

Statement of Daniel Sanderson

In response to the numbered questions set out in the letter from the Leveson Inquiry dated 2nd December 2011.

1. Please explain exactly how *NoW* obtained a copy of Dr Kate McCann's diary: you are not required to name any sources, but you are required to identify the precise provenance of the diary, explain the circumstances in which *NoW* received it, and confirm (if it be the case) that it was of the original which had been seized by the Portuguese authorities.

A story appeared in The Sun newspaper on July 28, 2008, which said that extracts of Kate McCann's diary had emerged in Portugal, covering the first weeks after her daughter Madeleine disappeared.

In the article there were two extracts that Mrs McCann had made in her diary.

I was asked by my news editor Ian Edmondson to track down the person who was in possession of the diary and was leaking extracts of it in Portugal.

After Mr Edmondson agreed, I called several newspapers in Portugal to ascertain who had the diary.

I was put in touch with a journalist in Portugal who confirmed that they were in possession of a copy of the diary and were willing to sell it to the NoW for, if my memory serves me correctly, 18,000 Euros.

I believe the newspaper agreed to pay something like 9,000 Euros immediately and the rest on publication of the story. The purchase was authorised by Mr Edmondson.

I liaised with Mr Edmondson and was told to ask a freelance journalist called Gerard Couzens, who is based in Spain, to travel to Portugal to meet the journalist and collect the diary.

From there my involvement ended until the diary reached the offices of the NoW.

My understanding is that Mr Edmondson took control of the diary's delivery to our offices.

I believe that Mr Couzens met the journalist on Friday September 5, 2008 in Portugal and paid her Euro 9,000 for a copy of the diary.

It's my understanding that Mr Couzens delivered the diary to the NoW's offices on Saturday September 6, 2008.

I was first made aware that the newspaper had the document when I returned to the office after the weekend on Tuesday September 9, 2008.

Mr Edmondson showed me the diary that morning.

It did not appear to be the original diary, but a copy that had been translated from English into Portuguese.

2. Was the copy NoW obtained in English or Portuguese?

The NoW copy was in Portuguese.

3. What steps, if any, did you take to establish its authenticity and that it was a document which you were entitled to possess?

Over the course of the working week commencing on Tuesday September 9th 2008, I organised for the diary to be translated back into English using a London-based translation service (I cannot recall the name).

It was a laborious task and the final section was completed on Friday September 12, 2008 – two days before the story was published.

I spent the week writing the story as and when sections had been successfully translated.

In terms of its authenticity, we approached the diary from the viewpoint that it was a fake. We had to cross check every entry against our online cuttings system to check that each entry was correct and the diary was genuine.

For example, if there was an entry where it said the McCanns had met The Pope that day, I had to check in cuttings that newspapers had reported that the McCanns had indeed met The Pope on the corresponding date.

My understanding of the situation was that the news editor, Mr Edmondson, would also confirm with the McCann's press spokesman Clarence Mitchell that the diary was genuine.

4. What was paid for the diary and to whom?

I believe 18,000 Euros were paid to the Portuguese journalist (the PJ). It was paid in two parts; 9,000 Euros up front and 9,000 Euros on publication. I can't be certain of this figure, but it is certainly a fairly accurate estimate. I am aware of the approximate figure because that is the price that had been agreed with the PJ in my initial phone conversations with the PJ. The PJ set the price, which I had communicated to Mr Edmondson. Mr Edmondson then authorised both payments to the source. The PJ then contacted me after publication to organise the second payment, which was authorised by Mr Edmondson.

5. By what reasoning process did you and others at News International (whom the Inquiry requires you to identify) deem it appropriate to publish extracts from the diary given its the obvious privacy implications, including the fact that you knew or must have know that the diary was confidential (if it is your position that you did not know this, please explain its basis)?

In order to answer this question, I need to explain how a national newspaper works. As a reporter, I reported to my line manager Mr Edmondson, the news editor or assistant editor (news) as was his official title. Mr Edmondson reported to the editor, Colin Myler, and other senior executives.

Once I had obtained the diary, obviously there were a number of discussions between myself and Mr Edmondson as to how the piece should be written sensitively.

Then after I had written it, the decision to publish ultimately rested with Mr Myler.

I feel that it is appropriate to note that in my role as a reporter, I did not have any say as to whether the story was published.

But I think in terms of considering it being appropriate to publish Mrs McCann's diary and the obvious considerations over privacy, the view taken by senior executives was that there were all sorts of false allegations being made about the McCanns and they really were being pilloried in the press, that this account gave a true picture of the McCanns and dispelled some of the lies being written about them.

The NoW had always been wholly supportive of the McCanns' search for their daughter. Two weeks after she went missing in 2007, the newspaper teamed up with wealthy businessmen to pledge £1.5 million to anyone who could help with information leading to Madeleine's safe return.

However, with hindsight, the decision to publish Mrs McCann's diary was clearly the wrong one. Having read how the article made Mrs McCann feel, I intend to apologise to her for writing the story once I have given evidence.

Although I feel it is important to point out that I had no say in whether or not the diary was published.

6. Why did you not contact the Dr Kate McCann in advance of publication in order to check the facts and in particular to obtain her consent to publication?

It was clear to me that we could not publish the story without the McCanns permission.

My understanding of the situation was that Mr Edmondson had sought permission to publish the diary from Mr Mitchell.

I acquired this understanding because Mr Edmondson told me that he was going to speak to Mr Mitchell about the story at the end of the week.

It is only natural Mr Edmondson sought that permission because he had an on going relationship with Mr Mitchell. As I understand it, they spoke almost daily on the phone to talk about stories connected to the case.

[I have only spoken to Mr Mitchell once about three weeks ago to inform him of my intention to apologise to the McCanns for my involvement in the story that upset Mrs McCann.]

I didn't actually ever have the conversation with Mr Edmondson specifically that he had received permission to publish from the McCanns.

I assumed that because that is what he said he intended to do and the story was published, that he had received permission from Mr Mitchell.

However, following publication, News International released a statement saying they published the extracts in the belief held in good faith that that they had permission to do so.

They said it was now clear that their belief was misplaced and that Kate neither approved of nor knew that the extracts were to be published.

I believe that the newspaper agreed to make a donation to be used in the search for Madeleine and published a correction on September 21, 2008.

It is clear from that statement that Mr Myler believed that the newspaper had permission to publish by the McCanns when it had not.

I was not responsible for contacting Mr Mitchell to obtain permission to publish Mrs McCann's diary.

7. What consideration if any was given by you to any public interest considerations; and if so, what were they?

As I said in response to question five, I think the view at the NoW was that there were a lot of lies being published about the McCanns and this was a supportive piece that put the record straight.

It was part of the Portuguese police case into the disappearance of Madeleine and it was an account of how Mrs McCann was feeling after her daughter vanished.

8. What legal advice, if any, did you take on any of foregoing issues?

As I understand it, Mr Edmondson, Mr Myler and other senior executives would have taken advice from Tom Crone, News International's former legal affairs manager. In his absence, they would have sought advice from Justin Walford, The Sun's legal manager.

I wasn't party to any of the legal conversations concerning publication.

9. Please outline any discussions you had, if any, at sub-editorial and editorial level on the foregoing issues.

I liaised with Mr Edmondson about how the piece should be written in terms of sensitivity and the evidence I had gathered over its authenticity.

It is normal for a reporter to discuss with his news editor how he (the news editor) wants a story written.

It was my job to seek to determine that the diary was genuine and ensure that it was written as sensitively as possible.

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Daniel Sanderson

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