

NI Group Limited
M. Mahmood
Third Statement
"MM10-16"
23 January 2012

**IN THE MATTER OF THE LEVESON INQUIRY INTO THE CULTURE, PRACTICES AND
ETHICS OF THE PRESS**

**THIRD WITNESS STATEMENT
OF
MAZHER MAHMOOD**

I, Mazher Mahmood, c/o The Sunday Times, News Group Newspapers Limited, 3 Thomas More Square, London E98 1XY, will say as follows:

- 1** This is my third witness statement to the Inquiry. My first statement was dated 14 October 2011 and the second, 8 December 2011.
- 2** I have been asked by the Inquiry to address specific matters as set out in a s.21 notice dated 3 January 2012 (the "**Notice**").

The Turcu v NGN case

- 3** I have seen the statement of Florim Gashi in the appeal in the case of Turcu v News Group Newspapers Limited and the copy of the statement in open court when the matter was settled.
- 4** I have been asked to explain why I did not deal with the appeal in my second statement in which I talked about the case at first instance.
- 5** In my second statement I addressed allegations that I had fabricated stories. To explain an example of a story in which this allegation had been made (the Beckham kidnap story) at paragraphs 22 and 23 I quoted Mr Justice Eady's judgment in the Turcu case, because he had concluded that I had not manufactured the story about a plot to kidnap the Beckham family.
- 6** The Turcu case was a libel matter brought by an individual who was associated with the group I had infiltrated when investigating the Beckham kidnap story. To decide whether he had been libelled or not the court had to consider whether or not he had been a member of

the group which included an individual who had suggested the kidnapping. Mr Justice Eady found in favour of the newspaper but the individual who called himself Turcu appealed and the case was subsequently settled. The judgment records that the claimant had used a false identity, having borrowed the name "Turcu" from someone he knew in prison in Romania.

- 7 I did state in my second statement that the newspaper had apologised to Turcu, which it would not have done had an appeal not been brought and either won, or the case had settled. I should have explained more clearly that an appeal had been made and that the matter was settled.
- 8 I had also thought (and still think) that the fact of the appeal and settlement did not change the effect of the words in the judgment which I quoted in my second statement. The words of Mr Justice Eady which I quoted were about an additional point that had arisen in the proceedings which was an attack on my character, suggesting that I knew that the story was false and that I had "picked on vulnerable asylum seekers". On this, the Judge said, "The object of this exercise was largely to aggravate the award of damages and to set up a case for exemplary damages. This got nowhere at all". He pointed out that the Defendant had been denied the opportunity of cross-examining the Claimant and of seeing evidence denying the published allegations or "to support the serious charges of dishonesty made on his behalf in the course of the trial".
- 9 I was not responsible for the decision that was taken to settle the matter, and I was told about the settlement only after it had happened. I understand that it was a commercial agreement to avoid the cost of the appeal hearing. Mr Tom Crone, the legal manager at the time, handled the matter. The judgment of Mr Justice Eady points out that the Claimant was on a conditional fee arrangement, and noted that the position of the newspaper on that point was "wholly unenviable" (paragraph 6). I can only speculate that this may have been a factor in the decision to settle the appeal.
- 10 I have read the statement of Mr Gashi in the appeal dated 21 September 2005. (The copy provided to me by the Inquiry was unsigned and undated, but the copy provided to me by Linklaters LLP ("**Linklaters**"), the lawyers acting for News International in the Inquiry, was signed and dated.) I made a statement in response to that statement dated 4 July 2006, which I attach as part of exhibit MM10 to this statement. I stand by the contents of that statement.
- 11 Linklaters has also provided to me the other papers in the appeal, as I do not otherwise have access to them. In accordance with request (a) in the Notice, copies of the principal documents filed in those proceedings, together with a brief timeline which Linklaters has prepared, are attached to this statement as exhibit MM10.

- 12** I note from the appeal papers that, in preparation for the appeal, the Claimant amended his particulars to remove an allegation that I “knew or was indifferent to the fact that the plot to kidnap Victoria Beckham and her children was a set up with no evidential basis” to accord with Mr Justice Eady’s judgment on this point.
- 13** I should add that the PCC instituted an investigation into whether the payment to Mr Gashi was in breach of the 2002 Code of Practice and found that it was not. A copy of the PCC’s finding is at MM11.

Florim Gashi

- 14** I have been asked to explain when I last used Mr Gashi on a story. Mr Gashi was a source in the Beckham kidnap story. As I explained in my second statement, he was found to be unreliable as a witness in the criminal trial because he had not told police that he had been paid by the News of the World.
- 15** Mr Gashi continued to provide contacts for other stories even after the Beckham-kidnap criminal trial. To the best of my recollection I last used Mr Gashi on an investigation in April 2005, when he put me in touch with an acquaintance of his from whom I obtained a tip for a story about a man who worked at the shop Comet who was selling passports. A copy of the story published is at MM12.
- 16** I also used him in the following stories: a story in March 2003 about fake UN documents being sold (see MM13); a story in April 2004 about a fish and chip shop selling fake passports (see MM14); the Qema story in February 2005 (to which I refer at paragraphs 15-17 of my second statement) (see MM15); a story about a mother who tried to sell her baby in March 2005 (see MM16).
- 17** As noted in the judgment of Mr Justice Eady in the Turcu case following my cross-examination, much of my work involves infiltrating criminal activity. As I explained in my second statement, this is how I obtain my leads for stories, which I then test before pursuing. Mr Justice Eady notes in his judgment that my work is aided by others who “almost inevitably ... will themselves have had in the past criminal backgrounds, since they would be less likely to arouse suspicion among those who are being investigated and infiltrated”.
- 18** Mr Gashi was deported from the UK in 2006. In either 2005 or 2006 I was interviewed by the police about allegations that Mr Gashi had made about me and the manner in which I conduct my journalism. The police took no steps following my interview.
- 19** Again, I cannot remember when exactly, but after Mr Gashi was deported he was called as a witness in the case known as the ‘Red Mercury’ matter, which I referred to in my second statement at paragraph 25. I do not have access to the trial papers concerning that matter, but I recall that Mr Gashi again made allegations about the way in which I conducted

investigations. He was flown in from Albania to give evidence and appeared in court in handcuffs to do so. He admitted in Court that he had made false accusations about me and withdrew them. He also made allegations about me in the recent cricket match-fixing trial, but they were not accepted by the court.

20 The fact that someone may have been criticised for being unreliable in a Court is not, in my view, a basis on which simply to rule out taking tips from them in the future. I am aware of the bad character of some of those I have to deal with in my investigations and have to take that into account in assessing the strength of the evidence they might pass to me, or the credibility of those they put me in touch with. I note that neither in the criminal trial after the Beckham story (which collapsed) nor in the related libel matter brought by 'Turcu' did a court find that I had failed to test the information which Mr Gashi had provided to me in that investigation, or indeed that I had relied on it and it had turned out to be untrue.

21 I would also like to add that shortly after I re-joined The Sunday Times in 2011 the Editor, John Witherow, asked me to confirm that I no longer use or would use Mr Gashi as a source or in any investigation, given the difficulties he had caused the News of the World and my personal reputation. I confirmed this to the Editor.

22 In accordance with request (b) in the Notice, Linklaters has searched for documents which evidence the date on which Mr Gashi last worked for the News of the World and the investigations he worked on after that which led to the Beckham kidnap story. I understand that these searches are ongoing, but as I believe I communicated with Mr Gashi only by telephone or in face-to-face meetings, I think it is unlikely there will be any email correspondence between us. Linklaters is also searching for records of payments to Mr Gashi post-dating the Beckham kidnap investigation and I understand that copies of any relevant documents found will be provided to the Inquiry as soon as possible.

The circumstances in which I left The Sunday Times in 1988

23 I have considered my letter of resignation and the newspaper's internal report at the time. I accept the contents of the report now, as I did in 1988. I did not challenge the report at the time but chose to leave before I was disciplined because I would rather resign than be dismissed.

24 I regret my actions in 1988, when I was a very junior reporter who was keen to impress. I realised that I had acted improperly and that this would be unacceptable at the newspaper.

25 Before I left The Sunday Times, I had for some time had several disagreements with Roy Greenslade who was the Managing Editor (News) at the paper. Since my departure Mr Greenslade has taken much interest in seeking to undermine many of the stories I have written. Indeed, much of the material in the public domain about me and my journalism, to which the inquiry has referred, has been promulgated by him. In contrast, the detailed interviews which I have had with the police when I have had to explain my way of working

following my passing tips to the police or following publication of a story, have not made their way into the public domain. While Mr Greenslade clearly disagrees with the style of journalism I have chosen to engage in, I have sadly always thought that the criticism had a personal edge.

26 In response to request (c) in the Notice, I do not have any documents which I believe are relevant to the circumstances in which I came to leave The Sunday Times in 1988.

I believe that the facts stated in this witness statement are true.

Signed: 

Dated: 23 January 2012