

How Royals' lawyer used Leveson, Lord McAlpine and veiled threats to keep Rolf Harris arrest secret...and even tried to forbid us from even publishing their warning

The Daily Mail



I don't know what the DM is worried about, they only print what they are told anyway. Never the less, they best get used to it. Censorship is the shape of things to come.

Interesting that Harris's lawyer happens to be the Royals lawyer... Birds of a feather, and all that.

Oh, and just to clarify since the article claims that McAlpine was wrongly linked to sex offences. He was linked to the wrong sex offences, in the same ballpark.

Just saying

- Lawyers use furore over innocent peer to to try and gag us
- Emails to us from lawyers warned of consequences if we published
- Mr Harris, 83, was arrested last month as part of Operation Yewtree



Favourite: Rolf Harris with his portrait of the Queen

Lawyers for Rolf Harris have used intimidating and potentially misleading tactics to stop The Mail on Sunday from naming the Australian entertainer in the investigation in the wake of the Jimmy Savile abuse claims.

In a series of threatening emails sent to this paper, London law firm Harbottle & Lewis warned of the 'highly damaging personal consequences' in identifying their client.

They also brandished Lord Justice Leveson's name to declare there was no public interest in reporting the arrest. It meant that for more than four months The Mail on Sunday decided not to publish Mr Harris's name in connection with the Savile investigation.

As recently as March 30, Har-bottle's senior media lawyer, Gerrard Tyrrell, who has acted for Prince William, Prince

Harry and the Middletons, warned: 'If you proceed then both you and the Editor of your newspaper are on notice of the consequences.'

In January, Harbottle's was asked to confirm if Mr Harris had been interviewed by police. The firm responded by citing cases of Tory peer Lord McAlpine and X Factor judge Louis Walsh, who had been falsely linked to sex offences.

In fact, these cases were crucially different from Mr Harris's because it was true that Mr Harris had been interviewed by the police. And unlike Mr Harris, neither man had been interviewed or arrested.

Last night Mr Walsh's lawyer Paul Tweed said it was wrong to compare his client's case to that of Mr Harris. He said: 'The Louis Walsh case I would distinguish because by the time the Sun published the story my client had not been contacted by the police . . . But in Rolf Harris's case, as I understand it, he has been interviewed by the police. In my view there is a very important distinction there. Once you reach the point of interview and arrest there has to be a strong public interest argument in publication. The fact that The Mail on Sunday held back for four months is a credit to you.'

More...

- [Last picture of Rolf Harris out in Soho before putting up wall of silence as he is named in sex abuse inquiry](#)
- [AMANDA PLATELL: Why I pray my dear friend Rolf is innocent](#)

Mr Tyrrell also tried to keep the case secret by warning us that it would be wrong to publish any of his threatening

letters which he said were 'strictly private and confidential'. On Friday, despite the desperate efforts by Mr Harris's lawyers to suppress news of his arrest,

Mr Harris was finally revealed in newspapers as the 'mystery' celebrity detained by detectives investigating the Jimmy Savile sex scandal.

Without official and cast-iron confirmation from Mr Harris or the police this newspaper decided not to reveal his name. The paper was also influenced by reports that Mr Harris had been admitted to The Priory clinic and that publication could endanger his health. Last night senior lawyers said that media reports were being suppressed in the wake of Lord Justice Leveson's report into media ethics.





Lawyers cited the cases of Louis Walsh (left) and Lord MacAlpine (right) as reason for us not to name Mr Harris

Harbottle & Lewis

January 5

From Gerrard Tyrrell

Given recent events and by this we refer specifically to the unfounded allegations that were published against Lord McAlpine and the reporting on 29 November 2012 of the settlement of legal proceedings brought by Louis Walsh...arising from circumstances where he was falsely accused of criminal behaviour, we are very surprised and indeed highly concerned to note the claims to which you refer. We note that Guido Fawkes is the only source for what has been claimed which in the circumstances is clearly conjecture upon his part. The Police have confirmed that they have not named the individual concerned and have no intention of doing so... There is no public interest in publishing such an article as is entirely self-evident following the publication of the Leveson Report...

I should point out that this email is clearly marked "Strictly Private and Confidential" and "Not for Publication". In the circumstances, it would be wrong for The Mail on Sunday to publish any article referring to the content of our correspondence.

March 30

From Gerrard Tyrrell

You state...you are intending to do what no other media organisation in this country has done and publish that our client has been arrested on very serious charges. The highly damaging personal and legal consequences of doing so will not be lost on you... the factual basis of your claiming actual knowledge of the identity of Yewtree Five is non-existent...

You ought to ask yourself why the police have not named the person involved.

March 30

From Gerrard Tyrrell

If you proceed then both you and the Editor of your newspaper are on notice of the consequences.

Threat: The emails from Harbottle and Lewis threatening the Mail on Sunday with action if we named Harris

In the email comparing Mr Harris's situation to Lord McAlpine, Mr Tyrrell said: 'Given recent events and by this we refer specifically to the unfounded allegations that were published against Lord McAlpine and the reporting on 29 November 2012 of the settlement of legal proceedings brought by Louis Walsh... arising from circumstances where he was falsely accused of criminal behaviour we are very surprised and indeed highly concerned to note the claims to which you refer.'

The 'claims', in fact, were only that Mr Harris had been questioned and his house searched. The aggressive denials by Mr Harris's lawyers

of their client's link to the police investigation played an enormous part in preventing the media from naming him.

It is now known that on November 24 last year police searched his home in Bray, Berkshire, and took away computer equipment and other items. Harris, who has denied any wrongdoing, was first interviewed under caution – but not arrested – over alleged sex offences on November 29. On March 28 police formally arrested him.

Two days later Mr Tyrrell wrote to the managing editor of The Mail on Sunday after police had appeared to confirm the arrest to one of our reporters. He said: 'We note that you state . . . you are intending to do what no other organisation in this country has done and publish that our client has been arrested on very serious charges. The highly damaging personal and legal consequences of doing so will not be lost on you.'

Mr Tyrrell dismissed our source, saying that our 'actual knowledge is non-existent' and that publication was without any public interest which he said was 'self-evident' from Leveson's report into media ethics.

Mr Harris – a favourite of the Queen – had been the only high-profile suspect not to have been identified. His detention follows the arrests of Gary Glitter, Freddie Starr, Dave Lee Travis, Max Clifford and Jim Davidson. Starr, Travis, Clifford and Davidson have all publicly denied any wrong-doing and gave statements after their arrests.

Read

more: <http://www.dailymail.co.uk/news/article-2312312/How-Royals-lawyer-used-Leveson-Lord-McAlpine-veiled-threats-Rolf-Harris-arrest-secret.html#ixzz2RPwLS16w>

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