



JUDICIARY OF
ENGLAND AND WALES

R v Jules Stenson

Central Criminal Court

Sentencing Remarks of Mr Justice Saunders

6th July 2015

1. Mr. Stenson has pleaded guilty to an offence of conspiracy to intercept communications. He has pleaded guilty on a basis which is largely accepted by the prosecution. In so far as the basis is not accepted, the differences between the prosecution and defence are not such as would affect my sentence and I do not consider that it is necessary to resolve them.

2. I am satisfied on the evidence that I have heard that people working for the News of the World were concerned in wide spread phone hacking between 2002 and 2006. I do not believe that anyone seriously disputes that now. It was mainly carried out by people working for the news desk but, when Dan Evans arrived at the beginning of 2005, he started phone hacking for the features desk.

3. Jules Stenson was head of the features desk from the beginning of 2005 to August 2006 which is when Dan Evans was phone hacking. The accepted basis of plea is that Mr. Stenson was aware of the practice of phone hacking on the news desk at the News of the World before 2005. In particular he had heard a widespread rumour that the revelation in the paper about Mr. Blunkett's relationship with a married woman had derived from phone hacking. He denies that he conspired with people on the news desk. The prosecution accept that. His basis of plea says in terms that his co-conspirators were Coulson Wallis and Evans. Mr. Wallis has been acquitted by the jury and nothing that I said in the course of this hearing is intended to or could go behind that verdict. It has emerged

during the sentencing hearing through questions that I addressed to Mr. Stenson's counsel that the basis of plea, in so far as it addressed the involvement of Mr. Wallis, was not based on Mr. Stenson's own knowledge but on his reading of the evidence in the case. It follows therefore that, where Mr. Stenson's case is that pressure was put on him by his managers to use phone hacking on the features desk to obtain stories, he is talking only of Mr. Coulson. In so far as there appeared from the documents to be disagreement between Mr. Wallis and Mr. Stenson, it would not be the only difference between the cases of Defendants in this series of cases. Those differences may be explicable, as this one appears to be, but as Defendants whose accounts differ have not always given evidence in the same trial, they have never been resolved.

4. Mr. Stenson's case, accepted by the prosecution, is that Mr. Coulson was the driving force behind the recruitment of Dan Evans who, on his own admission, had been phone hacking at the Sunday Mirror before he went to the News of the World. Dan Evans' previous experience of phone hacking was known to a number of people at the News of the World.

5. Mr. Stenson's case is that he allowed himself to be drawn into phone hacking because he was put under pressure to produce stories by Mr. Coulson and he was driven to use illegal means in order to avoid the sack. There is no doubt that the tabloid newspaper world was, and maybe still is, very competitive. At a time when newspaper sales were reducing, there was great pressure to maintain market share which could only be achieved by taking circulation away from rivals. I have no doubt that the management on the News of the World were keen to create intense competition between the different desks. Whether that was undue pressure or good management, I am not qualified to say, but I think that Mr. Evans' evidence was probably correct when he said that Mr. Stenson's attitude was, if you can't beat them, join them.

6. Mr. Stenson's case, accepted by the prosecution, was that he was not aware that phone hacking was against the law. That is not a defence to the charge. Mr. Stenson did know that phone hacking was not permitted under the Editors' Code of Conduct and was a gross breach of privacy. I do not consider that that provides significant mitigation nor is it suggested that it should. Mr. Stenson's case is that the people who were hacked by the features department were celebrities who were in the public eye. Some people seem to think that it is less serious to hack the phone messages of a celebrity than someone who is not in the public eye. I am afraid I do not see any difference. Not only that, but many of the messages which were intercepted were left on the phones of people who were connected with celebrities but were not celebrities themselves. Mr. Evans could not limit himself, even if he had wanted to, to listening only

to messages coming from celebrities. He listened to all the messages, however personal and private they were.

7. It may be that the public interest in phone hacking and the public condemnation of the practice which surfaced when the hacking of Millie Dowler's phone was revealed, has waned over the time that the investigation and the trials have taken. That is inevitable. Despite that, I have to do justice between Defendants. It would be quite wrong for me to say that, as it has gone on so long and public interest is less, those convicted at the end of the series of trials should receive shorter sentences than those who were arrested earlier and sentenced in a blaze of publicity. Having to wait a long time to hear your fate is mitigation, but the offence is no less serious because public interest has waned. I shall therefore adopt the same level of sentence that I have used in the other cases which I have dealt with.

8. There are distinctions which can properly be drawn between Mr. Stenson and the others that I have had to sentence. Phone hacking was a well established means of getting stories at the News of the World before Mr. Stenson became involved. He was put in a position of competing with people working on the news desk who he knew were phone hacking and his editor condoned the practice. It is likely that if he had not come up with stories, Jules Stenson would have lost his job. Further the period over which the features department were phone hacking was comparatively short and there was only one person doing it; Dan Evans.

9. While there are those distinctions to be made in Mr. Stenson's case, his main mitigation is his plea of guilty. That is often said in cases where there really is nothing else to say. In this case there is a great deal of other mitigation but nothing is as important as the plea of guilty within the context of this case. Over a period of years there was a concerted effort to prevent public exposure of the true extent of phone hacking at the News of the World. That has been accepted in previous trials. Large resources were devoted to it. Whether it is called damage limitation or a cover up doesn't matter, the aim was to prevent what had gone on at the News of the World becoming public knowledge. Mr. Stenson's decision to plead guilty and not try his luck with a jury demonstrates courage and some remorse for what he has done.

10. The credit that I could have given Mr. Stenson, would have been greater had he told the police what he knew. He exercised his right to remain silent. Only Daniel Evans, of those who have pleaded guilty, has given evidence for either the prosecution or the defence. I have already commented on the irony of this when the Defendants are people whose vocation is to reveal information that the public have a right to know but others wish to keep secret.

11. Mr. Stenson was a senior figure at the News of the World and a distinguished journalist. He should have been setting an example to more junior journalists. The nature of his offending means that the custody threshold is passed. The starting point to reflect his offending as compared with others is 8 months imprisonment. Mr. Stenson is a man of good character. In addition to his lack of convictions I have read a number of character references which speak highly of him. To reflect his positive good character and, what I consider to be genuine remorse, I reduce that starting point to 6 months. I reduce that by a third to reflect Mr. Stenson's plea of guilty.

12. It has been submitted to me that I should suspend the sentence of imprisonment. I am asked to consider the length of time that this has been hanging over Mr. Stenson and the strides that he has taken, since the closure of the News of the World, to re-build his life. Having given this matter considerable thought, I have concluded that justice would be done in this case by suspending the sentence. Mr. Stenson, the sentence of 4 months imprisonment will be suspended for 12 months. You will also carry out 200 hours unpaid work for the community. You will pay the prosecution costs which amount to £18,059.61. In addition, because I am satisfied that you have the means, you will pay a fine of £5000.

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