

TRIAL AND ERROR

A Special Report by **Adam Macqueen**

TWO WEEKS AGO – just hours after the last issue of the *Eye* went to press – a jury of her peers found Rebekah Brooks not guilty of all charges in her eight-month trial, while deciding that Andy Coulson knew all about the widespread phone-hacking at the *News of the World* during both their editorships.

As well as declaring that Brooks had no knowledge of her staff hacking phones or paying public officials on the *Sun*, the jury also unanimously cleared her of charges of conspiracy to pervert the course of justice regarding the removal of seven boxes marked as containing her notebooks from the News International archive a

few days after news of her staff hacking Milly Dowler emerged, and the hiding of computer equipment and other material from police searching her Cotswold and London homes.

But during her 13 days in the witness box, Brooks did admit that several specific actions she had taken both as *Sun* editor and chief executive of News International had been aimed at preventing the full extent of the phone-hacking conspiracy at the *News of the World* from becoming public – even though, as she insisted, she did not believe at the time that the claims she was trying to cover up were true.

WHAT REBEKAH DID...

Ignored information that others at the *News of the World* were involved in phone hacking in addition to those originally charged with the offence

Even the bare minimum that Andy Coulson was forced to admit in the witness box – that he had been played recordings of then home secretary David Blunkett's voicemails to his girlfriend Kimberly Quinn by Neville Thurlbeck in August 2004, and that he had turned them into a front page splash – made it clear that a number of senior figures at News International knew the phone hacking conspiracy went beyond Clive Goodman and Glenn Mulcaire. He said that he shared that information with a lawyer at the company – who kept the Blunkett tapes in his safe – and a senior News International executive, an account that was backed up by Thurlbeck himself in mitigation presented to the court last week following his own guilty plea.

Brooks, then still Rebekah Wade and editing the *Sun*, testified that although she

had discussed the Blunkett story with Coulson before it was published, she was “absolutely not” told about its provenance – but she certainly knew from 2006 onwards that evidence existed of a more widespread phone-hacking conspiracy at the *News of the World*, because the police told her about it.

In September that year – just a month after the arrests of Goodman and Mulcaire – Brooks received a two-hour briefing from police about the investigation, thanks to the fact that her own voicemails had been accessed by Mulcaire. She told the court that she was concerned “from a corporate view to know where the police were. Journalists are curious creatures by nature. I went in hoping to discover the latest from the horse's mouth.”

Her account of the meeting, which she immediately shared not just with Coulson but with other senior News International executives including Rupert Murdoch, was that police had details of 100 to 110 victims, but were “not widening the case to cover other *NotW* journalists, but would if evidence emerged”. She also passed on the names of a number of other suspected victims, including Tessa Jowell, Hugh Grant, Jemima Khan, John Prescott and his mistress Tracey Temple – and Blunkett and Quinn. None of these victims featured in the limited charges to which Goodman and Mulcaire

would plead guilty two months later.

Brooks told her colleagues that she believed there was not too much to worry about: although police “do have GM's phone records which show sequences of contacts with *News of the World* before and after accesses... obviously they don't have the content of the calls so this is at best circumstantial.”

Brooks – a company woman through and through – declined a request to appear as a prosecution witness at Mulcaire's trial, because of “the complexities that would have caused on a corporate level”. But she did admit under cross-examination that from this point on she was aware that police suspected a criminal conspiracy at the *News of the World* that went way beyond the “single rogue reporter” the company would admit to for the next four and a half years.

Despite this, both then and when she became CEO three years later, Brooks went along with the company lie (*shurely* “line”? *Ed*) that no one other than Clive Goodman at the *News of the World* had been involved with Mulcaire's hacking. She told the court that despite learning, either through the police meeting or in the course of “internal investigations” at the company, that the phone-hacker's employment had begun during her own editorship of the paper, →

THE GUILTY MEN

In sentencing Coulson, the judge said that although his actions were "unforgivable... there is no evidence that Mr Coulson played any part in the cover-up that occurred after his resignation" in 2007



ANDY COULSON
18 months



GREG MISKIW
Six months



NEVILLE THURLBECK
Six months



JAMES WEATHERUP
Four-month suspended sentence



GLENN MULCAIRE
Six-month suspended sentence: has already served time for hacking

Dan Evans, another former News of the World employee, has yet to be sentenced

she had not asked any further questions about his activities: "I thought he had been paid for legitimate private detective work."

In the witness box she tried to claim that the "horse's mouth" evidence she had been offered by police had been superseded by statements made at the subsequent trial that hacking "had been confined to Clive Goodman and Glenn Mulcaire. I can't remember if the judge said it but I remember it being out there in the public domain that that was the end of it." The prosecution, however, forced her to admit that she must have known at the time that on the contrary, Mr Justice Gross had pointed out that in several cases the hacker had "not dealt with Goodman but with others at News International" and Goodman's own NI-funded lawyer had argued that "whoever else may be involved at the *News of the World*, his involvement is so limited."

Despite all this inside knowledge, Brooks insisted that when she took over as CEO three years later, she had not felt any need to make any further inquiries about the extent of phone hacking on the grounds that "other people had made statements about it... there wasn't any need to do any more investigation." This is extraordinary.

Brooks was appointed CEO in June 2009, although she did not start the job until 1 September. In July, the *Guardian* had carried accurate details of a wallet-busting secret settlement with victim Gordon Taylor and the fact that phone-hacking victims ran into the thousands, which NI denied in a bullish statement: "All of these irresponsible and unsubstantiated allegations against the *News of the World* and its journalists are false."

The revelations kicked off a further round of police, parliamentary and Press Complaints Commission investigations, with Brooks being invited as CEO-in-waiting to appear in front of the Commons culture select committee "to resolve inconsistencies in [News International's] evidence". She declined, leaving *NotW* editor Colin Myler and an NI lawyer to face the MPs, who later ruled that they "deliberately avoided disclosing crucial information to the committee and, when asked to do, answered questions falsely".

The company had at this point for more than a year been in possession not just of an email which made Neville Thurlbeck's involvement in phone hacking clear, but also a legal opinion commissioned from Michael Silverleaf QC which warned that there was "a powerful case that there is (or was) a culture of illegal information access" at the *News of the World*. All of this information would presumably have been available to Brooks in her new job – it had been made available to her boss, James Murdoch, although he claims not to have read it – but the "curious creature" apparently did not think to ask.

In the light of the jury's verdicts we can only conclude that as well as being an inept editor who had no idea how her staff were getting their stories, she was a spectacularly negligent CEO as well.

Attempted to stop details of a wider phone-hacking conspiracy emerging in public at an employment tribunal in 2007

On 13 April, not long after Clive Goodman had been released from prison and when she was editing the *Sun*, Brooks took the

disgraced hacker out to lunch to offer him a job. This, Brooks admitted to the court, was a straightforward attempt to prevent Goodman from going through with an embarrassing public employment tribunal at which he was threatening to air the truth about Coulson and "pretty much everybody who had a senior role" on the *News of the World's* involvement in phone hacking. It came after a discussion with an executive at News International who the jury was told knew about Thurlbeck's hacking, at which it was decided that: "I was the right person to speak to Clive and find a middle way."

Brooks insisted in the witness box that: "I don't think anyone, me included, thought the allegations by Clive had any basis" at the time; but "there was concern at News International that a line had been drawn under the episode and the company felt that... to go through an embarrassing employment tribunal would lead to a series of damaging headlines."

Goodman rejected her offer, and instead the company ended up paying him £153,000 to settle his claim and stop the names coming out. Brooks denied being told any details of the settlement, although "I'm sure my natural curiosity would have made me ask."

Paid to halt legal proceedings that would have revealed the names of other phone-hackers at the *News of the World* in 2010

In January 2010, not long after she had been made CEO, Brooks personally negotiated the settlement of a civil action with phone hacking victim Max Clifford in order to prevent Glenn Mulcaire being forced to name staff on the paper who had instructed him to hack phones.

As what she admitted in court was "a damage limitation" strategy, Brooks offered to settle with Clifford in return for a £200,000 retainer for which he would "represent the *Sun*/do business for the *Sun*". She agreed with colleagues that nothing should be put in writing because it "would look terrible if seen to be 'buying off' Max". A note of the meeting records that "she could physically turn up with cash this evening." A deal was eventually done with Clifford for £1m. In the witness box, Brooks was completely clear about why this happened: "I accept the motive and objective was to stop Glenn Mulcaire from naming names... It had the potential for financial and reputational damage to the company... The main reason for settling was damage limitation."

She maintained, however, that she did not know the names he would name would be the right ones: "Glenn Mulcaire, by anyone's standards, was an unreliable witness." That did not, however, stop her company from agreeing just months later to indemnify the phone-hacker "in respect of his legal costs and disbursements for dealing with and defending proceedings in which he and [NI subsidiary] News Group Newspapers [NGN] are joint defendants", while still publicly claiming that whoever else he might have been hacking phones for, it can't have been anyone at the *News of the World*. This was covered by a clause stating that "the fact of NGN providing Glenn with an agreement to meet his legal costs shall not be disclosed to any third party."

Allowed her company to deny accurate claims about the wider extent of phone-hacking in the *New York Times* in September 2010

In September 2010, the American paper printed a lengthy investigation which revealed that Andy Coulson openly discussed and “actively encouraged” phone hacking as editor, and that feature writer Dan Evans had been suspended from frontline duties for trying to intercept designer Kelly Hoppen’s voicemails in June 2009. A spokesperson for the *NotW* denounced these as “unsubstantiated allegations... we reject absolutely any suggestion there was a widespread culture of wrongdoing at the *News of the World*.”

Brooks – that spokesperson’s boss – admitted in court that “there was a Dan Evans situation that [*NotW* editor] Colin Myler brought to my attention” by that point, but she remembered very few details of it and still believed that no one on the paper other than Goodman had been involved with phone hacking. Having been assured that Evans “denied any wrongdoing whatsoever”, she still felt no need to investigate the matter further.

Tipped off Andy Coulson that incriminating evidence was emerging

Brooks told the court that black and white evidence of a wider phone hacking conspiracy at the *News of the World* emerged at the very beginning of January 2011 as part of the ongoing disclosure process the company was involved in as a result of civil actions against the paper.

The company suspended the journalist who was implicated and put out a statement that was not intended to be ironic – “The *News of the World* has a zero tolerance approach to wrongdoing” – but the evidence was not passed on to police until 25 January, resulting in the launch of Operation Weeting the following day. In the meantime, on 14 January, Brooks had a “discreet” meeting with the prime minister’s official spokesman at a hotel in Victoria. She told the court that “I was going to tell Andy that we’d found some pretty incriminating evidence” and that he should think about resigning from Downing Street, which he did on 21 January.

Oversaw the destruction of the *News International* email archive for the period crimes were being committed

In January 2010 – a few months after Rebekah Brooks had become CEO – News International launched a new official policy “to eliminate in a consistent manner across NI (subject to compliance with legal and regulatory requirements as to retention) emails that could be unhelpful in the context of future litigation in which an NI company is a defendant.”

It was at first proposed that all emails dating from before December 2007, the year Andy Coulson left the *News of the World*, should be permanently deleted; but the court heard that in June Brooks changed this deadline to 1 January 2010. “How come we haven’t done the email deletion policy discussed and approved 6 months ago?” she demanded in an internal document shown to the jury. When the new date was queried by a colleague who pointed out that “The

revised date is likely to be misconstrued if circulated externally”, Brooks replied “Yes to 2010. Clean sweep.”

A 9 September memo from the IT department notes that “there is a senior NI management requirement to delete this data as quickly as possible”, while Brooks personally chased up progress once again on 7 October. Brooks told the court this was simply because a mass of old emails stored on company servers were slowing computers down or causing them to freeze, and that NI “wanted to design a completely new system and come bang up to date”.

She insisted that the policy had been carried out “in conjunction with lawyers and they were absolutely aware of what needed to be kept”; but the court heard that more than 10m emails have been lost forever, including all but a few thousand emails sent before 2008, which covers the period that, in prosecutor Andrew Edis’s unimprovable words, the *News of the World* was functioning as a “thoroughly criminal enterprise”.

At the trial, Coulson’s lawyer tried to use the absence of most of his client’s old emails in his defence, suggesting that the “gaps in evidence” meant it would not be safe to convict him.

Failed to account for the whereabouts of a number of her own email devices

Brooks testified that when she served as News International’s chief executive, “the level of paranoia was quite high, myself included, about privacy and security”. She had her offices, home and car regularly swept for bugs. But she was unable to explain the whereabouts of a number of missing devices she used to access her emails, a medium which she said she used “more than usual”, regularly putting information in writing and sending it even to colleagues who were in the same room as her.

Brooks admitted discarding BlackBerrys at surprisingly regular intervals – “Maybe four or five times a year... They broke, or a new model came out, or I spilt something on it, the usual wear and tear if you have it with you using it all the time” – but was unable to account for what had become of many of them. While most people have drawers or boxes in the attic stuffed with old mobile phones held on to “just in case”, not so the Brooks family – when police searched their country home after Rebekah’s arrest, they did not find a single electronic device, although a number of computers were removed from their London flat. An HTC mobile phone, three BlackBerrys and at least one iPhone, all apparently used at the Cotswolds property during 2010-11, remain unaccounted for.

One of the missing BlackBerrys was a model which Brooks was advised to stop using by NI security in January 2011 because she feared it might be being accessed by enemies of the company. By a startling coincidence which the judge ruled the jury could not be made aware of, that particular machine was dumped and replaced by an identical model on the very day that NI handed over new evidence of phone-hacking which prompted the Met to launch Operation Weeting.

Another BlackBerry that has never been found – again swapped for an identical model – was discarded on 2 June that same year, at around the same time the hard →

WIT AND WISDOM OF REBEKAH

"THEY HAVE A LIST OF 100 TO 110 VICTIMS"

Brooks updates colleagues on the scope of the police investigation, September 2006

"A LINE HAD BEEN DRAWN UNDER THE EPISODE AND THE COMPANY FELT THAT TO GO THROUGH AN EMBARRASSING EMPLOYMENT TRIBUNAL WOULD LEAD TO A SERIES OF DAMAGING HEADLINES"

Brooks on why she tried to hush up Clive Goodman in 2007

"THE OBJECTIVE AND MOTIVE WAS TO STOP GLENN MULCAIRE FROM NAMING NAMES. THE MAIN REASON FOR SETTLING WAS DAMAGE LIMITATION"

Brooks on why more hush money was paid in 2010

"I WAS GOING TO TELL ANDY THAT WE'D FOUND SOME PRETTY INCRIMINATING EVIDENCE"

Brooks on tipping off Coulson in January 2011

"ELIMINATE IN A CONSISTENT MANNER ACROSS NI EMAILS THAT COULD BE UNHELPFUL IN THE CONTEXT OF FUTURE LITIGATION"

New IT policy introduced by Brooks in 2010

"WE HAVE PAID THE POLICE FOR INFORMATION IN THE PAST"

Brooks to parliamentary select committee, 2003

JUST FANCY THAT



Private Eye 1293, 22 July 2011

drive of Brooks's old office computer disappeared from the records at NI, presumed destroyed.

The explanation Brooks's defence team offered for the un-traceability of these devices was the inefficiency of record-keeping in the IT department at News International: "We didn't particularly have a formal system as such." Staff were, however, efficient enough to attach an NI label to one of the computers which Brooks's husband Charlie admitted hiding from police when their homes in the Cotswolds and London were searched.

Admitted that as an editor she paid public officials, one of the charges she was cleared of

"We have paid the police for information in the past," admitted Brooks, then *News of the World* editor, to the culture select committee in March 2003 – an answer that was swiftly clarified to: "We operate within the code and within the law and if there is a clear public interest then we will."

Last month Brooks was cleared of conspiracy to commit misconduct in public office while editing the *Sun* – this time involving an MoD official – while the jury failed to come to a verdict on a similar charge against Coulson at the *News of the World*. But parliamentary privilege – an issue which Mr Justice Saunders described as "incredibly complicated" – meant that neither this, nor any other evidence given by Brooks, Coulson, any of their colleagues or either of the Murdochs to select committees over the years could be presented to the jury.

THE SECRETS OF COURT 12

Since the "Trial of the Century" kicked off in the dying days of October last year, the Eye has done its best to keep readers abreast of events in Court 12 of the Old Bailey. But there was plenty which went on in the absence of the jury which could not be reported – until now.

THE AFFAIR

ALTHOUGH their lawyers accepted by the opening of the trial that the affair between Rebekah Brooks and Andy Coulson would become public knowledge, they still vigorously opposed any mention of it in the prosecution's opening speech. It was not about his client's privacy, declared Brooks's QC Jonathan Laidlaw – "that is long gone" – but any publicity was likely to be inaccurate and prejudicial, based on "an aspect of Mrs Brooks's life, the interest in which may be based on fact or fiction".

The judge, however, ruled that the affair could and indeed should be brought up in connection with the phone contact between the lovers at the time of the Milly Dowler hacking, when Brooks was on holiday with her soon-to-be husband Ross Kemp, and Coulson was back in London putting together the paper as her deputy.

Saunders pointed out that unless he was "being stupid", this would actually benefit the defence, providing as it did a different context to their phone calls. If so, it was not



FIVE IMPORTANT DIFFERENCES BETWEEN ANDY COULSON AND REBEKAH BROOKS



- **Rupert Murdoch was considerably fonder of one than the other.** In July 2011, on the day the final edition of the *News of the World* was published, Murdoch famously pointed at Rebekah Brooks when asked what his first priority was and said: "This one". And Tom Watson MP, a fierce investigator of phone hacking, claims that the month before that he was approached by "two intermediaries close to News International" who offered to do a deal: the company would "give him" Coulson but Brooks was "sacred".
- **Brooks was still at News International at the point in early 2011 when the company began cooperating with the police and handing over evidence of wrongdoing, whereas Coulson was long gone.**
- **Rupert Murdoch has always been happy to pay Brooks's legal bills, whereas Coulson had to take his former boss to the appeal court in order to force him to honour his contractual obligation to pay his.**
- **Brooks merely wrote to David Cameron in October 2009 to say that "professionally we are definitely in this together", whereas Coulson actually was.**
- **Andy Coulson is guilty of conspiring to hack phones, whereas Rebekah Brooks is innocent of everything.**

one they relied on – both denied that they had been anything other than good friends at that particular time.

The debate in the courtroom was elliptical as every side tried to avoid spelling out what they were actually discussing. The affair was referred to throughout by the rather splendid euphemism "the sensitive area".

There was no such coyness the following month, with the existence of the relationship – and the draft letter from a dumped Brooks to Coulson, discovered by police on a seized computer, which revealed it – well and truly out in the open. 21 November saw heated exchanges over whether the letter's full contents should be revealed in court, meaning the press – those awful nosy journalists again! – would be allowed to quote it.

Brooks – never viewed as much of a stylist in her tabloid-writing days – had by now mutated into a modern-day Virginia Woolf. "The letter is a stream of consciousness, written late at night, intended for no one," frothed Laidlaw. It was "wholly misleading" to judge it on the few paragraphs quoted by the prosecution out of context – but to give the full context would be equally unacceptable, because it would be a gross invasion of privacy. Not

that of Brooks and Coulson – Laidlaw had the grace to admit that "having held others to account she could not possibly complain about publicity of this sort" – but on Coulson's wife and children.

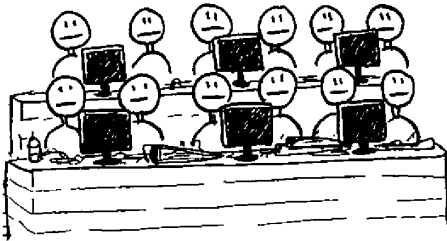
Just in case you – like the judge – were in danger of thinking this sounded rather reasonable, Coulson's counsel turned up an astonishingly brass-necked precedent. In a session during one of the jury's days off on 6 December, he cited the case of ETK versus News Group Newspapers, the injunction (see *Eyes passim*) brought by an actor who embarked on an affair with a co-star who was sacked after they split up. The court of appeal ruled in 2011 that the danger of his teenage children being bullied if the affair was revealed meant that it must remain secret forever. And which was the devilish newspaper which was proposing to expose the extra-marital shenanigans in the public interest? The *News of the World*!

Ruling that the jury should be allowed to read the full text of the letter privately, and its contents thereby remain secret, the judge managed to note a certain irony. "There will be some, particularly those who consider that their own family life and their children's family life were affected by stories in the *News of the World* or the *Sun*, who take the view that it would only be just for the same to happen to the Coulsons," he wrote in his ruling. "While making no finding about what the *Sun* or the *News of the World* may have done in the past, I am under a legal obligation to take into account the effect on the family life of the children and what may have been done to others is not relevant to that issue."

The mystery deepened further when, a full five months after the legal team for Brooks (who was, as the judge noted, "in a great deal of distress") had been arguing that the affair had not continued for anything like the six-year period implied by the 2004 letter, Coulson admitted in the witness box that it had been more like nine, and the pair were still bumping uglies on occasion right up to the time he resigned in 2007.



Brooks and Coulson – both keen on exposing adulterers – had an affair from 1998-2007



THE JURY

THE defence teams spent the best part of two days sifting through questionnaires filled out by potential jurors to establish any objectionable qualities they might possess.

One admitted to “following Lily Allen” – on Twitter, one presumes – another to an intriguing “knowledge of Paul McCartney”. At first the defence demanded that anyone who had ever been a member of any trade union be excluded because of their presumed bias against Rupert Murdoch over the Wapping dispute 30 years previously. This was eventually whittled down to exclude members of the relevant print unions, with one of the potential jurors getting a free pass after remembering at the last minute that he had been paying SOGAT dues for the relevant period.

All police officers and their relatives were rejected, and any connection to the hated *Guardian* was a no-no – one of the defence teams even opposed the selection of one juror who had a friend who had worked for the paper in the past, which caused the judge to raise his eyebrows so far they nearly disappeared under his wig.

As the clerk of the court called up the nine women and three men randomly selected from shuffled cards, Rebekah Brooks could be seen in the dock carefully noting down their details. That journalistic training – it just never leaves you.

THE MORON

ANOTHER topic of much discussion in the early stages of the trial was: what to do about Piers Morgan?

One witness, Ambi Sitham, was due to appear for the prosecution to testify that she had heard Moron and Rebekah Brooks, then editors of the *Mirror* and *Sun* respectively, joking about phone hacking at Andy Coulson’s birthday party a decade ago. Brooks’s team claimed it would be unfair for the prosecution not to call Moron and ask him about it. However, they were not willing to call Moron as a witness themselves. Why not? Let’s let the judge answer that:

“So what are the reasons the defence do not wish to call Mr Morgan? Mr Laidlaw tells me there are two: first because Mr Morgan engenders contrasting polarised reactions in people. Some people’s reactions are very favourable to him and others are very hostile. The defence are concerned that if some of the jury have a hostile reaction to him, that will reflect on Rebekah Brooks and will colour their view of her. Mr Laidlaw accepted that this was not the strongest of reasons and the answer to it is that the jury will decide the case on the evidence, not on any pre-conceived view of Mr Morgan. The real reason for the reluctance to call him was concern at what might emerge if the prosecution were



allowed to cross examine him. The fear was not in relation to what went on at this party, but on other matters”.

As the judge noted, the prosecution had reason to “take the view that Mr Morgan may not be a reliable witness”: his evidence to the Leveson Inquiry, which “it is fair to say... was not accepted by the inquiry without qualification.” He declined to order Moron to appear before the court, which meant that any evidence he might have to offer on phone-hacking has gone, like his show on CNN, unseen.

THE EYE

“NOBODY is keener than Mrs Brooks to have this case tried,” claimed Rebekah Brooks’s QC Jonathan Laidlaw way back on 29 October. But just minutes previously he had been overruled in the latest of a series of attempts to ensure the trial did not happen at all.

Laidlaw and his team had applied to stay the trial before it even started, on the grounds that “the vast amount of deeply prejudicial material” which had been published about his client by those nasty newspapers made it impossible for justice to be done. “Attempts to somehow return her to a position where she can be tried fairly are beyond what this court can do,” he intoned sorrowfully. “It would be humanly impossible to do so.”

As further evidence of beastly press treatment he cited that very morning’s *Private Eye*, which featured Rebekah Brooks on its cover with a joke about her wearing a Halloween witch outfit. “It is a quite deliberate attempt by *Private Eye* to destroy any vestige that remains of Mrs Brooks’s attempt to secure a fair trial... A blatant attempt to scupper proceedings,” he spluttered, rattling out flattering claims about the *Eye*’s circulation and influence. “It is not just a matter of those who subscribe or read the magazine – everyone who walks into a newsagent will see what is in effect a campaign against her.”

How very different from the professional life of our own dear ex-*News of the World* and *Sun* editor, ran the unspoken thought around the courtroom. But Laidlaw was not finished; with the support of Andy Coulson’s legal team, he submitted an application to the judge that if the trial could not be thrown out completely, it should be delayed for at least a fortnight and the entire squad of potential jurors – the lucky 12 had not been sworn in yet – discharged and replaced with a fresh team whose eyes could not be sullied by our cover.

There followed an awkward hour or so during which copies of the magazine were passed around its perhaps least appreciative-ever readers – though it was noticeable that Charlie Brooks stashed one in his briefcase to read later (or maybe he just wanted to leave it behind some bins).

Coulson’s barrister, Timothy Langdale QC, remembered rather belatedly that if he was claiming the magazine was extremely prejudicial it might be an idea not to leave his own copy face-up in the middle of the courtroom where the jury would all be able to see it. Finally Mr Justice Saunders returned with his view: although he was “concerned about the material” and “took the matter extremely seriously”, he himself would do nothing more than show the magazine to the



The controversial cover of *Private Eye* 1352, and the one that nearly appeared on the following issue

jury and warn members they must ignore it. He was far more concerned about some much more prejudicial pamphlets a nutter outside was handing to any passer-by who looked like a juror, but no one was allowed to report that until now.

Any further action was up to the attorney-general – who announced at 5.30 that afternoon that “proceedings for a potential contempt of court aren’t required.” It was left to Laidlaw – whose discovery of copies on sale outside Farringdon station had kicked off that morning’s investigation by some over-keen policemen and a minor media storm – to wail impotently: “Is anyone, anywhere going to do anything about *Private Eye*?”

THE REACTION

As news of the verdicts filtered through from the Old Bailey, various interested parties were quick to give their take on events.

THE SUN

“THE Rebekah Brooks verdict is a triumph for British justice and two fingers to the baying mob,” opined the *Sun* the morning after its former editor was cleared of all charges.

“The CPS and police now have obvious questions to answer over the weakness of much of their case after such a long and costly trial... How can we afford to keep blowing millions on high-profile trials destined to fail?” →



It is a fair enough question from the person who has so far blown by far the most millions – Rupert Murdoch's bills are currently running at roughly ten times the cost to the public purse, with News Corp reporting more than £270m in legal costs arising from phone hacking so far. But the *Sun* has another reason for trumpeting the clearing of Brooks so loudly.

One of the lower-profile charges on which she was found not guilty was conspiracy to commit misconduct in public office – in plain English, agreeing to pay public officials – while she was editing the *Sun*. The failure to get a conviction makes it possible that cases against the vast phalanx of *Sun* hacks arrested for the same offence (and, to be fair, one or two from other papers as well) will not be brought to trial at all.

The need to establish a precedent also explains the CPS's determination to stage a retrial of Andy Coulson and Clive Goodman after the jury failed to reach a verdict on the same charge against them at the *News of the World*.



THE EX-HOME SECRETARY

FIRST out of the traps to comment on the verdict, thanks to a pre-recorded interview with BBC News, was former Labour cabinet minister David Blunkett.

He told the BBC that having his messages to Kimberly Quinn intercepted by the *News of the World* forced him "as close as anyone could ever come to having a breakdown without actually having one... People have said to me 'why aren't you bitter?' The reason is you can't send bitterness like an email. It erodes you from inside. And the only way of dealing with this then and now was to pick yourself up and get on with life."

And that, lest we forget, is exactly what he did: agreeing, on the very day in 2005 that he resigned from cabinet in disgrace for the second time in a year, to an offer from his close friend Rebekah Brooks to take a job as a columnist on the *Sun* on an annual fee of £150,000.

When her successor Dominic Mohan declined to continue with his services, Blunkett was instead contracted as an adviser to News International on "corporate and social responsibility (volunteering and education)", a position in which he remained until June last year, just before the phone hacking trial began, trousering nearly £100,000 a year on top of his MP's salary. All this in addition to the damages paid "to close members of my family in July 2011" which resulted from the hacking of his associates' mailboxes (it was made clear in court that Blunkett's own phone was never hacked).

At the time that particular settlement emerged, Blunkett was far less eager to air his views in the media, telling the *Observer* that any questions about the settlement "constitute harassment" and were "blinding hypocrisy". Which is, of course, nothing like the behaviour of the man heard in court

NUMBER CRUNCHING

£100m Cost widely quoted for phone-hacking trial which certain newspapers tried to imply was waste of time and money resulting in conviction of only one defendant

£1.7m Actual cost to public of employing prosecution team for eight-month trial, which resulted in six convictions

£0.25m Cost to public of single defendant on legal aid

£60m Estimated cost to Rupert Murdoch of legal fees for the defence of everyone else

on recordings of voicemails from 2005 berating the "hyenas" and "bastards" of the press, and hoping they would "rot in hell"!

THE WOLFMAN

PERHAPS the most ubiquitous figure in the media in the days following the verdicts was former tabloid top dog Neil Wallis, who has very effectively established himself in the public eye as the face of honourable and innocent tabloid journalism.



He popped up on ITV's *Good Morning Britain*, Radio 4's *Today* and *The Media Show*, the BBC News Channel and even the *Question Time* panel to hammer home his view, endlessly reiterated on his Twitter account, that the entire trial had been a disastrous waste of time and money. As he contemptuously told one media outlet: "This has been a state show trial. The intention of that has been to emasculate, to attempt to emasculate the very lively, very combative media in this country."

Wallis describes himself as a "survivor of Operation Weeting", having been arrested on suspicion of phone hacking in 2011, told he would not face charges but then questioned again under caution by police last October. He was Andy Coulson's deputy during the whole time he edited the *News of the World*. He remained with the paper as executive editor until 2009, before famously going to work for the Metropolitan Police. The *Eye* will be the first to bring you any news of future developments in Wallis's career! ■

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make wincing

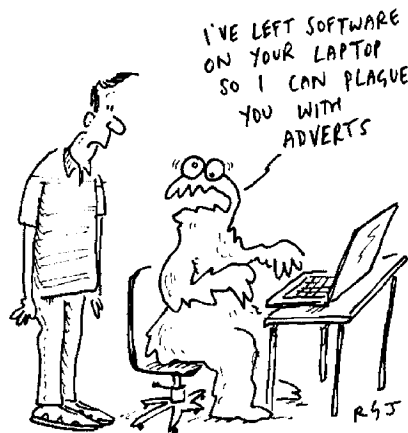
Annoying side effects of wearing 'sensible shoes'



"Unfortunately, I died before I could really start losing weight"



Le déjeuner sur l'herbe – a French nightmare



Cookie Monster