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# The Guardian

## DPP urged to prosecute Aitken for perjury as he faces £1.8m legal bill

# He lied and lied and lied

### Conspiracy involved wife and daughter

Luke Harding and David Pollister

**T**HE Guardian last night called on the Director of Public Prosecutions to prosecute Jonathan Aitken for perjury and conspiracy to pervert the course of justice after the dramatic collapse yesterday of his trial.

Aitken, the former cabinet minister, discredited his libel action against the Guardian and Granada Television after new evidence proved he had lied to the High Court. He now faces public disgrace and a legal bill for £1.8 million.

Aitken, who lost his Thames South seat at the election, failed to turn up for yesterday's two-minute hearing, in which he accused Charles Gray QC, argued Aitken would pay almost all of the defendant's legal bill.

Aitken's action collapsed after the Guardian produced new evidence in the High Court on Wednesday. British Airways flight records and Budget car hire documents showed the ex-IPD minister perjury about the content of a bill for his controversial stay in the Paris Ritz in September 1983.

The documents proved that his wife, Felicia, and his daughter, Victoria, whom he had flown directly to Geneva, and had never visited Paris as he had said the High Court. His wife had flown back from Geneva, while her daughter went on to boarding school.

That meant Mrs Aitken could never — as he insisted — have paid the bill for the Ritz, where the then minister for defence procured a rooming house with small businesses, the Guardian said the bill had been paid by an Arab associate in contravention of ministerial rules.

On Tuesday, Aitken had filed a signed witness statement from his daughter, now 17, in which she told how she had travelled to Paris that

weekend by ferry and train. Her story backed up her father's version, but was contradicted by the Guardian's discovery of the RA documents. Aitken had intended to produce his daughter as a witness on Thursday, where, had she stuck by her statement, she would have been required to lie on oath. But because of the Guardian's evidence, Mr Gray on Thursday asked Mr Justice Patten to allow for an adjournment.

Aitken faces the prospect of a criminal trial, and an immediate custodial sentence if convicted of perjury.

The Guardian's editor, Alan Rusbridger, last night wrote to Paul Gordon, the Commissioner of Metropolitan Police, and the Director of Public Prosecutions, Dame Justice Mummery, to investigate what he described as "a well-laid and carefully coordinated conspiracy to pervert the course of justice".

Mr Rusbridger said yesterday: "Jonathan Aitken seems to have impaled himself on the simple sword of truth. For three years he has lied to newspapers, lied to the Cabinet Secretary, lied to the Prime Minister and lied to his colleagues. Now he has made the fatal mistake of lying on oath to the High Court."

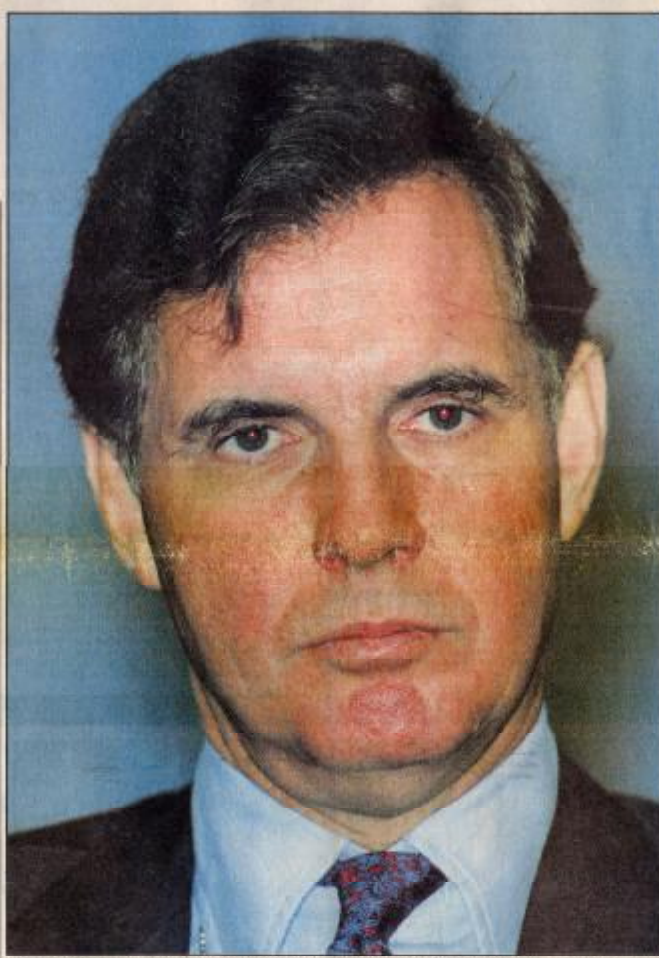
Where then that, Aitken — a former cabinet minister and a Privy Counsellor — intended to put his teenage daughter in the witness box to tell further lies to save his skin.

That was reckless, she promised to use the trusty shield of British fair play.

He added: "The case demonstrates how dishonest and cynical procedures are in exposing dishonesty at the heart of public life."

"That role has almost exclusively been performed turn to page 4, column 4

Aitken's disgrace, pages 2-8 Letters, page 22 Peter Pearson, page 22



Jonathan Aitken: he pledged to use the 'sword of truth' but late evidence exposed his web of deceit. MICROPHONE GAIN CASE

### Commentary

## The amoral architect of his own ruin

JONATHAN AITKEN'S revisionist biography of Richard Nixon is a revealing text for those seeking clues to the extraordinary downfall of talented, complex but ultimately amoral men. Aitken aptly describes Watergate as a "Shakespearean tragedy", a phrase which equally well captures the scale of his own terrible undoing. In the space of six weeks he has lost his political career, forfeited a fortune in legal costs and seen his 18-year marriage founder. He must now face the consequences of being caught out lying on oath in the High Court and of weaving a determined conspiracy to pervert the natural course of justice.

Aitken's life, like that of Nixon on the morning of Friday August 9, 1974, is in ruins. His epitaph for the former president could well stand as his own: "Even the most generous explanations for his conduct do not bring him exculpation. In his frenzied efforts to fight his way out of the quicksand... he made himself guilty of many 'crimes' — among them deceit, negligence, bad judgment, mendacity, amorality, concealment and a flagrant resistance to face up to personal confrontations with the individuals who were creating the worst problems."

Aitken's overall empathy with his subject is a matter best left to the psychologists. But it is extraordinary that any man could write a 600-page book on Richard Nixon and yet not learn the fundamental lesson of his tragedy: beware the cover-up. Aitken's own downfall was caused by a cover-up, a lie about a weekend in Paris in 1983. We still do not know why it was so vital that he should have lied so dogmatically and consistently about that weekend, but it was emphatically the lie, not the trip, that finished him.

That initial lie ensured not only him, but his family, for it was vital to Aitken to be able to pretend that his wife paid his bill at the Ritz Hotel in Paris. In fact, as we were eventually able to prove, Mrs Aitken spent the weekend in Switzerland with his daughter Victoria. Thus was Aitken's 17-year-old child also sucked into an ever more desperate conspiracy. It would be inhuman not to feel sympathy for the Aitken family as they contemplate the wreckage of their lives. But it is hard to feel such compassion for a man who would send in his own daughter to tell lies on oath — a serious criminal offence which could even have cost her her liberty — to save his own skin. Such behaviour in any father, never mind a Privy Counsellor, is repulsive. That is why the police should seek for the court papers with some urgency.

This is the fourth libel case the Guardian has been forced to fight in as many years in pursuit of what we modestly considered to be the public interest. In the absence of effective regulations governing the political process the media has found itself sucked into a vacuum. In the absence of the criminal law, the libel law has been used as a weapon both of disclosure and of control. The libel laws can indeed be effective in searching out the truth — though they should be reformed and never again should a defendant be denied the fundamental right to a jury. But they are a poor substitute for the thoroughgoing Corruption Act of the sort that is now promised. Hugh Ross writes:

As the witnesses called upon in Court in the impression given ever stronger of the dismal emptiness at the heart of a government which had already dealt feebly with a succession of revelations by this and other newspapers. As with Hamilton and Smith, the Aitken affair was treated as if it were a matter of cooling consequences. It is patently clear that Sir John Bicker set about his work as one of the Guardian's initial allegations with all the ferocity of a spaniel. Once his case was closed Jonathan moved on and up. Just as Tim Smith was promoted after admitting taking £25,000 from a company under investigation by the DTI, so Aitken was elevated to the Cabinet. Why on earth not? We had the least corrupt parliament in the world and someone who said otherwise was a conspiracy theorist or else simply out to undermine the Great Institutions of State.

In court Aitken was perfectly frank about his inclination, if not his right, to talk to journalists, notwithstanding his own distinguished former career as a reporter. Truth and openness — causes so important that formerly he stood trial as the Old Bailey in their defence — were trifles to be jettisoned once on the other side of the fence. Mendacity and secrecy destroyed him. We take no pleasure in the ruin of a man with many talents and qualities. We did our best to avoid the anticipated outcome. But ultimately it was he who unsheathed the sword of truth, and he who was inevitably impaled on it.

## Crusader who laid aside the sword of truth long ago

Charles Nevin on a courtroom drama that was more Geyrtrians than Euripedes

**I**N the end, then, the Crusader for Truth wasn't there. The seat on the front bench, in the wall of the court, in front of his learned chief, Charles Gray, the seat that had been occupied so confidently, so easily, so casually for 18 days, was empty. Just like the Crusader's case.

The entire bench, in fact, was empty. No mother reading Country Life. No wife ready to dab his brow with cologne. No daughter persuaded and prepared to lie for him. No sign, either, of the simple sword of truth and the trusty shield of British fair play with which he was going to cut

out the cancer of bent and twisted journalism in this society, with which he was going to smite falsehood and those who peddle it. The Crusader had, as mentioned, been absent after noon at 4 o'clock. Until then, he hadn't been doing too badly, all things considered. Those odd afternoons spent in the High Court, studying his learned adversary, George Carman QC, in action during other hearings had not been entirely wasted.

True, there had been a bit of a wobble over the Granada video recording which seemed to show pretty closely — some nasty ab-

sences, such as the harassed daughter and the threatening, pursing camera crew so vividly recalled to the Crusader.

But there had been a success. The judge, Mr Justice Patten, had ruled that the newspaper reports and TV programme implied that Aitken had knowingly, rather than recklessly, been involved in an illegal arms deal. Consequently, the Guardian and World In Action had abandoned their attempt to justify these allegations.

And consequently, too, a cheerful, smiling Crusader was to be seen in the corridor outside Court 10 afterwards braving any stray journalist who would listen that he was no longer accused of being an illegal arms dealer.

The smiles had remained in the witness box. A boyish, grinning, charming Crusader, despite all manner of cross-examination, minimal responses, and failures of recollection tugged out by the dogged Carman.

A Crusader, moreover, ready to try a few witness claims. "I have," he told Carman ringingly at one point, "been dismissed by the Guardian and Carman and by you." As usual with him, this was, at very best, only half true.

On Wednesday afternoon at 4 o'clock, though, the confidence and the colour in his face drained at the same time. He was reading, and endlessly re-reading, a new witness statement: the one from a British Airways investigator, Wendy Harris, and the one that meant

the lig finally, was up, that the most unlikely travel arrangements since Hannibal had been known away. It was the last time he was to be seen in Court 10.

A day's adjournment was followed by two minutes in court yesterday morning. After four years and a vastness of claim, denial and investigation, it came down to 48 seconds from Gray, 20 seconds from Carman, and 60 from the judge.

Alan Rusbridger, editor of the Guardian, and his predecessor, Peter Pearson, initiator of the story, adjourned to the corridor to give the first of a series of interviews emphasising the extent and enormity of Aitken's serial lying and disquisitions, and calling for his prosecution for perjury.

Such was the crush that

George Carman, his work done, was halted in his stately progress towards the door and his cigarette, the dressmaker to know the reason for the hold-up. "I do hope they are not saying anything derogatory," said his fellow counsel, James Price QC. This, I think, was a legal job.

Some have compared the Crusader and his uncoiling with a Greek tragedy. But, in truth, if you will pardon the phrase, it was more Geyrtrians than Euripedes, reminiscent of nothing so much as the first day of the reformer recasting into ever more ridiculous lies under relentless questioning from Mr Quack. To have truly tragically, moreover, you need a great man to be brought low. And he was never there.

### Inside

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**Finance** Tobacco companies finally clinched a \$368 billion deal to buy off lawsuits from smokers who say they have become ill through addiction.

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**Sport** David Lloyd, Davis Cup team captain, is the pivotal figure in a consortium, aiming to take over troubled Hull City. The Week

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