

John Whittingdale MP

Chairman, Culture Media and Sport Committee

5.11.2011

Dear Mr Whittingdale,

I apologise for missing your requested date for reply.

In answer to the questions in your letter of October 24:

1. I did not have a copy of the briefing note until it appeared on your website.
2. I did not have a copy of the opinion from counsel until it appeared on your website.
3. The evidence I gave to your Committee on September 6 was at the time my best recollection of the relevant events. Having seen the evidence given by Julian Pike and the documents produced by him which now appear on your website, I accept that my recollection was incorrect in relation to certain details. I apologise for that.

By way of explanation, since my departure from News International in early July I had no access to office files or contemporaneous records of any kind relating to relevant 2008 meetings, conversations, etc, and, in fact, had probably not looked at such records since 2009.

In respect of the statement to which you specifically refer (Q979), it is an accurate account of the reasons for and matters discussed at the meeting I attended on June 10th though it now seems from the records produced by Mr Pike that Mr Murdoch already had knowledge of the new evidence (the "for Neville" email) as a result of his May 27 meeting with Mr Myler.

In answer to the request you make in 3.a) I did not mention the briefing note because at the time I had no memory either of the note or of the May 27 meeting between Colin Myler and James Murdoch. Since I had discussed relevant matters with Colin Myler prior to appearing before you on September 6, I know that he did not remember these things either. We may both be criticised for this, but I think it is probably not unusual for busy people to fail to recall detail (or even the existence) of meetings and conversations from more than three years earlier without being able to refer to written records.

Having seen the documents on your website, it is clear that my first conversation with Mr Myler about the emergence of the new evidence from Gordon Taylor's lawyers and its impact on our defence case was earlier than I had previously thought and must have occurred a day or two prior to Saturday May 24. Following that conversation a meeting for Mr Myler to discuss the evidence and the need to settle the Taylor case with James Murdoch was fixed for the following Tuesday, May 27.

Normally I would have attended that meeting but was due to be away on holiday for the whole of the following week. Mr Myler therefore requested I produce a briefing note setting out the background to the case and the significance of the new evidence so that he could accurately explain it to Mr Murdoch. He was also keen on getting a written opinion from our leading counsel as soon as possible on quantum of likely damages and tactics in the Taylor case given the obvious impact of the documents obtained by the other side from the police. As you know, I sent the briefing note to him and copied it to Julian Pike late on Saturday, May 24. I also asked Mr Pike to instruct our leading counsel to produce an urgent written Opinion on quantum and tactics.

4. Without access to the relevant files or any other contemporaneous record I do not have a detailed memory of my meeting with Mr Lewis in Manchester. It was certainly my suggestion and I think it took place after he had issued (as opposed to threatened) High Court proceedings. Prior to the meeting I believe I told him that I thought it would be sensible to have a chat to see whether there was any common ground between us which might lead to the matter being resolved.

As far as I can recall, at the meeting I told him that we had been unable to find any direct evidence that the News of the World or any of its reporters or executives were implicated in Glenn Mulcaire's illegal accessing of Gordon Taylor's phones. I told him that I had spoken to those who could conceivably have been involved and they said they had no knowledge of Mulcaire's activities in this area. Mr Lewis suggested they may not be telling the truth.

We talked around the subject for a while – maybe 25 minutes – I do not remember Mr Lewis telling me that his client wanted £250,000 during the meeting. I thought that figure was relayed to us later. I did tell him, however, that because we recognised that Mr Taylor had clearly had his phone accessed by someone whose services the News of the World used to use, we were prepared without necessarily admitting liability to make a payment to him in settlement of his action. I suggested £25,000. He said he did not think that would satisfy him but he would take Mr Taylor's instructions. The meeting then ended. My best

memory is that the figure of £250,000 was first mentioned when Mr Lewis subsequently got back to us with instructions from his client.

5. Again, I don't have a particularly clear recollection of the lunch I had with Mr Lewis. It was after Gordon's Taylor's case settled and the invitation was mine and made through Julian Pike who still had contact with Mr Lewis over wrapping up the loose ends of the settlement. Mr Pike was also invited to and attended the lunch which was at a restaurant above a pub in Fetter Lane.

As far as I was concerned the lunch was purely a social occasion with someone with whom we had done business. Mr Lewis's recollection in evidence that Mr Pike was not there is wrong – he was. Mr Pike left at the end of the meal.

After I paid the bill, Mr Lewis and I went downstairs to the bar area. He told me there that we would be hearing from him with claims for Ms Armstrong and another person. We briefly discussed those matters and I left him there finishing the drink I had bought him. For the record, I had raised the probability of hearing from Ms Armstrong with Mr Pike a long time before the lunch. Mr Lewis's recollection of "watching me go pale" is mistaken.

Once again, I apologise for missing your requested deadline for this response.

Yours sincerely,

Tom Crone