

**SELECT COMMITTEE
INTO THE POLICE RAID ON THE *SUNDAY TIMES***

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
FRIDAY, 13 JUNE 2008**

SESSION FOUR

Members

**Hon George Cash (Chairman)
Hon Adele Farina
Hon Giz Watson**

Hearing commenced at 12.07 pm**WEIR, MR SAM ALBERT****Editor, The *Sunday Times*,
sworn and examined:**

The CHAIRMAN: Good afternoon, Mr Weir. Before we I run through some preliminaries, let me introduce the people who are here. We have our Hansard reporters; Mr Peter Axford who is a research officer with the Legislative Council; Paul Grant is the Assistant Clerk, Committees; Hon Giz Watson MLC; myself, George Cash MLC; Hon Adele Farina MLC; Linda Omar, a committee clerk with the Legislative Council; and David Driscoll, whom you have met, is a committee clerk with the Legislative Council.

On behalf of the committee I would like to welcome you to the meeting this afternoon. Before we begin, I must ask you to either take an oath or an affirmation.

[Witness took the oath.]

The CHAIRMAN: You will have signed a document entitled "Information for Witnesses". Have you read and understood the document?

Mr Weir: Yes, I have.

The CHAIRMAN: Thank you. Mr Weir, these proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, I would ask that you please quote the full title of any document that you refer to during the course of this hearing for the record, and please be aware of the microphones and try to talk into them and ensure that you do not cover them with papers or make noises near them. I would remind you that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today's proceedings, you should request that your evidence be taken in closed session. If the committee grants your request, any public and media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your evidence is finalised it cannot be made public. I advise you that premature publication or disclosure of public evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege.

Would you like to make an opening statement?

Mr Weir: No, Mr Chairman.

The CHAIRMAN: Mr Weir, the committee has been directed by the Legislative Council to inquiry into and report on all the circumstances surrounding the police raid on the *Sunday Times* on 30 April 2008. As a consequence, your prior or subsequent knowledge, understanding or involvement in any matter relevant to the police raid on the *Sunday Times* on 30 April 2008 is of interest to the committee.

You should be aware that whilst the Parliament has wide powers to require persons to answer questions and produce papers it is not the wish or desire of this committee to interfere with any police investigation. To avoid interference with any police investigation, you may request that the committee take any of your evidence in private and if the committee agrees, the committee hearing room will be cleared of any member of the public and the media.

You have advised us that you appear before the committee today in your capacity as the editor of the *Sunday Times*. Before we proceed to ask some specific questions, it would be helpful to the committee if you were to explain your role and responsibilities as the editor of the *Sunday Times*.

Mr Weir: I am the editor of the *Sunday Times* in Perth, in charge of putting out the Sunday newspaper, the daily website, editorial direction and all other sorts of matters that pertain to that would be the easiest way to explain my role.

The CHAIRMAN: As editor, do you manage the staff of the *Sunday Times*? Is that one of the roles of the editor?

Mr Weir: Yes, that is correct.

The CHAIRMAN: Okay, thank you. I refer to the 10 February article published in the *Sunday Times* at page 3, which is headed “Bid to ‘buy’ Labor win . . . Exclusive By Paul Lampathakis”. When and how did you first become aware of this article?

Mr Weir: We have procedures at most newspapers. There would be a series of conferences during the week. We have a news list that the chief of staff prepares and I would have first become aware of it, probably on a Wednesday or a Thursday, that this was a potential story for Sunday’s paper.

The CHAIRMAN: Yes. Could you just expand on that? Do you have staff meetings or editorial meetings on the Wednesday or Thursday preceding the publication of the article?

Mr Weir: Yes; myself and my senior staff. The chief of staff in a newspaper is, to a degree, the liaison between the reporters and the editor. He produces a list that is updated throughout the week, and there would have been a briefing note.

The CHAIRMAN: And are you aware that there was a briefing note in respect of this particular matter?

Mr Weir: When I say briefing note I get the first two “pars”, that is the first two paragraphs, of the story.

The CHAIRMAN: Those first two paragraphs would have been submitted at that meeting?

Mr Weir: Yes.

The CHAIRMAN: To keep you up to date or to get your permission to print it?

Mr Weir: It is probably one and the same. To keep me up to date: what are the selection of stories for this week and what am I interested in. I am not talking specifically about this story. It happens every week, 52 weeks of the year. I do not know which day exactly in relation to this story.

[12.10 pm]

The CHAIRMAN: However, you are pretty sure that there would have been a briefing note or reference to this particular article at an editorial meeting prior to its publication, possibly on the Wednesday or Thursday or thereabouts.

Mr Weir: Yes.

The CHAIRMAN: When and how did you first become aware that there may have been an unauthorised disclosure of confidential documentation relating to the substance of this 10 February article?

Mr Weir: If you are talking in terms that the article was relating to—if I can read from —

The CHAIRMAN: Yes; if you have notes, you are more than welcome to use them.

Mr Weir: It is simply a print-out of the story. It came from matters relating to a cabinet subcommittee. It would have been either on the briefing note or when I read the full copy of the story on the Friday night or the Saturday morning.

The CHAIRMAN: Are you aware whether or not it is a criminal offence to disclose confidential documents without authorisation?

Mr Weir: I think in some circumstances it is, but I am not a lawyer.

The CHAIRMAN: No. Can you nominate those circumstances?

Mr Weir: When I am told it is.

The CHAIRMAN: By whom?

Mr Weir: By our lawyers.

The CHAIRMAN: I see. Have you been provided with the original document or a copy of the document or documents said to be the source of the unauthorised disclosure?

Mr Weir: No.

The CHAIRMAN: Are you aware of any staff member of the *Sunday Times* or other person having been provided with the original or a copy of the document or documents said to be the source of the unauthorised disclosure?

Mr Weir: Not for certain, no.

The CHAIRMAN: When you say “not for certain” can you -

Mr Weir: I do not know from the reporter’s point of view. The reporter may or may not.

The CHAIRMAN: However, you are not aware of any staff member of the *Sunday Times* or other person being provided with the original document or a copy of the document or documents said to be the source of the unauthorised disclosure.

Mr Weir: No.

The CHAIRMAN: Could you provide the committee with a chronology setting out your knowledge of the events, including the dates, when possible, and the people you spoke to about the issue of the 10 February article?

Mr Weir: Again, I will talk in generalities. It would have appeared on a briefing note.

The CHAIRMAN: That is why I paused when I said “dates” because —

Mr Weir: The Wednesday before would have been the seventh.

The CHAIRMAN: — we would like you to be as accurate as you can.

Mr Weir: I cannot talk in specifics on this story. Although it appeared on page 3, it was not a story that I probably would have spent a huge amount of time analysing. There are hundreds of stories in the paper each week. On a Wednesday and Thursday, and again on a Friday and a Saturday morning, we go through the list and look at the stories and where I want to place them and what questions I needed asked, and that probably would have been the level that would have been applied to that story.

The CHAIRMAN: Following the publication of the 10 February article, when was your next involvement with matters associated with the article?

Mr Weir: It was followed up in *The West Australian* and *The Australian*. It got reasonably prominent coverage on television. That is no real involvement.

The CHAIRMAN: I am talking about the specific article of 10 February.

Mr Weir: That article. There was follow-up but I was not questioned about it, and I do not think I probably would have cast my mind to it until the police arrived.

The CHAIRMAN: So we fast-forward to 30 April.

Mr Weir: Yes. Again, it was followed up in other media, but I do not think we followed it up the next week. We may have actually; I am not sure.

The CHAIRMAN: As far as your involvement in matters associated with the story, we are now going to move forward to the actual raid on the premises of the *Sunday Times* on 30 April 2008. Is that fair?

Mr Weir: Yes.

The CHAIRMAN: Can you provide the committee with a chronology of the events of 30 April? Before you do, can I ask whether you were aware that the police were about to enter the premises of the *Sunday Times* on 30 April?

Mr Weir: No.

The CHAIRMAN: Can you take us through what happened at the *Sunday Times* when the police arrived at your premises on 30 April?

Mr Weir: I was in a meeting in the managing director's office, and his secretary, Margaret Anthony, knocked on the door and said, "You need to come out." I think she might have said, "There are some police here", so I walked through to my office, which is not too far away. Actually, no; I would have met the police. I think they were with her or near her.

The CHAIRMAN: Just so that we get the location of your PA, is she —

Mr Weir: It was not my PA; it was the managing director's.

The CHAIRMAN: Is she involved with reception?

Mr Weir: It is a rabbit's warren of a building. No; she is in a separate area.

The CHAIRMAN: You were at a meeting with the managing director. You were advised that there were police on the premises. I am wondering whether or not the police were, at that stage, in the reception area awaiting invitation to enter the building.

Mr Weir: No; I think they were already upstairs.

The CHAIRMAN: I see. They had moved through reception upstairs—meaning to the editorial floor?

Mr Weir: No, not to the editorial floor. I do not know; they may have gone to the editorial floor, but I was not on the editorial floor. They were around the managing director's office.

The CHAIRMAN: What floor is that in your building?

Mr Weir: There are only two floors, so the first floor.

The CHAIRMAN: Where did you first meet the police, so to speak?

Mr Weir: Outside the office of the managing director.

The CHAIRMAN: Yes, and was there a particular police officer who introduced himself to you?

Mr Weir: I have forgotten his name for the moment.

The CHAIRMAN: Does Detective Sergeant Allan Jane help?

Mr Weir: That would be him, yes.

[12.20 pm]

The CHAIRMAN: He introduced himself to you?

Mr Weir: Yes.

The CHAIRMAN: What happened then?

Mr Weir: I was taken through to my office. I think he had two other officers with him. The doors were closed behind me; I was the only one in there. I think—whether it is the right terminology—that I was sort of read my rights and he explained why he was there.

The CHAIRMAN: Just so that we get everything in perspective, Detective Sergeant Allan Jane met with you—introduced himself to you. The other two police officers, do you know who they were? Was one of those a woman?

Mr Weir: Yes.

The CHAIRMAN: Was that Detective Elissa Mansell?

Mr Weir: Yes. I am not sure of the other person.

The CHAIRMAN: Was the other person a video operator?

Mr Weir: Yes.

The CHAIRMAN: You then moved to your office or another office?

Mr Weir: My office.

The CHAIRMAN: Is that on the same floor?

Mr Weir: Yes.

The CHAIRMAN: What happened then? Did Mr Jane advise you of your rights?

Mr Weir: He gave me the search warrant, I think, and he told me the matter it was pertaining to, and then I think he explained that there was a video person who would be taping it and he sort of went through my rights.

The CHAIRMAN: Okay. Did you ask him whether you could ring your solicitor—that is, seek to have your solicitor attend?

Mr Weir: I did.

The CHAIRMAN: What was his response?

Mr Weir: He wanted to finish explaining everything that was going on and reading me my rights.

The CHAIRMAN: Did he indicate to you that he did not want you to believe you could not contact your solicitor, but he wanted to let you know why he was on the premises, and as soon as he had completed advising you of why he was on the premises, you could make your phone call and get in your solicitor?

Mr Weir: Yes, but he wanted to get all the procedural matters, so to speak, out of the way first. I think I might have told him at that stage, “Look, I’m not going to be answering any questions until I get a chance to speak to my solicitor.”

The CHAIRMAN: At this stage, while you were discussing the preliminaries with Mr Jane, do I understand that the police officer was taping the conversation between yourself and Detective Sergeant Jane?

Mr Weir: I believe so, yes.

The CHAIRMAN: Was there then a pause in the proceedings while you phoned your solicitor?

Mr Weir: Yes. I think it would have been 15, 20 minutes.

The CHAIRMAN: You made the phone call?

Mr Weir: I asked someone else to make the phone call.

The CHAIRMAN: I see. Are you saying your solicitor attended your premises about 15 minutes later?

Mr Weir: It might even have been 20 minutes.

The CHAIRMAN: At whatever time—15 or 20 minutes later—your solicitor attended?

Mr Weir: Yes.

The CHAIRMAN: What happened then?

Mr Weir: I think Mr Jane explained, with the lawyer present, the same situation—why they were there. I think our lawyer might have asked for some time aside with me. I think Leo Johnston, our

associate editor, who deals with a lot of the legal matters at the paper, was also in the room, and we might have had some time with our lawyer.

The CHAIRMAN: After you had had some discussions in private with your lawyer, along with Mr Johnston, what happened then? Did you advise Detective Sergeant Jane that you intended to cooperate with the police?

Mr Weir: Yes. We agreed that we would show them where the reporter's—Paul Lampathakis—desk was.

The CHAIRMAN: After a period of time—I do not want to lead you, but obviously I have had the advantage of looking at the police videotape of the matter, so I have some knowledge of what was occurring, just to familiarise myself with —

Mr Weir: You probably remember it all better than me, then!

The CHAIRMAN: We are working through it together at the moment. So you then proceeded to take Detective Sergeant Jane and some police officers to the work area of Mr Lampathakis?

Mr Weir: Yes.

The CHAIRMAN: What did the police do then?

Mr Weir: They started searching, basically. I think there were probably five or six people who were involved in the search, looking at every notepad, every file on the desk.

The CHAIRMAN: Was the video cameraman still taking his film?

Mr Weir: I believe he was, yes.

The CHAIRMAN: Can you tell me did the police find whatever it was they were looking for?

Mr Weir: I do not know.

The CHAIRMAN: They did not tell you?

Mr Weir: They did tell us what they had taken away, which was a number of tapes. I think there were a couple of copies of the actual original story, and maybe one other piece of paper. They told us that at the end. However, as to what exactly what they were looking for, I am not sure.

The CHAIRMAN: When you say copies of the original story, copies of the original story as written by Paul Lampathakis, not —

Mr Weir: I think his draft copies of the story.

The CHAIRMAN: But not the original document?

Mr Weir: No.

The CHAIRMAN: Can you tell us what was happening? How many police do you think were on the premises?

Mr Weir: I think we got the count wrong. We said 16, but I read on PerthNow it was 27. There were a large number of officers. They made us aware that they would be at the entry and exits. Originally I thought that was just to the editorial floor, but it was the entire building.

The CHAIRMAN: Can you tell me how many people would have been in the building at the time, in very broad terms?

Mr Weir: I think we said 16, because that is —

The CHAIRMAN: No; your *Sunday Times* staff and related persons.

Mr Weir: Editorial or —

The CHAIRMAN: No; in the building.

Mr Weir: It would be 300, 200. I am not entirely sure.

The CHAIRMAN: Okay. So the police had officers on the various exits. Did they explain to you that they were going to put officers on those exits and the purpose for putting them on the exits?

Mr Weir: Yes—searching people as they left.

The CHAIRMAN: When they said “searching people”, did you understand that to be physical searches—non-invasive searches?

Mr Weir: I am not sure what terminology they used. I just assumed it would be bags and the like.

The CHAIRMAN: Do you recall the police officer saying it would be a cursory search?

Mr Weir: They might have used that word, but I am not entirely sure.

The CHAIRMAN: I wonder if you recall the police officer also saying that the reason for them doing that was to ensure, as best they could, that people were not removing the documents they were looking for, or whatever other material they were looking for, from the premises, so to speak?

Mr Weir: I think that was the case, yes.

The CHAIRMAN: Can you tell me the state of mind, as you believed it to be or observed it to be, of the other members of the *Sunday Times* staff? Were they intimidated by the police presence?

Mr Weir: There was obviously a fair degree of concern. It took a reasonable amount of time with myself in the office with the police before both Mr Jane and I addressed the staff to sort of tell them, but that was only the editorial staff. I think at the same time someone might have put out an email to all workers in the building, explaining what was going on. It was a large number of police. It does not happen everyday in a newspaper. While some people probably handled it reasonably well, there were probably others who were concerned as to what was going on.

The CHAIRMAN: Yes. Detective Sergeant Jane made it clear that he wanted to address the staff himself, did he not, to let them know just why they were on the premises, and to try to indicate to them that he did not want to interfere with the operations of the paper? Did you make any comment and suggest that perhaps it was better for you to be addressing them?

Mr Weir: I think either myself or our lawyer—and I would have, anyway.

The CHAIRMAN: In fact, in the end was it you who in fact advised them, while you were standing next to Detective Sergeant Jane, of the reason the police were at the premises?

Mr Weir: Correct, but that would have been a good 45 minutes from when they first arrived.

The CHAIRMAN: Yes, I understand that—that was while you were going through those preliminaries. Okay. Are you satisfied with the manner in which the police acted on the day; and, if you are not, have you lodged any complaint?

Mr Weir: That is two questions. Am I satisfied that it was necessary to have 27 police officers in our building on that day, no. Am I satisfied, if they were required, or if they felt required or were legally bound to have 27 there, by whatever means, that they acted professionally while they were there, yes, they acted professionally.

The CHAIRMAN: I think that is the way we have to address it. In respect of the way in which the operation was carried out, you agree that it was done in a professional manner. In respect of the other side of the equation—whether there was a need for 27 police officers—to that you say that you think there were too many. Is that correct?

Mr Weir: Yes.

The CHAIRMAN: I know that you are not a police officer, but do you believe that they could have conducted the execution of the warrant on your premises with fewer police officers?

Mr Weir: Yes.

[12.30 pm]

The CHAIRMAN: If they had fewer police officers, would that have meant that the operation would have taken a much longer period?

Mr Weir: I doubt it. There were four, maybe five, people involved in the actual search so to speak. There were plenty of offsidiers involved in the other activities manning doors, etc.

The CHAIRMAN: When you say the other activities, I got the impression that the majority of the police officers were, in fact, manning doors.

Mr Weir: Correct.

The CHAIRMAN: I thought Detective Sergeant Jane might have indicated in what I saw on this video something along the lines that they had that number because they realised you had a significant number of people in the building and they did not want to delay them, given some of them would be wanting to go home, so to speak, around that time.

Mr Weir: I thought the explanation from him for having that many people manning the doors was that they wanted to make sure no-one one was taking anything they should not be out of the building. I do not think it had anything to do with what time they were going home.

The CHAIRMAN: Right. On an operational basis when executing a search warrant, should the media be treated differently from any other person, firm or organisation, and, if so, why should the media be treated differently?

Mr Weir: I do not particularly think the media should be treated differently, but I do not think anyone should have 27 police officers enter their workplace.

The CHAIRMAN: Perhaps we can develop that because you are giving me the impression that clearly was a matter that concerned you. How better could the police have handled the operational side as far as you are concerned?

Mr Weir: Having worked in the media for a number of years—not raids as happened in this situation—police presence, police inquiries happen a lot; not a lot, but they are not irregular. Two weeks before the police had come to the *Sunday Times* offices asking very similar questions of another story.

The CHAIRMAN: In respect to a leaked document, or I should say the unauthorised disclosure of confidential information?

Mr Weir: It depends whose point of view you take on unauthorised disclosure.

The CHAIRMAN: Mr Weir, the reason I am using that terminology is in respect of the provision in the Criminal Code.

Mr Weir: I would have to think back to the story. There were allegations from the government that it should not have been published, which related to Royal Perth Hospital. As has happened with most situations, police officers called up and gave us, I think, an hour's notice and said, "Look, we'll be coming along; if you want to get your lawyers." It was all done in a very cordial manner with the same result as occurred after 27 officers had spent four hours at the *Sunday Times*.

The CHAIRMAN: Are you therefore suggesting that you were surprised that the raid on the *Sunday Times* on 10 February was not done in line with this visitation by police some weeks earlier?

Mr Weir: Very much so. I am not aware of a raid like this happening in Australia ever.

The CHAIRMAN: So that we can get our records right, you mentioned earlier an email you believe may have been sent to staff while you were discussing preliminary matters with Detective Sergeant Jane. Would you be able to provide us with a copy?

Mr Weir: I should, if we still have it on our records, be able to get it. I did not send it; I did not put it together.

The CHAIRMAN: No, but you said it went to all staff so I am sure there is a record of it somewhere in the office. There are some timing issues we are interested in. We understand an email was sent and if you can get us a copy that would be helpful.

Mr Weir: Okay.

The CHAIRMAN: In respect to documents generally, can you provide the committee with any documents, file notes or briefing notes. I am talking about your weekly meeting you were referring to on the Wednesday or Thursday prior to 10 February, pertaining to the Paul Lampathakis article we are talking about today?

Mr Weir: I will endeavour to look for them, but I would say that they were thrown away a long time ago. They have a life span of about a week.

The CHAIRMAN: Do they, in the journalist media game?

Mr Weir: Yes.

The CHAIRMAN: Well, I am asking you if you will provide the committee with those documents. You are giving the committee a commitment that you will look into it; is that right?

Mr Weir: I will, yes.

The CHAIRMAN: When I say “look into it” you will endeavour to provide them?

Mr Weir: Yes.

The CHAIRMAN: During your discussions on the afternoon with the police, in particular as their presence was concluding on the premises, did Detective Sergeant Jane ask you whether you had any complaint about the operational side of their investigation—or presence on your premises?

Mr Weir: He asked me numerous times. He went through a list: did I feel intimidated?

The CHAIRMAN: Yes.

Mr Weir: You have seen the video.

The CHAIRMAN: When I said yes, I was not trying to stop you speaking. Please, say it in your own words.

Mr Weir: A number of occasions during the four or so hours, he sort of asked me directly: have we conducted ourselves professionally; being the police, do you feel intimidated, etc?

The CHAIRMAN: Did you confirm to him that you believed they had conducted themselves in a professional manner?

Mr Weir: I did.

The CHAIRMAN: Apart from the number of police officers used during the raid, which you indicated you thought was excessive, do you have any other issues you wish to raise about the police operation?

Mr Weir: Not from the police once they were on the premises. Obviously, there are questions I am sure the committee is looking about why there were so many and what decision-making process went to the deployment of 27 police officers to the *Sunday Times*.

The CHAIRMAN: Thank you, yes. Do have you any recommendations you can suggest to the committee that can improve the investigation of incidents involving the media, in particular incidents relating to allegations of unauthorised disclosure of confidential documents or information? I am very happy for you to take it on notice if it is something you might want to give some consideration to. The committee is interested in making some positive recommendations. If we can improve the situation—make changes that are seen to be improvements generally, we would like to be able to do that but we need your assistance and would be very pleased if you have advice or recommendations you want to put to the committee.

Mr Weir: I will definitely take it on notice. It might be a long list.

The CHAIRMAN: I have extended you the invitation. The length of the list is up to you now, Mr Weir.

Mr Weir: Cheers.

The CHAIRMAN: Thank you for that. Are there any other matters you want to raise with the committee about the inquiry?

Mr Weir: Not within the scope of the inquiry now. I will address that in the recommendations on notice.

The CHAIRMAN: Right. You know the terms of reference of this committee do you not? We are being asked specifically —

to inquire into and report on all circumstances surrounding the police raid on “*The Sunday Times*” on 30 April 2008.

We are limited somewhat in our scope but we would be still pleased to hear your advice or recommendations on improving investigations similar to this?

Mr Weir: I could say many things but, with all due respect to the committee, some of them are probably out of your hands. Strengthened shield laws for journalists probably would mean that none of this would have ended up happening. There is a veritable Pandora’s box of concerns at the moment in relation to the right to free speech, which I think have been well ventilated, and, probably due to this raid, have put a bit more focus on it in WA. Again, I could sit here and talk for a while about those issues but I think you are well aware of them.

The CHAIRMAN: Thank you, Mr Weir. The committee is governed by its terms of reference and you have raised matters. If you include matters that are outside the terms of reference in the advice or recommendations you provide to us, we will obviously take that into account. We would appreciate anything you can offer of a positive nature so to speak.

Hon ADELE FARINA: Was Lampathakis present at the *Sunday Times* when the police executed their search warrant?

Mr Weir: He was not, no.

Hon ADELE FARINA: Did you question the validity of the search warrant when the police first arrived and explained that they had a search warrant?

Mr Weir: I do not think I questioned the validity. I was taken through the process and I accepted that it was a lawful search warrant. Did you say, “arrest warrant”?

Hon ADELE FARINA: No, “search warrant”.

Mr Weir: Good.

Hon ADELE FARINA: Did the police indicate to you that they wanted to interview Mr Lampathakis?

[12.40 pm]

Mr Weir: I think they did, at some stage. I am not sure which of the officers it was. I think they actually spoke to him. They called him on the phone.

Hon ADELE FARINA: Did you speak to him at all?

Mr Weir: I cannot recall if I spoke to him. I know that a legal representative of the *Sunday Times* spoke to him at some stage.

Hon ADELE FARINA: Do you know when? Was it before the search was conducted?

Mr Weir: I think it was well into the search.

Hon ADELE FARINA: To get this clear, the *Sunday Times* solicitor spoke to him and you think a police officer also spoke to him?

Mr Weir: I am not sure which lawyer, but a lawyer representing the *Sunday Times* spoke to Paul. I am not entirely sure whether that was before or after the police spoke to him.

Hon ADELE FARINA: Was he asked to return back to the *Sunday Times* for the purpose of being interviewed by the police?

Mr Weir: Not by me.

Hon ADELE FARINA: Are you aware, between the time that the police first arrived and the time they actually got to search the work desk, whether any documents could have been removed from that area by any member of staff?

Mr Weir: I think the police were manning the exit and entry points pretty soon after they arrived.

Hon ADELE FARINA: Is it your evidence that the police arrived in numbers of 27 straight off or did they arrive in smaller numbers and then subsequently additional officers arrived?

Mr Weir: I was in another room when they first arrived in the building so I am not entirely sure how many were there. I was in my office with the doors shut with three officers for the next 15 or 20 minutes. I am not entirely sure how many there were or whether they came in one group or in drips and drabs.

Hon ADELE FARINA: Do you know how Mr Lampathakis came into the possession of the information that is the subject of his 10 February article?

Mr Weir: No.

Hon GIZ WATSON: If I could, I want to take you back to the time when you were first speaking with the police officers. I understand that you were in your room with three of the police officers. Hon Adele Farina has touched on this. Are you aware how many other officers were in the building at that time?

Mr Weir: Again, I have one window out of my office. There were others there that I was aware of, but as far as the wider building is concerned, no, I was not entirely sure.

Hon GIZ WATSON: Right. I guess I am trying to see whether you have any information about what any other police officers were doing who might or might not have been in the building at that point. I guess you were in the room with the two officers with the video recorder. Have you got any knowledge of what any other officers might have been doing at that point?

Mr Weir: No. When I walked out of my office, various people were standing in the corridors and the like but I was not aware of what the wider number of police officers was doing in the building at that stage.

The CHAIRMAN: Has any member of the *Sunday Times* staff complained to you about the manner in which the police went about their operation?

Mr Weir: Not in any formal way, but I think the unanimous view is that it was completely over the top, unnecessary and was supposed to be intimidatory.

The CHAIRMAN: I understand from your previous comments what you are saying now. I am more interested in the people who were leaving the building who you would not have been able to see at the time.

Mr Weir: As I said, there were 300 people on the site.

The CHAIRMAN: No-one has lodged an official complaint with you about the manner in which they were dealt with by the police during that operation?

Mr Weir: No.

Hon ADELE FARINA: I will ask a follow-on question from Hon Giz Watson's earlier question. You said that when you came out of your office, there were other police officers present in the building. For how long were you in your office with Jane, Mansell and the officer with the video?

Mr Weir: As I said, I would have waited for 15 or 20 minutes for a lawyer to arrive and probably another half an hour passed when either me and the officers or me, our lawyer and the police were in there, and there were a couple of times when I had time alone with my lawyer, so to speak.

Hon ADELE FARINA: Are you aware whether the police made any calls for additional officers to attend?

Mr Weir: I think it was mentioned that additional officers would be coming along once the search, so to speak, was activated.

Hon ADELE FARINA: Thank you.

The CHAIRMAN: Was it indicated that those additional officers were from the computer fraud squad?

Mr Weir: No, they came at the very end. They asked to speak with our IT people and search the email.

The CHAIRMAN: Okay. Recognising that it is Friday, which is your busy day, Mr Weir —

Mr Weir: They are all busy.

The CHAIRMAN: Is there anything else you want to raise with the committee at this stage?

Mr Weir: Again, I would be repeating what I have said before about the serious questions that need to be asked about why: one, the complaint was laid; two, why so many police officers arrived; and, three, how it could be done better in the future, if at all.

The CHAIRMAN: Thank you for that. You will remember your commitment to think about some recommendations or advice and give it to the committee as soon as is reasonably possible; that would be helpful. You have also given the committee a commitment to produce an email that we referred to earlier and also the other documents that were referred to. The record of that will appear in the transcript to refresh your memory, so to speak.

You will get a copy of your transcript within a few days—by early next week. There are some instructions on the transcript for you to return it to the office within the given time. If there are no other issues that you wish to raise, thanks once again for joining us today. We appreciate the evidence that you have given the committee. We will also have the opportunity of reading your transcript. If any clarification is needed on the matters that have arisen, we will contact your office and if there is a need to recall you, we will discuss that. Thank you for your time.

Mr Weir: Thank you.

Hearing concluded at 12.45 pm