titles can feed through to the financial well-being of the Company and, therefore, lead to a financial reward to me, but no single exclusive could, of itself, drive or have driven my remuneration in any meaningful way.

PART 2

Corporate governance: systems to ensure lawful, professional and ethical conduct

30. I believe that Trinity Mirror has a very strong and robust system of corporate governance, as described at paragraphs 36 to 66 of the witness statement given by Mrs Bailey to the Inquiry, which I have read and with which I agree. I have explained my position and role in this system above. I focus here on how the system flows through to the journalistic staff, including the Editors, of the Daily Mirror, the Sunday Mirror and The People.
31. I would say at the outset that of course ethics should play a role in the print media. This is a very broad concept, but in my view adherence to both the letter of and the spirit of the Editors' Code of Practice published by the PCC (the '**PCC Code**') would encapsulate a good representation of high ethical standards. A copy of the PCC Code is included at tab 1 of the bundle responding to category (a) of the Document Request. As mentioned above, I am myself bound ethically in my conduct as an employed barrister by the Bar Code, as are the two employed barristers in the Editorial Legal Department. The in-house solicitors in the Editorial Legal Department are bound by the Solicitors' Code of Conduct.
32. Fundamentally, all of Trinity Mirror's journalistic staff on titles are required to comply with the PCC Code and to act within the law in all aspects of their conduct, extending to the

sourcing of information for stories. There have been no changes to this. The PCC Code is in all journalists' contracts of employment, as is the obligation on employees not to break the law, including the Data Protection Act 1998 (the 'DPA'). I believe that this core policy has cascaded, and does cascade, effectively down from Mrs Bailey, the Board and ExCom, through the various management levels to the reporters in the field who source and develop stories. In addition, the journalists employed by Trinity Mirror are likely to be aware of, and have received training on, their obligations under the law and the PCC Code, either as a result of their professional training or through their experience working on other titles.

Structural governance

33. Journalistic staff have clear reporting lines through their Desk heads (themselves senior and experienced) to the Editors in respect of stories. The Editors are accountable to the MD of Nationals, Mr Hollinshead, who is on ExCom. The Managing Editor of Nationals, Eugene Duffy, also has an HR function in his role of managing and facilitating the running of the papers at the business rather than editorial end, which includes involvement in disciplinary actions. Mr Duffy reports directly to Mr Hollinshead. I do not myself have any direct line management responsibility for any journalists in the Group, but as mentioned the Editorial Legal Department works closely with the titles in giving advice on publication issues and reports to me. The Editorial Legal Department plays an active educative function in its day-to-day giving of advice on publication matters.

34. As a Director, I deal with other very senior people as one of their peers. I do not believe that there is a culture of 'success at any cost' or that financial pressure is applied to Editors, journalists or lawyers at Trinity Mirror. I also believe that because of my seniority within the Group, I am able to ensure as a matter of good governance practice that there is no pressure applied to the lawyers to give advice in a certain way. It has always been made very clear to the legal team that if they were to come under any pressure that they should involve me and I would deal with it at a senior level.

PCC Code

35. Trinity Mirror's system supports compliance with the PCC Code through making guidance available and providing access to a full team of lawyers on-site who are expert in giving advice relating to publication issues.

36. Trinity Mirror re-emphasised the importance of compliance with the PCC Code and the law at meetings which I recall in 2006 following the publication of the Information

Commissioner's report, *What Price Privacy?*, and in 2007 following the convictions of Glenn Mulcaire and Clive Goodman. These meetings were led by Mrs Bailey and me and were attended by the three National Editors on the Daily Mirror (Richard Wallace), the Sunday Mirror (Tina Weaver) and The People (the then-Editor Mark Thomas), Mr Duffy and Mr Partington. Mrs Bailey was clear that compliance was Trinity Mirror's absolute policy and if any Editor, or one of his or her journalists, broke the criminal law then the Editor would be dismissed. Everybody present said that they fully understood that position on both occasions.

37. In about early 2011 I called a meeting with Mr Hollinshead, the Director of Corporate Communications on ExCom (Nick Fullagar), Mr Partington, Mr Wallace, Ms Weaver, the Editor of The People, Lloyd Embley, and Mr Duffy to discuss Trinity Mirror's public response to the phone hacking allegations which were emerging externally. This was to agree a response to enquiries being made of Trinity Mirror by the media. The Editors all confirmed that Trinity Mirror could say that our journalists work within the criminal law and the PCC Code.

Code of Business Conduct and anti-bribery policies

38. All staff must comply with Trinity Mirror's Code of Business Conduct, which is clear that the highest standards of personal integrity and conduct must be maintained at all times (this document is at tab 2 of the bundle responding to category (a) of the Document Request). The Code of Business Conduct specifically addresses Trinity Mirror's policies on conflicts of interest, entertainment, gifts or benefits, confidentiality, inside information and political and civic activities. It is clear that anyone who is ever in any doubt about any matter concerning business conduct should seek advice from a senior manager, or failing whom, from me. It states that breaches of best practice as set out in the Code of Business Conduct can result in disciplinary action. The Code of Business Conduct is part of Trinity Mirror's induction programme (at tab 6 of the bundle responding to category (a) of the Document Request). In addition, there is a Code of Conduct Policy which reiterates aspects of the Code of Business Conduct in addition to other aspects of expected conduct – this is at tab 7 of the bundle responding to category (a) of the Document Request.
39. The Code of Business Conduct incorporates Trinity Mirror's policies against bribery and corruption, as do Trinity Mirror's other policies, in particular for the purposes of this statement, its Expenses policies, its Group Procurement Policy and its policy against Fraud. Updated versions of these policies have been circulated internally to take account of the

coming into force of the Bribery Act in mid-2011, however the substance has always been that Trinity Mirror does not tolerate bribery or corrupt practices, or any unlawful behaviour. The updated versions of the Group Procurement, Business Expense and Fraud policies are at tabs 3, 4 and 5 of the bundle responding to category (a) of the Document Request. The previous versions of these policies are at tabs 4, 6 and 9 of the bundle responding to category (b) of the Document Request. To support the reiteration of our values, and also to ensure that staff are familiar with the requirements of the new Bribery Act, we are requiring most staff, including all editorial staff, to undergo web-based training on bribery and corruption.

Data protection

40. In relation to data protection, in addition to requiring compliance with the DPA, Trinity Mirror follows the PressBoF guidance on data protection issues that was issued in 2008, disclosed at tab 11 of the bundle responding to category (a) of the Document Request. The Managing Editor Mr Duffy has spoken with line managers about data protection and on 5 April 2007 emailed all staff on the Daily Mirror, Sunday Mirror and the People to re-emphasise Trinity Mirror's strict expectation that journalists should adhere to the DPA – these emails are at tab 10 of the bundle responding to category (a) of the Document Request. Trinity Mirror's induction programme for new joiners includes the DPA and we have an intranet page dedicated to the DPA with a questions and answers section aimed at staff on editorial, with a link to the PressBoF guidance: these documents are at tabs 6 and 12 respectively of the bundle responding to category (a) of the Document Request. Compliance with the DPA is also part of the Code of Conduct Policy.

Fraud policy

41. Trinity Mirror's Fraud policy, referred to above, reiterates the Group's commitment to the prevention and detection of fraud, which for the purposes of the policy includes bribery or falsifying expense claims. It requires all staff as well as freelance, casual and temporary agency staff and contractors to act honestly and to report any suspected fraud. It summarises Trinity Mirror's procedure for dealing with suspected fraud – I am one of the four people named as a direct contact.
42. Trinity Mirror has also been running fraud workshops in the last three years in light of the global economic downturn; these are targeted at the finance department and the detection

of fraud. Documents relating to these workshops are at tabs 18 to 22 of the bundle responding to category (a) of the Document Request.

Dignity at Work Policy and Equal Opportunities Policy

43. Trinity Mirror has a Dignity at Work Policy to promote its desire to have an environment free from harassment at work. This is at tab 3 of the bundle of additional information provided by Trinity Mirror. It extends to victimisation and bullying.
44. Trinity Mirror has an Equal Opportunities Policy, applicable to all staff, agency staff, consultants and freelance contractors. This document is at tab 4 of the bundle of additional information provided by Trinity Mirror.

Whistleblowers' Charter

45. Trinity Mirror has a 'Whistleblowers' Charter' (included with the Fraud Policy at tab 5 of the bundle responding to category (a) of the Document Request) that applies not only to concerns about fraud, but also about any incident of suspected malpractice, expressly including (amongst other incidents): any criminal offence that has been, is being or is likely to be committed; where there has been or is likely to be a failure to comply with legal obligations; unethical behaviour, malpractice or wrongdoing of any description that has been, is being or is likely to take place; and the concealment or likely concealment of information proving any wrongdoing. In addition, the Whistleblowers' Charter covers any breaches of Trinity Mirror's policies against discrimination, harassment or the persistent and deliberate avoidance of agreed processes or systems. Again, I am named as one of the direct contacts for anyone who has any concerns.

Disciplinary policy

46. Trinity Mirror takes disciplinary matters very seriously. The system in practice is that in the event of alleged misconduct, initial inquiries will be conducted by HR and / or a relevant manager, who is not the same person who would conduct any hearing. If necessary, a hearing will then be conducted by the employee's line manager, with HR in attendance. The line manager will make a decision. The employee has the opportunity to appeal, with the appeal being heard by a more senior manager, or a manager at least as senior as the manager who made the first decision. A copy of the Disciplinary Policy is at tab 23 of the bundle responding to category (a) of the Document Request.

Policies in relation to sources of information for stories

47. As mentioned, Trinity Mirror's overarching policy is that its titles must operate within the PCC Code and the law in all respects, including the checking of sources and the use of external sources of information for stories.

Responsibilities for source checking and editor awareness of sources

48. The mechanics of how this policy is implemented in practice for source checking is ultimately a matter for each title's Editor, who is accountable to Trinity Mirror. Given my role, I do not myself have current working knowledge. However, I note that the recent review of editorial controls and procedures, which I outline in Section 3 below, considered this issue and made a number of recommendations.

Use and payment of external sources

49. Again, within the overarching policy of acting within the PCC Code and the law, the detail of the remit of external sources and how they are used is ultimately a matter for the title's Editor, who is accountable to Trinity Mirror.

50. I have had no role in instructing, paying, advising on or having any other contact with private investigators and / or other external providers of information for stories, including the police, public officials, mobile phone companies or others with access to these sources, including advising on any of these activities.

51. I am aware that journalists working on various of our newspapers have used private investigators over the years. I was also, of course, aware of the contents of the Information Commissioner's reports, *What Price Privacy?* and *What Price Privacy Now?*. In line with the general theme taken from the Information Commissioner, not only in the media industry but by the other industries to which the reports were directed, Trinity Mirror adopted a forward-looking approach. Trinity Mirror has disclosed documents relating to the payment of private investigators in the bundle responding to category (d) of the Document Request.

52. In relation to payments, I am aware that Trinity Mirror's titles make payments to external sources of information. This is governed by strict policies and procedures, as Mr Vaghela explains at paragraphs 44 to 55 of his witness statement, which I have read and with which I agree so far as the matters are within my knowledge. Any breach of financial systems

and the special procedures set up for the approval of payments is potentially a serious matter from a disciplinary perspective.

53. I have no knowledge myself of any person paying or receiving payment for information from the police, public officials, mobile phone companies or others with access to them.

Adherence in practice to systems

54. In my Group Legal Director role and in light of my HR and training responsibilities, I have a responsibility for adherence in practice to the systems that I have outlined above.

55. To the best of my knowledge, there is a high degree of compliance in practice with Trinity Mirror's systems and the controls are effective. From time to time, there are exceptions, but as explained, Trinity Mirror takes a firm stance against misconduct. To the best of my knowledge, since the meetings referred to in paragraph 36 above, Trinity Mirror's policy of compliance with the PCC Code and the law has been followed in relation to the use of private investigators or other external sources of information for stories. I do not know to what extent in practice the policy was followed prior to that time although I am mindful of what was said in the Information Commissioner's reports "What Price Privacy?" and "What Price Privacy Now?". Where the policy was not followed I do not know what practice was followed.

56. I have never used or commissioned anyone who used computer hacking in order to source stories, or for any other reason; to the best of my knowledge the same applies to the Daily Mirror, the Sunday Mirror and The People apart from the internal matter disclosed to the Inquiry at tab 6 of the bundle responding to category (c) of the Document Request.

57. On August 2nd 2011 in the wake of the 'phone hacking' and police bribery allegations concerning the press and meetings of the Board and Audit and Risk Committee of Trinity Mirror (but before Trinity Mirror was served with the Inquiry's section 21 notices including my Notice and the Document Request on August 8th 2011), I wrote to 43 senior editorial executives on our national and regional titles.

58. I asked whether since October 2000 the addressee, or to his or her knowledge anyone on his or her staff or instructed by his or her staff has intercepted any mobile or fixed line telephone messages, or made any payment to a serving police officer, or illegally accessed the police national computer system or the criminal records bureau. I asked for the letter to be signed and returned to me by close of business on Tuesday 9th August 2011. I asked to

be called immediately if in fact any of these activities had been undertaken. A further staff member also subsequently asked to sign the letter. All 44 letters were returned to me signed with no issues raised. (I chose October 2000 as the start date to coincide with the commencement of the Regulation of Investigatory Powers Act 2000).

59. In relation to Matter 7, (which asks whether I have had any input into any internal inquiry into phone hacking, computer hacking and "blagging", bribery or corruption) apart from the in internal matter disclosed to the Inquiry at tab 6 of the bundle responding to category (c) of the Document Request there have not been any internal inquiries into the matters mentioned in Matter 7.

PART 3

Internal review of controls and procedures

60. Anticipating that this might be helpful to the Inquiry, I provide the following additional information.

61. In light of the disclosures of activities at the News of the World and the widespread introduction of the new IT editorial system ContentWatch across the Group, in late July 2011 Trinity Mirror began a review of editorial controls and procedures employed within the Group. I was the Board Sponsor for this review and it was chaired by our Director of Risk and Audit, Charmian Steven. The review team comprised Neil Benson, Editorial Director, Regionals, Philip Brown, Deputy Group Finance Director, Allan Rennie, Editorial Development Director, Nationals and Mr Partington. The results of the review were presented to Trinity Mirror's Board on September 28th 2011 and are at tab 2 of the bundle of additional information provided by Trinity Mirror.

62. The review looked at:

- (1) the output of the review undertaken in February 2004 following the publication of the report by Lord Hutton into the death of Dr David Kelly and reconsidering it to establish whether any element of that review needs to be amended or updated (the Dr Kelly incident involved a journalist from the BBC revealing Dr Kelly as a source. This had nothing to do with Trinity Mirror, but in keeping with our practice we took the opportunity to be proactive);
- (2) whether additional processes are needed to ensure that the provenance of any story is properly understood at senior editorial levels;

- (3) whether sufficient safeguards and checks are employed to ensure that if the 'public interest' is considered sufficient justification for a prima facie breach of the PCC Code or of the DPA that authority is sought from the most senior editorial executive prior to any steps being taken; and
- (4) controls and processes for authorising contributions and other editorial payments including any cash payments.

63. The review found that Trinity Mirror's controls and procedures had developed since the post-Hutton review and that, in general, controls are robust. The review identified a number of areas in which controls could be strengthened and practices and procedures updated to reflect best practice in the current environment. The review made a number of recommendations for specific areas. These include that editorial executives will be reminded that it is their responsibility to understand the provenance of material and to satisfy themselves that it has been appropriately obtained. This authority may need to be delegated where it is impractical for one person to have oversight, however, it will be made clear that story provenance is ultimately the responsibility of the Editor. The Editor should take any issues over provenance (particularly the identity of sources) into account when making their judgement on whether to publish, ask pertinent questions, and seek legal advice if necessary. The review recommended editorial departments in all the Group's National and Regional newspapers should implement best practice whereby an editor holds a weekly review of any legal issues with their team. A training plan should be developed to ensure all journalistic staff are fully aware of the need to verify sources and of the relevant legal, regulatory and compliance issues which may affect the approach to obtaining a story. In addition, a formal guidance note will be issued to all editorial staff setting out working practices when considering the public interest, in particular establishing a protocol for the Editor signing off in on a public interest defence. In respect of contract agencies and third parties, recommendations were made to ensure that Trinity Mirror's requirements in respect of compliance with the PCC Code and the law are understood and adhered to. The review's recommendations were accepted and adopted by the Board on 28th September 2011 and now form Group policy.

Documents

64. The Notice includes a request to me to provide certain documents, namely:

- (1) Any in-house training documents, policies, protocols, handbooks, guidance, code of conduct, or practice relating to my role as in-house adviser: I believe that documents in this category have been disclosed in the bundles responding to categories (a) and (b) of the Document Request. In addition, there is the Bar Code, however I have not exhibited a copy as it is publicly available.
- (2) My job description and / or the person specification for my role: no such document exists.
- (3) Any document containing communications between me and private investigators in the course of my employment: to the best of my recollection, there are no such documents.
- (4) Any document containing communications between me and the Editor, sub-editor, or any journalist concerning the legality of any method of obtaining information including (but not limited to) phone hacking, computer hacking and 'blagging': to the best of my recollection, there are no such documents and any such documents would be likely to be privileged.
- (5) Any document requesting my advice or containing advice from me concerning the payment in cash or kind of public officials (including police officers) for information: to the best of my recollection, there are no such documents and any such documents would be likely to be privileged.

Sign



Paul Andrew Vickers

Dated: 13th October 2011