1		1	certainly be the case that politicians can understand
2	(2.00 pm)	2	the pressures that journalists face in trying to make
3	LORD JUSTICE LEVESON: Mr Jay, yesterday morning, a man by	3	sure that the public are informed and it can also be the
4	the name of David Lawley-Wakelin interrupted and	4	case that journalists can appreciate the pressures that
5	disrupted the proceedings of this Inquiry for purposes	5	politicians face in trying to make sure that their
6	of his own. I directed that an inquiry take place and	6	policy is presented fairly.
7	it has been completed. Appropriate measures to prevent	7	Q. Thank you. In your view, have we reached the point
8	any risk of repetition have been taken.	8	where the current state of relationships between
9	It is of critical importance that witnesses can give	9	journalists and politicians is poisonous or close to it?
10	evidence without disruption of any sort, and in those	10	A. No, I don't believe it's poisonous.
11	circumstances I am today referring this incident to the	11	Q. Have we reached anywhere near that point?
12	Director of Public Prosecutions so that the Crown	12	A. No, I don't believe we have. Of course there's acrimony
13	Prosecution Service, in conjunction with the	13	between some journalists and some politicians as
14	Metropolitan Police Service, can consider the way in	14	a result of wrongs or perceived wrongs, but I think that
15	which the matter can be dealt with appropriately.	15	the idea that the relationship is poisonous is an
16	MR JAY: Sir, this afternoon's witness is the Right	16	overstatement.
17	Honourable Michael Gove.	17	Q. Are there any aspects of the relationship, if one
18	LORD JUSTICE LEVESON: Thank you.	18	doesn't like the word "poisonous", one might
19	MR MICHAEL ANDREW GOVE (sworn)	19	characterise as unhealthy?
20	Questions by MR JAY	20	A. I think it's certainly the case that there are sometimes
21	MR JAY: Your full name, please, Mr Gove?	21	elements of the relationship between politicians and
22	A. Michael Andrew Gove.	22	journalists that can be a little rough-edged. I think
23	Q. You very kindly provided us with a witness statement	23	that's certainly true. And it is also the case that
24	dated 30 April 2012. You signed and dated it. There's	24	there are some politicians and some journalists who
25	a standard statement of truth. Is this the formal	25	develop, over time, a close relationship, which may not
	Page 1	_	Page 3
1	evidence you're tending to this Inquiry?	1	altogether be in the public interest. But in my
1 2	evidence you're tending to this Inquiry? A. Yes, it is.	1 2	
			altogether be in the public interest. But in my experience, most politicians and most journalists have a proper sense of the boundaries between each.
2	A. Yes, it is.	2	experience, most politicians and most journalists have
2 3	A. Yes, it is. LORD JUSTICE LEVESON: As with many other witnesses,	2 3	experience, most politicians and most journalists have a proper sense of the boundaries between each.
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1	Q. Do you have a view, Mr Gove, about a point which has	1	A. I think it's an ideal.
2	come across strongly through three witnesses now	2	LORD JUSTICE LEVESON: All right.
3	Mr Blair, Lord Mandelson, Mr Campbell that at the	3	MR JAY: So we're left at the point where the discrimination
4	heart of the problem lies the fusion of news and	4	of the reader is likely to be one of the main
5	comment?	5	yardsticks; is that right?
6	A. I can well understand why they express that concern, but	6	A. It's certainly a factor, yes, and the experience that
7	actually news and comment have been fused in newspapers	7	they have over time, as they come to trust the
8	ever since the first public prints appeared. The best	8	reliability of certain accounts in newspapers and then
9	and most scrupulous newspapers strive to ensure that	9	raise a sceptical eyebrow towards others.
10	readers are clear what is news and what is comment, but	'	-
11		10	Q. Or maybe because the reader is attuned with a particular
12	if you look back to the 1950s, 1930s, before then, you		world view he or she is imbibing through a particular
13	will find that the boundaries between news and comment	12	paper, he or she doesn't feel if necessary to undertake
	were very porous in lots of journals.	13	that discrimination because there is a complete harmony
14	LORD JUSTICE LEVESON: So what does that make of clause 1(3)	14	between what the paper says and what the reader wants to
15	of the code:	15	read. Is that an issue?
16	"The press, whilst free to be partisan, must	16	A. It's certainly the case that people tend to read
17	distinguish clearly between comment, conjecture and	17	newspapers whose outlook on the world they find
18	fact."	18	congenial, but it's not invariably the case. There are
19	What does it make of that?	19	Daily Mail readers who vote Conservative and some
20	A. Well, the press strive to. There are some pieces which	20	readers who vote Liberal Democrat, so simply choosing to
21	are clearly comment. The op-ed page of the Times, or,	21	read a newspaper doesn't mean you buy into the mindset
22	for that matter, the leader page of the Daily Mail, is	22	or the editorial line that that newspaper has at that
23	strongly comment. It's also the case that there reports	23	point.
24	and dispatches which will clearly be fresh from the	24	Q. You've made it clear, Mr Gove, that the term "poisonous"
25	front line or from an event, but it's also going to be	25	is a far misrepresentation from the true position, and
	Page 5	_	Page 7
1	the case that there will be feature pieces, colour	1	you've made it clear that you prefer some aspects of
1 2	the case that there will be feature pieces, colour pieces, in which a reporter will intermingle both	1 2	you've made it clear that you prefer some aspects of "an unhealthy relationship", to put it at its highest
	-		
2	pieces, in which a reporter will intermingle both	2	"an unhealthy relationship", to put it at its highest
2 3	pieces, in which a reporter will intermingle both a documentary fact and also their perception and that	2 3	"an unhealthy relationship", to put it at its highest but go no further. In terms of where we are at present,
2 3 4	pieces, in which a reporter will intermingle both a documentary fact and also their perception and that perception, of course, inevitably will be subjective and	2 3 4	"an unhealthy relationship", to put it at its highest but go no further. In terms of where we are at present, do you place any responsibility on what might be called
2 3 4 5	pieces, in which a reporter will intermingle both a documentary fact and also their perception and that perception, of course, inevitably will be subjective and what we rely on is the common sense of the reader to	2 3 4 5	"an unhealthy relationship", to put it at its highest but go no further. In terms of where we are at present, do you place any responsibility on what might be called the machinations of the political classes over the
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1 gloss on their politics, that was spin after a fashion, 2 and I think at different times the activities of some of 3 those who were working for politicians in the interwar 4 years, in the 20s and 30s -- there whether undoubtedly 5 spin doctors operating then.

Of course, the changing nature of the media means that the techniques employed change over time but the principle that there are individuals who are propagandists or who attempt to tailor perceptions of the news, that's been, I think, something that's been a historical continuity ever since politics has emerged. LORD JUSTICE LEVESON: And it's not got worse or better?

- 12
- 13 A. I can't make that judgment. All I can observe is that 14 it's been a factor throughout history.
- 15 MR JAY: I think it's clear from your evidence already,
- 16 Mr Gove, that the characterisation we've received from
- 17 some witnesses -- to be clear about it, Mr Blair,
- 18 Lord Mandelson and Mr Campbell -- of a state of affairs
- 19 which is close to being toxic, with language like "feral
- 20 beasts" being employed, and those with the contrary
- 21 view, that it's all the fault of the political classes'
- 22 spin -- you're asking us to tone this down, that in your
- 23 view this is an exaggeration about where we are at
- 24 present. Have I correctly summarised your opinion?
- 25 A. Perfectly.

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- Times I was writing leaders, yes.
- 2 Q. Was there any editorial influence on your leaders, to
- 3 your knowledge, exerted by Mr Murdoch or anybody acting
- 4 on his behalf?
- 5 A. None.
- 6 Q. In terms of the editorial direction of the Times,
- 7 insofar as one can discern one, could you assist us,
- 8 please, from where it derives?
- 9 A. It came primarily from the editor. The editor would
- 10 convene a leader conference after the main news
- 11 conference in the morning and he would discuss with the
- 12 leader writers and sometimes with executives from other
- 13 parts of the newspaper which we thought were the most
- 14 relevant stories of the day, of greatest interest to
- 15 Times readers, and what the Times' view should be of
- 16 them, consistent with the position that the Times had
- 17 taken in the past.
- 18 The editor who hired me, Peter Stothard, had 19 a particular world view. One of his predecessors, Simon 20 Jenkins, an equally distinguished editor, had a slightly 21 different world view, and on some occasions those views
- 22 would overlap and, as I say, on other occasions diverge.
- 23 Q. Did you regard it as your role, when writing leaders, to 24
- represent the world view of the editor or were you in 25 any event given a degree of latitude as to how precisely
 - Page 11

- 1 Q. What about Mr Blair's point -- and this is a slightly
- 2 different point -- that in relations with proprietors
- 3 or -- I suppose you would say in one case, with an
- 4 editor -- there's a strong undercurrent of power,
- 5 undertow of power, which is -- I don't think he said
- 6 exactly "unhealthy", but that may be the sense of the
- 7 message he's seeking to convey. Do you recognise that
- 8 phenomenon or not?
- 9 A. I'm not sure quite what he meant by that. I didn't have
- 10 the opportunity to see Mr Blair's evidence or to read
- 11 it. I would observe again that over time, newspaper
- 12 proprietors have attempted to imprint their will on the
- 13 political sphere. Some politicians have resisted that, 14 other politicians have bent to it. But in that respect,
- 15 newspaper proprietors are like others who have wealth
- 16 and wield influence. From time to time, they will
- 17 attempt to influence politicians. Robust politicians
- 18 will know when to listen and then when to tell them,
- 19 I hope politely, that they won't bend.
- 20 Q. I'll come back to that point shortly. We're still on
- 21 your career as a journalist, as it were. You were
- 22 a leader writer at the Times for, I think, about
- 23 a decade; have I got it right?
- 24 A. Yes. I started as a leader writer at the Times and
- 25 I held a few other posts but throughout my time at the

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- 1 to express any opinion?
- 2 A. It was my role, when writing the leader, to represent
- 3 the world view and the stated view of the editor, but
- 4 before that view was arrived at, there would be a free
- 5 and open discussion, and there were a number on
- 6 occasions on which I argued vigorously against the view
- 7 that I thought the editor might hold, and then, if the
- 8 editor was unconvinced, which was usually the case,
- 9 I would knuckle down and write the leader in accordance
 - with the line that he decreed.
- 11 Q. And in terms of the editor's world view -- I appreciate
- 12 this is difficult to work out from precisely where that
- 13 might come -- did you get the sense that that was
- 14 genuinely the editor's world view or did you get any
- 15 sense that someone else might have been contributing to
- 16 that world view?
- 17 A. I got the sense that it was emphatically the editor's
- 18 world view. Every time that I heard Peter Stothard
- 19 talk, or subsequently his successor, Robert Thompson --
- 20 or indeed when I had an opportunity to talk to
- 21 predecessors like William Rees-Mogg or Simon Jenkins, it
- 22 was clear to me that they were men of decided views who
- 23 were reflective individuals who came to their leader 24 view only after a great deal of thought.
- 25 Q. May I move to the role of proprietors in general. You

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1	make it clear and I think you have already made this	1	proprietors and editors both in providing information
2	point in paragraph 52 of your statement, our	2	that's congenial to readers and also commentary that
3	page 01252 that media proprietors, in your experience	3	they find favourable.
4	and from your reading of history, tend to be	4	So if one newspaper forgive me, one political
5	intellectually curious and politically engaged figures	5	party, over time, benefits, then that's a consequence of
6	whom it is always fascinating to. In relation to your	6	the free decisions of individual and it shouldn't be
7	own experience and without looking at historical	7	seen as the exercise of power on the part of newspapers;
8	examples, which plainly would be outside your	8	it should be seen as the exercise of millions of
9	experience could you assist us, please, with whom	9	individual preferences by readers.
10	you're referring to there?	10	LORD JUSTICE LEVESON: You have to be a bit careful about
11	A. Rupert Murdoch, Viscount Rothermere, Richard Desmond are	11	that. One witness gave evidence to the Inquiry that
12	all three newspaper proprietors whom I have had the	12	actually the newspaper he bought was entirely, as it
13	privilege of meeting and each of them operates in	13	were, genetically driven. That's what his parents
14	a different way. All of them it was fascinating to	14	bought and actually he quite liked the sport, or the
15	meet.	15	crossword, and no inference should be drawn whatsoever
16	LORD JUSTICE LEVESON: Were you surprised to hear	16	about his political persuasion from the fact that he
17	Mr Rupert Murdoch say that you'd always be able to find	17	always bought this particular paper. So that's
18	out what his opinion was on any subject by reading the	18	a different
19	editorial in the Sun?	19	A. That is one individual's view, and of course, given that
20	A. I wasn't too surprised by that because I think there's	20	there are millions who buy newspapers, there will be
21	a distinction between the Times and the Sun. The Sun is	21	millions of different reasons.
22	a newspaper which in most, but not in every respect,	22	LORD JUSTICE LEVESON: That's the point.
23	reflects Rupert Murdoch's world view. The Times is	23	A. But I merely observe that the Socialist Worker and the
24	a newspaper put together in a very different way.	24	Morning Star are freely available on the news stands.
25	MR JAY: The role of the Sun is very different as well,	25	They have both sporting and literary cover but they sell
	Page 13		Page 15
1	given its size, its mass penetration, as it were, and	1	rather less than the Sun and the Daily Mail.
1 2	given its size, its mass penetration, as it were, and the fact that it's seen as a floating voter and has been	1 2	rather less than the Sun and the Daily Mail. MR JAY: You say in paragraph 40:
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2	the fact that it's seen as a floating voter and has been	2	MR JAY: You say in paragraph 40:
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2 3 4	the fact that it's seen as a floating voter and has been historically, certainly in 1997 and again in 2010, although some have argued it was simply returning to its	2 3 4	MR JAY: You say in paragraph 40: "There are always potential risks in any relationship between politicians and those (I note not
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- 1 A. I think that the changes that he made to newspaper
- 2 publishing as a result of his decision to relocate his
- 3 titles to Wapping lowered the barriers to entry for
- 4 newspapers and meant that like the Independent, which
- 5 would never otherwise have existed, existed, and as
- 6 a result more individuals have been employed in
- 7 journalism. It's also the case that his investment in
- 8 satellite television has also created jobs as well, and
- 9 I think that it's undoubtedly the case that there are
- 10 few entrepreneurs who have taken risks in the way that
- 11 he has and therefore generated employment, but also
- controversy in the way which he has.
- 13 Q. And the generation of controversy, how does that arise
- 14 or how has that arisen?
- 15 A. It's often the case that successful people invite
- 16 criticism. He has been successful in a particular
- industry, where there are others who are only too happy
- 18 to criticise, and they have exercised their liberty to
- 19 **do so.**
- 20 Q. You described him, consistently with the evidence you've
- just given, as a force of nature, a phenomenon and,
- I think, a great man. That's right, isn't it?
- 23 A. Yes, it is. I enjoyed meeting him when I was
- 24 a journalist, I subsequently enjoyed meeting him when

Page 17

- 25 way a politician and I would also say that as well as

- Q. Thank you. Your specific interactions with media organisations, you provided us with a schedule, which is
- 2 131.3465
- 3 your exhibit MG5.
- 4 A. Yes.
- 5 Q. You'll see it under tab 7 of the bundle which has been
- 6 prepared. Again, if one were to attempt an overview of
- 7 this document -- it starts at our page 01224 -- we can
- 8 see that you have interactions with a number of
- 9 newspaper groups. It's probably right to say that
- 10 News International titles are the most prominent. Would
- 11 you agree with that as a sort of generalisation?
- 12 A. Yes, I think it's entirely fair.
- 13 Q. But on the other hand, we see you having a meeting -- at
 - least two, and there are possibly others -- with the
- 15 Guardian?
- 16 A. Yes.

14

23

- 17 Q. There are several meetings with Lord and Lady Rothermere
- over dinner, but the implication might be that those are
- more social occasions than formal political occasions;
- is that a fair inference?
- 21 A. Yes, I think that's entirely fair.
- 22 Q. But nonetheless political matters would arise during the
 - course of such occasions, no doubt; is that fair?
- 24 A. Yes. Lord and Lady Rothermere are, as you might expect,
- 25 interested in politics, as any informed and intelligent
 - Page 19

- 1 having been a successful businessman, I think that the
- 2 position that he took on, for example, the European
- 3 single currency, has been vindicated by events.
- 4 Q. Have you ever expressed a view on the merits of the
- 5 BSkyB bid, Mr Gove?
- 6 A. Never to any of my political colleagues, no.
- 7 Q. So insofar as you held a view about it, by definition it
- 8 would have been a private view?
- 9 A. Correct.
- 10 Q. Can I ask you, please, 72 and 73 of your statement,
- 11 where you deal with your discussions with Mr Murdoch --
- 12 at paragraph 72, 01255, you say you never, to your
- 13 recollection, discussed the BBC licence fee, Ofcom,
- 14 BSkyB or media policy issues with Mr Rupert Murdoch or
- anyone representing his interests since becoming an MP.
- 16 A. That is correct. Yes, absolutely.
- 17 Q. And in paragraph 73 -- this deals with government policy
- or decision-making -- to the best of your recollection,
- 19 you do not recall any specific discussions not already
- 20 mentioned?
- 21 A. Yes, that's right.
- 22 Q. Your colleagues presumably would know your view anyway,
- 23 wouldn't they, on these matters?
- 24 A. I think they could legitimately infer what my view would
- 25 **be.**

Page 18

- observer of the scene would be. Yes, absolutely.
- 2 Q. I don't think that there's anybody or any national paper
- 3 which has been excluded from this table, but there have
- 4 been limited occasions when you've been with the
- 5 Northern & Shell group. There was a lunch with
- 6 Mr Desmond on 7 June 2011, we can see, but I think only
- 7 one occasion with Mr Yevgeny Lebedev, which was
- 8 28 June 2011.
- 9 A. Yes, that's right. I think I've lodged with the Cabinet
- 10 Office an update and I hope that that will be shared
- with the Inquiry shortly. Subsequent to that, I have
- 12 had dinner with Mr Lebedev on one other occasion, with
- 13 mv wife.
- 14 Q. It's very difficult, Mr Gove, if one were to alight on
 - a particular meeting -- the most ancient, I suppose, is
- two years old. Obviously we have more recent ones, but
- even two years it may be difficult to remember
- a particular conversation. Let's see how far we get
- 19 with this. 19 May 2010.
- 20 A. Yes.

15

- 21 Q. There was a meeting with Rupert Murdoch, Rebekah Brooks
- 22 plus more than ten others. It's described as a "dinner
- and general discussion". It's within two weeks of the
- formation of the Coalition government. It may be
- $\,$ reasonable to infer that you're discussing very recent $\,$ Page $20\,$

5 (Pages 17 to 20)

- 1 events at that dinner; is that a reasonable inference?
- 2 A. Yes, it was a dinner party held at Mr Murdoch's flat in
- 3 St James', to the best of my recollection, and I think
- 4 there was at least one other minister there, although
- 5 I couldn't swear to it, and it was a relatively
- 6 straightforward dinner in which one would speak to the
- 7 individual on one's right and one's left, and then,
- 8 I think just after the main course, there was a general
- 9 discussion involving most of the participants.
- 10 Q. So the general discussion was about recent political11 events and nothing more?
- 12 A. I think that it touched specifically on education,
- 13 because Mr Murdoch is interested in -- and I think his
- evidence to this Inquiry reinforced that -- education
- 15 reform worldwide.
- 16 Q. If we can move forward to 10 June 2010. This is
- 17 described as "dinner and general discussion".
- 18 Rebekah Brooks plus several others.
- 19 A. Yes.
- 20 Q. What do you recall about that occasion?
- 21 A. It was a social occasion and my wife was present and
- 22 also present were another couple who were mutual
- 23 friends. Rebekah Brooks and her husband were there, and
- 24 it was a general social discussion. Inevitably, because
- 25 Rebekah Brooks had been an employee of

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- over lunch they would invite a guest speaker from the
- world of politics to speak to them. On this occasion,
- 3 I was -- rather than speaking directly to them and
- 4 giving a sort of pre-arranged oration, I was interviewed
- 5 by my former colleague, Daniel Finklestein, who asked me
- 6 a series of questions, mostly about education reform and
- 7 what the coalition was attempted to do in order to
- 8 improve schools.
- 9 Q. In terms of the background chronology, we know that the
- 10 BSkyB bid was launched on 15 June -- and this is two
- days later -- so the obvious question is: was the bid
- discussed or mentioned at that lunch?
- 13 A. Not in my view. I arrived after the board had been
- 14 having their discussions, and my interaction with any
- 15 members of the board were limited because I arrived, was
- ushered to a sort of Parkinson style seat, where Daniel
- 17 Finklestein asked me a series of questions and then
- 18 I was able to thank my host and then leave.
- 19 Q. So you were only there for a self-contained part of the
- 20 occasion?
- 21 A. Yes. It was a -- I hesitate to say "staged", but it was
- 22 a staged interview with Daniel Finklestein asking me
- 23 a series of questions.
- 24 Q. When did you first learn of the bid?
- 25 A. I honestly can't recall.

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- 1 News International when I was working at the Times and
- 2 because my wife continues to work at the Times, some of
- 3 the conversation was about mutual acquaintances in the
- 4 world of journalism, some of it general political
- 5 observation, some of it commentary on current affairs
- 6 which wasn't explicitly political.
- 7 Q. It's fairly clear from the evidence you're giving that
- 8 you have a fairly sound recollection of these events.
- 9 Is that a reasonable deduction?
- 10 A. I recollect quite a lot of the general circumstances
- surrounding that. I've been helped by my private
- office, who provided me with details of what I was doing
- immediately before and afterwards, which has helped jog
- my memory. But I don't have a verbatim account, I'm
- 15 afraid, of every issue we touched on.
- 16 Q. On 17 June, the lunch and general discussion on this
- 17 occasion is with News International executives and
- senior editors, including Rupert Murdoch and Rebekah
- 19 Brooks. Again, can you remember or assist us with what
- 20 that general discussion was about?
- 21 A. Yes, absolutely. My private office have helped me here.
- 22 I had just returned from giving a speech to the national
- 23 college of school leaders in Birmingham and the board of
- News International had gathered at the Wapping site to
- 25 have a board meeting. It was generally the case that
 - Page 22

- 1 Q. It was launched on 15 June, so in terms of that date
- 2 frame, was it before or after 15 June?
- 3 A. I have to confess to the Inquiry and to others that
- 4 I have not followed the progress of the bid with the
- 5 same interest as many others, so of course at various
- 6 different points there were twists and turns in the
- 7 narrative of the bid that would pop up in the
- 8 newspapers, but I have to say I did not give it any
- 9 particular attention. There are any number of news
- stories that you might ask me about and I sort of
- remember the broad narrative of the story but I couldn't
- 12 remember when the story broke on public consciousness.
- Q. Do you think that you were told of the bid before it wasformally launched?
- 15 A. I don't believe I was, no. I have absolutely no
- 16 recollection of having been informed other than having
- 17 read about it in the newspapers or seen it reported on
- 18 television.
- 19 Q. I think the question is, Mr Gove, that if you learnt of
- 20 the bid after its public announcement, one can see that,
 - okay, you wouldn't necessarily remember precisely when
- 22 that was in terms of everything else that was going on,
- and this was only five or six weeks into a new Coalition
- 24 government, but if you learnt of the bid before it was
- announced publicly, then that might stick in your mind

Page 24

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- 1 because of the slightly unusual circumstances in which
- 2 you acquired that knowledge. So may I try again? Do
- 3 you think that you learnt of the bid before it was
- 4 publicly announced?
- 5 A. I do take your point, and absolutely I have no
- 6 recollection of anyone telling me about the bid before
- 7 it was launched and I think your point is well made.
- 8 I imagine that it would have been significant if someone
- 9 had taken me into their confidence and I have absolutely
- 10 no recollection of any such conversation of any kind.
- 11 Q. So 10 June, the dinner and general discussion, is it
- possible that it was mentioned on that occasion or not?
- 13 A. I think it highly unlikely, and I certainly have no14 recollection.
- $15\,$ $\,$ Q. Okay. We're going to go fairly quickly now through the
- rest of this list. We're still on tab 7, Mr Gove.
- 17 There's a lecture on 21 October 2010, which is at the
- centre for policy studies, and one draws the inference
- 19 that that was a semi-formal event, obviously a lecture
- 20 given and maybe a discussion afterwards. Is that so?
- 21 A. Exactly so. Mr Rupert Murdoch gave a lecture, quite
- wide-ranging. A significant section of the lecture
- 23 touched on education reform. Afterwards, there was
- a dinner for, I think, 40 or 45 of those who had
- 25 attended.

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- Q. Thank you.
- Now, 17 December 2010, top of the page,
- 3 Rebekah Brooks plus several others. This is described
- 4 as a social event. Can you assist us, please, with the
- 5 circumstances of that, where it was, for example?
- 6 A. Yes, it was an invitation to a concert at the 02. My
- 7 wife and I joined Rebekah Brooks and her husband and
- 8 other guests.
- 9 Q. Is it conceivable -- I've been asked to put this to
- 10 you -- that the BSkyB bid was mentioned on that
- 11 occasion?
- 12 A. I think it highly unlikely, certainly in my hearing. We
- arrived just as the concert was beginning, and we had
- 14 an opportunity for a few friendly words, but it
- 15 certainly wasn't the sort of atmosphere or environment
- which was conducive to a business discussion, and
- 17 I don't believe that anything like that was raised at
- 18 **all, no.**
- 19 Q. And what about 31 January 2011, which is a dinner
- 20 sponsored by academy sponsor Mr Dunstone. Can you
- assist us with that occasion?
- 22 A. Yes, Charles Dunstone is a friend who has, at the
- 23 invitation of the last government, sponsored an academy
- in the northwest of England. Rebekah Brooks was one of
- 25 the governors of that academy and the conversation was $Page\ 26$

- a general conversation about politics and we naturally
- 2 touched on education.
- 3 Q. The possible coincidence in the dates -- one can't
- 4 really put it higher than that -- is on 21 January
- 5 Mr Coulson resigned as Director of Communications. Do
 - you think that matter was discussed on 31 January 2011?
- 7 A. I have pretty clear recollection that we did touch on
- 8 Andy Coulson's resignation. It's understandable.
- 9 Andy Coulson had been a colleague of both of ours, and
- 10 I think both of us felt a degree of human sympathy for
- 11 him having had to resign twice.
- 12 O. Were there any other occasions on which Mr Coulson's
- 13 resignation was discussed with executives of
- 14 News International?
- 15 A. Not that I can recall, no.
- 16 Q. Over the subsequent months throughout the early part of
- 17 2011 -- you see there's another discussion, 19 May.
- Mr Harding and the two Murdochs are there and
- 19 Rebekah Brooks. 16 June and 26 June. Do you think
- 20 phone hacking as a topic was ever discussed?
- 21 A. Not at any of those events, no. On 19 May, I was due to
- 22 have breakfast with James Harding to discuss
- 23 News International's involvement in education, which we
- 24 may come onto. Both Mr Murdochs and Rebekah Brooks
- joined us at that breakfast. I hadn't expected them to.
 - Page 27
- 1 It was a pleasant addition. On 16 June, I joined
 - 2 a group who had dinner with Mr Murdoch after the
 - 3 News International reception. The conversation then was
 - 4 very general, and on 26 June, again, the conversation
 - 5 touched primarily on education.
 - 6 Q. Education seems to be -- unsurprisingly, given your
 - 7 position -- the most important topic which was raised at
 - 8 these various interactions; is that right?
 - 9 A. Yes. I do recall that on breakfast on 19 May we did
 - 10 touch on one or two sort of general political issues:
 - state of the European Union, issues like that.
 - 12 Q. On any of these subsequent occasions, was the stage or
 - progress of the BSkyB bid ever mentioned?
 - 14 A. No
 - 15 Q. And outside what we see here, which may not cover
 - informal interactions by phone or email or whatever,
 - 17 were there any communications either about the BSkyB bid
 - or phone hacking issues, to the best of your
 - 19 recollection?
 - 20 A. To the best of my recollection, no.
 - 21 LORD JUSTICE LEVESON: As a former journalist who is married
 - to a journalist, it is not in the least bit surprising
 - 23 that a large number of your friends are journalists or
 - work in the business.

25 A. (Nods head)

LORD JUSTICE LEVESON: Have you found it necessary, whether 1 leave, and when you say, "That's a very kind offer, but 2 formally or at least in your own mind, to erect 2 I fear I can't accept." 3 3 a Chinese wall between what might be called the LORD JUSTICE LEVESON: Do you think the public understand 4 4 these judgments or do you think the public are concerned development of social relationships and the normal human 5 5 action that all of us get involved in, and the business that things have become -- let me use a word that has 6 side of what you now do for a living? And if you have, 6 been used -- rather cosy? 7 how have you worked it out? And if you haven't, how did 7 A. I think the public are very sensible and I think that you work that out? 8 8 they are perfectly capable of making a judgment about 9 A. I try to exercise appropriate judgment on all occasions. 9 individual politicians or indeed politicians as a class, 10 It's not simply former journalists or current 10 and I don't think that they need steering, nudging or 11 journalists whom I know and with whom I have social 11 coaxing towards a sensible view. 12 12 LORD JUSTICE LEVESON: Well, why is it then that there is interactions with whom I have to exercise a degree of 13 caution. As a journalist, I became friendly with 13 such disregard apparently expressed? 14 politicians in other political parties and individuals 14 A. For whom? 15 in public life. 15 LORD JUSTICE LEVESON: Both journalists and politicians. 16 Now, as a minister, I have to be careful that 16 A. T'was ever thus. 17 LORD JUSTICE LEVESON: So it just goes with the territory? 17 natural human interaction, friendship and regard don't 18 lead me to make any judgment, politically or with regard 18 A. I think it does. I don't think there's any time that 19 to the dispersal of public money, that would embarrass 19 I know of when politicians were held in uniquely high 20 the government or put them in an invidious position. So 20 regard. I think if you look back at the caricatures of 21 21 certainly with respect to journalists, I try and operate politicians in the early 18th century or the commentary 22 a set of common sense rules which apply also to others 22 on politicians in the 1920s or 1950s, you will find that 23 23 whom I come into contact with as a politician. they were held in pretty low regard then. 24 LORD JUSTICE LEVESON: And do you think that the common 24 As for journalism, it's always been a rough old 25 25 sense rules that you put in place for yourself are trade which has tended to attract non-conformists and Page 29 Page 31 1 always shared by those others, whether of your present 1 rebels and for that reason, while it has a certain 2 Parliament or former Parliaments, former politicians, in 2 romance, it hasn't always attracted respectability. 3 their relationships with the media? Or have you learnt 3 LORD JUSTICE LEVESON: So your reaction is that the 4 from what you've seen have been, in your view, mistakes 4 suggestion that I think I've received from more than 5 by others? 5 a few people over the last few months that actually 6 A. I prefer to allow others to account for their own 6 public regard for both has gone down is misplaced? 7 actions. I wouldn't want to sit in judgment on any 7 A. I think it's always wise to look at the historical 8 other politician. 8 context. It was a Latin author who said, "O tempora o 9 LORD JUSTICE LEVESON: I'm not asking you to sit in judgment 9 mores!" as they were lamenting the slack morals of their 10 on anybody. What I'm asking you to do is to tell me 10 time. I think that human nature doesn't change much 11 whether you have developed your own rules by reference 11 over time and politicians and journalists have always 12 12 to what you've seen, and you've decided you really don't tended to be held in relatively low regard. 13 want to go in that sort of direction. I'm not going to 13 LORD JUSTICE LEVESON: That's not quite the question, but 14 ask you to name names. 14 never mind. Right. 15 A. I think that the common sense rules that I've applied 15 A. It's my view. 16 are the rules that any politician sensibly should apply, 16 MR JAY: A slightly jaundiced view of human nature, but 17 taking advice from Parliamentary colleagues and from 17 maybe that's the message you're --18 civil servants and so on, but I don't think I could 18 LORD JUSTICE LEVESON: Right. 19 point to any political predecessor -- and I recognise 19 MR JAY: Can I ask you, please, about one individual who 20 that you're not inviting me to name any individual but I 20 doesn't feature on your list, at least to the best of my 21 don't think I can point to any political predecessor and 21 scrutiny of it: Mr Dacre. Is he someone you've met with 22 22 say, "I don't want to go down his or her route." or spoken to on any semi-formal basis? 23 A. I have met Paul Dacre on at least two occasions. I think that there are certain common sense judgments 23 24 which would apply to politicians, to judges, to 24 Q. How would you describe the nature of your relationship 25 25 barristers, about exactly when you make your excuses and with him, if any? Page 30 Page 32

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A. I respect him as one of the most impressive editors of our age.

- 3 Q. Influence on policy. You deal with this at paragraph 64
- 4 and following of your statement, 01253. You make the
- 5 point, under paragraph 67, that it's foolish, indeed
- 6 self-defeating, to abandon politicians to make sense in
- 7 the long term to win necessarily ephemeral good
- 8 headlines. Although many politicians do precisely that,
- 9 don't they?

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10 A. Some do.

11 Q. In paragraph 68, you say:

> "The views of journalists should be given no greater or less weight than the views of people in other professions or occupations."

Well, as a prescription for action, I'm sure that's right, but as a statement of fact, is that right? In other words, might I gently suggest that the views of journalists are given greater weight because of the power they exercise through the megaphone they possess? Would you agree with that?

21 A. I generally think that those journalist who are 22 influential are journalists who articulate a strong case 23 consistently and with intellectual authority, and 24 journalists who plough a particular furrow and do so

25 without style, elan or intellectual consistency don't

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"Principle campaigns by responsible newspapers on

particular issues can significantly advance the public interest."

In a sense, though, you've defined the right answer

4 by referring to a principle campaign to responsible 5

6 newspapers and to particular issues, but there are

7 examples of campaigns which may be lacking in principle,

8 at least to the viewpoint of some, that may be full of

9 stridency and noise, and such campaigns might, in

10 certain sections of the press, have a disproportionate

11 impact. Do you accept that?

A. Yes, that's certainly true. Historically the campaign

- 13 that Horatio Bottomley ran when he was an MP and a sort
- 14 of a sort of newspaper impresario, that was
- 15 irresponsible, and I think we can argue that the
- 16 Beaverbrook Rothermere campaign against Baldwin at the
- 17 turn of the 20s and 30s, that was irresponsible. So
- 18 yes, there did be irresponsible newspaper campaigns, but
- 19 there can also be irresponsible campaigns from pressure
- 20 groups and there can be irresponsible campaigns from
- 21 charismatic politicians.
- 22 O. The last two are no doubt outside the terms of reference
- 23 of this Inquiry. We're only concerned, I suppose, with
- 24 campaigns generated from newspapers. But maybe this
- 25 goes back to the issue of the fusion of news and

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1 have their views taken particular account of.

- 2 Q. I think what you're effectively saying is it's the
- 3 market which determines the weight which should be given
- 4 because the stronger the ability of the journalist to
- 5 put forward a cause or an argument, the greater weight
- 6 will be accorded to that journalist. Surely it doesn't
- 7 work quite as simply as that, Mr Gove, because there are
- 8 certain section of the press where views are put across
- 9 without necessarily that degree of elan, elegance and
- 10 intellectual weight but a disproportionate impact is
- 11 conveyed. Do you at least see the force of that point?
 - A. I'm not sure I do. I think the best journalists are
- 13 those who can construct -- if we're talking about
- 14 opinion journalists who are attempting to persuade 15
- 16 action, the best are those who certainly write with elan

politicians or even the public of a particular course of

- 17 but also marshal facts in an effective way, and -- you
- 18 mention the word "market". I think it's fair to say
- 19 that there are some journalists who write for relatively
- 20 low circulation newspapers but whose opinions are taken
- 21 seriously, much in the same way as there are academics
- 22 whose papers would not be read widely but the quality of
- 23 whose argument certainly weighs with me and other
- 24 politicians.
- 25 Q. Then in paragraph 70, you say:

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- comment, or maybe it goes back to the issue of the
- 2 highly influential proprietor or editor, that the
- 3 newspaper not just a voice, it is an amplified voice,
- 4 and the dangers which flow inherently from that. Do you
- 5 see the risk of vice there?
- 6 A. I do see your point. It is certainly the case that if
- you have a proprietor who has a strong view, if you have 7
- 8 gifted journalists who can make a case compellingly, and
- 9 if a newspaper manages to strike a chord with the
- 10 public, the momentum behind a particular campaign bay
- 11 grow. But it's up to politicians to decide whether or
- 12 not they will listen to that campaign and admit the
- 13 logic of the case that's being made, or say that it's
- 14 wrong.

15 Baldwin recognised that the campaign for Empire free 16 trade was wrong. Other politicians recognised that the

- 17 campaign which the Sun and others ran to keep us out of
- 18 the single currency was right, and I think if we're
- 19 reflecting on other newspaper campaigns, I think we can 20
 - undoubtedly say that was a campaign in the public
- 21 22 Q. Well, some people might still disagree with that
- 23 proposition, Mr Gove, but I'm not going to take you on 24
- 25 A. I'm sure -- well, a dwindling number may.

1 Q. Perhaps these two general questions. Either as 1 An academy, under Tony Blair, was an underperforming 2 2 a journalist or, since 2005, as a politician, have you school which would be taken out of local authority 3 3 seen, observed or heard any evidence of an express deal control and linked with a sponsor, either 4 4 or arrangement made between a proprietor or an editor, a philanthropist or an institution of educational 5 5 I suppose, and a politician? excellence, and given the support required in order to 6 A. None. 6 7 7 Q. If I was to substitute in that sentence for "express We've carried on with that policy and extended it. 8 deal or arrangement" "implied deal", what would your 8 We've allowed existing schools which have demonstrated 9 9 answer be? the capacity to improve themselves and to improve 10 10 A. Exactly the same. others, to enjoy the freedoms that come with academy 11 LORD JUSTICE LEVESON: Is there no difference between the 11 status, freedoms not just from local bureaucratic 12 12 likely impact on a politician of the wealthy person who control but also from the national curriculum. Free 13 13 owns substantial media interests and the wealthy who schools are essentially a new form of academy where, 14 14 exercise power in other ways, whether as captains of rather than central government either suggesting that 15 industry but who don't have what has been described as 15 a school should become an academy or permitting an 16 the megaphone that the press provide them? 16 existing school to become an academy, invites a new 17 17 organisation, often a group of teachers, often A. I think that undoubtedly it's the case that if a wealthy 18 individual has a newspaper that might be another reason 18 philanthropists, to set up a new state stool school. 19 19 to be polite and to be interested in their views, but Q. The funding arrangements, to be clear then, in relation 20 it's undoubtedly the case that whether they're captains 20 to free schools and academies, they will usually be 21 21 a philanthropist? of industry or spokesmen for organisations with 22 influence in other ways, politicians will always listen 22 A. Yes. 23 to different voices in the debate. I sometimes think, 23 Q. But the secondary or parallel funder will be central 24 24 however, that disproportionate attention is paid to what government; is that right? 25 25 newspapers may say, for example, during an election A. Yes. With all academies, the recurring costs of making Page 37 Page 39 1 campaign. I think the public are shrewder in making up 1 sure that the pupils are educated are supplied by 2 their mind about which parties to support than is 2 central government. The money is calculated to ensure 3 3 sometimes imagined. that the academy enjoys almost exactly the same funding 4 LORD JUSTICE LEVESON: But do you think disproportionate 4 as other schools in that local authority area. In the 5 attention is paid to what newspapers say generally? Is 5 past, when there was rather more capital around, 6 6 too much time spent by politicians on what is appearing government would often provide capital to ensure that 7 in the news? Perhaps not by you, but what's your 7 either a new building was built or an existing building 8 experience? 8 was refitted as part of the academy's programme. That 9 A. I think there are some politicians who do spend too much 9 is, for regrettable reasons, much less common now, 10 time worrying about newspapers, and there are others who 10 simply of course because of the economic situation that 11 show a proper insouciance. 11 we inherited. 12 MR JAY: May I move on now to a specific topic, because we 12 Q. And for free schools, are the funding arrangements 13 13 asked you in your witness statement to deal with the broadly similar? 14 issue of schools and Mr Murdoch and the free academy and 14 A. Yes. 15 15 school issue. Could you first of all, please, explain Q. What, if any, then is the role of the local authority in 16 to us the nature of free schools and academies in the 16 terms of the funding? 17 context of what became new legislation in office, the 17 A. The local authority can be a willing partner and there 18 Academies Act 2010? 18 have been some local authorities that have co-sponsored 19 A. Yes. I'll try to be brief. Academies are schools which 19 academies. There have been other local authorities that 20 20 operate outside local government control. They were have said that they wish to play no role in the 21 created by the last government, by Tony Blair, and they 21 governments of an academy or a free school, but they 22 22 were explicitly modelled on city technology colleges and would welcome that additional provision and have gone 23 23 grant-maintained schools, policy initiatives that out of their way either to provide sites or to smooth 24 originated under the predecessor Conservative 24 the planning process. 25 25 government. Q. You've provided details of model funding arrangements.

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- 1 I don't think we're going to look at the detail of
- 2 those, however.
- 3 Can I ask you, please, about the detail of
- 4 paragraph 30 and following. You say in paragraph 30
- 5 that you discussed your education reform progress, by
- 6 which you mean the government's educational reform
- 7 programme --
- 8 **A. Yes.**
- $9\quad \ Q. \,$ -- with representative of the management of Pearson and
- the Daily Mail general the Trust.
- 11 A. Yes.
- 12 Q. In the context of Mr Murdoch and paragraph 31, there was
- a meeting of which you've provided details in
- late November 2010 at a site in Newham, and this related
- 15 to the possibility of News Corporation investing in an
- academy; is that right?
- 17 A. Yes, that's correct.
- 18 Q. And the attendees were James Murdoch, Rebekah Brooks,
- 19 Will Lewis, James Harding, Mayor of London, various
- others, you and your PBS; is that correct?
- 21 A. Yes, that's correct.
- 22 Q. There's a note of that meeting, which isn't particularly
- 23 illuminating, under tab 9 but it's clear the meeting
- took place on 30 November.
- 25 A. Yes.

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- Q. Can we understand, in the context of the general
- 2 evidence that you've given, the philanthropist in the
- 3 model you describe was obviously going to be
- 4 News International or News Corporation --
- 5 **A. Yes.**
- 6 Q. I think News International but precisely who doesn't
- 7 matter. Who was to provide the rest of the money?
- 8 A. Well, a building, it was mooted, might be provided by
- 9 Newham or land might be provided by the London
- 10 Development Authority, which is the Mayor of London.
- 11 The point that we made is that if a school were
- 12 established we would certainly ensure that the pupils
- were funded on the same basis as any new academy, but
- 14 I hope I made clear then, and I certainly made clear
- subsequently, that the department for education could
- 16 not provide the capital costs for a new building.
- 17 Q. So the running costs would be supplied by central
- government but that presupposes that the capital costs
- 19 became available?
- 20 A. Yes.
- 21 Q. We know that they didn't, unfortunately.
- 22 A. Yes.
- 23 Q. But the capital costs, were these a sort of joint
- venture between News Corporation and Newham and/or some
- other quasi-governmental body? Have I correctly

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- 1 understood?
- 2 A. We took a decision to stand back and to say, "We cannot
 - provide the capital. Of course it's open to you to have
- 4 discussions with anyone you feel appropriate, whether
- 5 that's Newham, the Mayor of London or others." I don't
- 6 know all the details of those discussions but at
- 7 different times, News International were seeking support
- 8 from Newham and they were certainly seeking to use a
- 9 site which was owned by the London Development
- 10 Authority. I don't believe the plans ever reached the
- stage of maturity where these preliminary discussions
- moved towards the establishment of a proper joint
- 13 venture, as it were.
- 14 Q. Did you see it in your role, though, to facilitate the
- provision of funding by others in some way, in
- particular the local authority or some other party?
- 17 A. I saw it as my role to do everything possible to ensure
- $18 \qquad \text{that we could benefit -- and the children of the east} \\$
- 19 end could benefit -- by a philanthropist investing in
- a new school, but it was the case that I couldn't lean
- on any individual or local authority in order to release
- 22 land or to provide a building. All I could do is
- present it to them or have the department present it to
- 24 them what I thought was an opportunity.
- 25 Q. I think the project fell through early in 2011.

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- 1 **A. Yes.**
- 2 Q. We'll come to that in a moment. At about the same time,
- 3 but no doubt coincidentally, in paragraph 32 of your
- 4 statement, you explain that on 5 November 2010 you
- 5 invited Mr Gerald Klein, who at that time was chancellor
- 6 of the New York City Board of Education, to come to
- 7 London to address a conference hosted by your department
- 8 for those interested in setting up free schools. That
- 9 conference was due to take place, indeed did take place,
- in January 2011; is that correct?
- 11 A. Yes, that's absolutely correct.
- 12 Q. But four days after you extended the invitation,
- 13 Mr Klein joined the board of directors of News Corp on
- 9 November, and that was something which you had no
- previous knowledge of; is that right?
- 16 A. I didn't know it. When the news came through, I have to
- 17 confess that I wasn't entirely surprised. Mr Klein is
- something of an educational superstar, so while we were
- 19 anxious to get him to talk, it didn't surprise me that
- 20 others were anxious to work alongside him.
- Q. Were you given any advance notification that he might bejoining the board of directors of News Corp?
- 23 A. None.
- 24 Q. Did he remain, out of interest, at the same time
- 25 chancellor of the New York Board of Education, or did he

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- 1 have to give up that post to become a member of the
- 2 board of directors of News Corp?
- 3 A. He gave up the post. I think there was a sort of
- 4 transition period, and quite a lot of the our
- 5 correspondence I think with him was originally with the
- 6 New York schools department.
- 7 Q. At the conference which took place -- you describe what
- 8 happened generally between paragraphs 33 and 35 of your
- 9 statement. There were, I think, at least two dinners.
- 10 But this was all in the context more generally of
- 11 education reform and free schools widely. It wasn't
- 12 specifically to do with the project which we've been
- 13 talking about five minutes ago; is that correct?
- 14 A. That wasn't raised at all during the conversations that
- 15 we had. We were anxious to learn from Mr Klein about
- 16 his experience in raising standards, particularly for
- 17 the poorest children in New York, and there were a range
- 18 of other speakers from the United States of America who
- 19 were involved in that work, including those who run the
- 20 inspirational Knowledge is Power programme set of
- 21 charter schools.
- 22 O. Did you understand it to be News International or
- 23 News Corp's position that if the first free school in
- 24 Newham were successful, this was going to be the start
- 25 of several, or did you understand the position to be
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- open mind. I believe that it may be the case that we 2
 - can augment the quality of state education by extending
 - the range of people involved in its provision.
- 4 But I apply one test: are we improving education
- 5 overall and improving the lives of the poorest most of
- 6 all? And in particular, when I have been pursuing
- 7 either Mr Murdoch or others, my aim has been to get
- 8 money from others into the state education system for
- 9
- 10 Q. According to a piece in the Guardian on 3 September 11 2011, under tab 28:
- 12 "State sources close to [you] admitted last night
- 13 that the education secretary had been hoping to allow
- 14 free schools, which are set up by local people but still
- 15 funded by the state, to make profits in the second term
- 16 of a Tory-led government."
 - Is that an accurate statement of your aspiration?
- 18 A. It's my belief that we could move to that situation, but
- 19 I think at the moment it's important to recognise that
- 20 the free schools movement is succeeding without that
- 21 element, and I think we should cross that bridge when we
- 22 come to it.
- 23 Q. Was that aspiration or that bridge which you haven't yet
- 24 come to a matter which was ever discussed with Mr Klein
- 25 or anyone else on behalf of News Corporation?

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- 1 different from that?
- 2 A. I understood it to be the case that they had limited
- 3 ambitions. Obviously setting up a school is
- 4 a significant exercise, but I believe they wanted to set
- 5 up one school in the east end in order to ensure that
- 6 their sense of corporate social responsibility was
- 7 fulfilled. There was some talk at one point about 8 whether or not another school might be located in west
- 9 London as well but that was the limit of their ambition.
- 10 Q. Can I just deal with the point whether this was pure
- 11 philanthropy, Mr Gove? A. Of course.

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- 13 Q. Do you agree that although there is and was no scope for
- 14 immediate profit, it was generally thought that the free
- 15 school would only thrive if profit were obtained at some
- 16 time in the future, as in the Swedish model?
- 17 A. That's a view that a number of people hold, yes.
- 18 Q. Was it a view that you held?
- 19 A. No. I believe and believe to this day that the free
- 20 school movement can thrive without profit.
- 21 Q. But it would be desirable, I suppose, if profit were 22 generated, although I suppose that would always be the
- 23 position?
- 24 A. There are some of my colleagues in the Coalition who are
- 25 very sceptical of the benefits of profit. I have an

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A. No.

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- 2 Q. The other aspect which I'd like you to consider is in
- 3 the United States of America, News Corp's profit in the
- 4 education sector does not come from running schools but
- 5 from its subsidiary business called Wireless
- 6 Corporation, which it acquired in November 2010. Do you
- 7 know anything about that?
- 8 A. I didn't know anything about that company until I read
 - about it in the Guardian.
- 10 Q. And that was therefore late summer of last year, was it?
- 11 A. I can't remember when the Guardian article first
- 12 appeared that mentions Wireless Generation. I was aware
- 13 that both Mr Murdoch and others had an interest in the
- 14 way in which technology would change education, but
- 15 I wasn't surprised by his interest because I'd had
- 16 a number of meetings with organisations like Pearson and
- 17 Microsoft in which they too had explained to me how the
- 18 nature of education would change as a result of new
- 19 technology.
- 20 Q. Were these issues, in particular the technological
- 21 issues, discussed by you and anyone in or within News
- 22 Corporation, News International?
- 23 A. We never discussed anything specifically to do with
- 24 Wireless Generation. I do remember discussing, both
- 25 with Mr Klein and Mr Murdoch, among other things how new Page 48

12 (Pages 45 to 48)

1 technology would change the shape of education, but as 1 my speech cracking a few jokes, as is the way of these 2 I say, those discussions were no different -- in fact, 2 things, and then I made a couple of points. I was 3 3 probably briefer -- than discussions that I had with speaking without notes but these were reflections that 4 individuals from other companies that were engaged in 4 I'd been turning over in my mind for a wee while. 5 this area, specifically Pearson and Microsoft. 5 Q. I may have misunderstood the position then. So what we 6 Q. So were these discussions in the context of a possible 6 see as the transcript is literally a transcript? 7 commercial venture? 7 A. Yes. 8 A. Not in the UK, no. They were discussions about the way 8 Q. It is not a briefing note or a speaking note? 9 in which -- styles of pedagogy and assessment, how A. No. 10 10 children learn, how we monitor their progress, and also Q. You were speaking entirely off the cuff? 11 how we improve professional development for teachers who 11 A. I spoke entirely off the cuff and without notes, and 12 change as a result of technology. I became interested 12 this is a transcript that was recorded at the time. 13 in the subject as a result of visiting Singapore and 13 Q. Thank you. May I take the issue in stages, if I may. 14 seeing how technology had made a difference there, and 14 The first issue maybe is what your analysis, if any, of 15 also reading from a variety of sources, including the 15 the problem is, because in relation to our discussion 16 Livingstone Hope report commissioned by my colleagues at 16 about the relationship between politicians and the press 17 the DCMS. I'd been interested in the prospect that the 17 and vice versa, you saw the problem as being really of 18 technology offered to transform education for the 18 a lower scale of magnitude of seriousness than others 19 19 have seen it. But in terms of the culture, practice and 20 Q. The final question before we take a short break: was it 20 ethics of the press, looking more widely at what we were 21 21 your assessment, Mr Gove, that commercial considerations considering in Module 1 of this Inquiry, may 22 were entering into News Corp's thinking at any stage or 22 I understand what you analysed the problem, if any, to 23 was it your assessment that they were purely 23 be, how serious it is? In your own words, first of all, 24 24 philanthropic? could you assist us with that analysis, please? 25 A. I believe that Rupert Murdoch was only interested in 25 A. Yes. I think that the revelations that there were Page 49 Page 51 1 establishing a school for purely philanthropic reasons. 1 individuals who were breaking the law in order to secure 2 As he made clear, I hope, when he was appearing as 2 stories are disturbing. There is evidence that the 3 3 a witness to this Inquiry, he cares passionately about practice went beyond those who have already been 4 improving education and feels, as I do, that it's rather 4 convicted and that raises undeniable concerns, I think, 5 a pity that this country and America have fallen down 5 in all our minds. The question -- one of the questions 6 international educational league tables relative to our 6 is: are the existing laws sufficient to punish those who 7 competitors, and for that reason I think that he wants 7 have been responsible for wrongdoing and to provide 8 to make a contribution here to improve educational 8 a suitable deterrent in the future to those who may be 9 standards and I think that's a good thing. 9 tempted to follow them? 10 LORD JUSTICE LEVESON: We'll have a break, Mr Gove. Thank 10 Q. You're moving immediately on then to prescription and 11 11 prognosis. We're still to diagnosis. May we just go 12 (3.11 pm)12 through the various stages of diagnosis of the problem? 13 13 (A short break) A. Mm. 14 (3.20 pm)14 Q. We also heard evidence from DAC Akers in April, 15 MR JAY: Mr Gove, may I move off schools. We've covered 15 I believe, as to the possible extent of the problem in 16 that topic. I move on now to the transcript of your 16 relation to bribery in the context of Operation Elveden. 17 speech to the press gallery on 21 February 2012, which 17 That presumably equally gives rise to concern in your 18 is exhibit MG11, under tab 13. Did you clear this, as 18 view; is that right? 19 it were, with Downing Street or not? 19 A. I think it does, and I think, again, there are a number 20 20 A. No. of activities that you or I or anyone here might 21 Q. So you were speaking entirely -- well, not ex cathedra, 21 consider to be inappropriate, unethical, even illegal,

obviously, but in your capacity as Secretary of State

A. Yes, I was. I had been invited to speak to the press

gallery, as politicians often are. I had spent most of

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for Education but personally?

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which can, in certain circumstances, be justified

because they're in the public interest and they expose

a scandal. But certainly both phone hacking and the

bribery or corruption of public officials are crimes.

- 1 Q. May I just park those matters now and consider all the
- 2 wider issues, the evidence the Inquiry received in its
- 3 first module between -- I think it was 15 November and
- 4 9 February. It seems a long time ago now, but we've
- 5 seen a lot of evidence. Presumably, Mr Gove -- I am not
- 6 asking you to say that you followed every single piece
- 7 of evidence but you were keeping a weather eye generally
- 8 on the evidence coming out before this Inquiry; is that
- 9 right?
- 10 A. From time to time, I would see the Inquiry's
- 11 deliberations and the evidence put before it reported in
- 12 the newspapers, yes.
- 13 Q. The evidence was -- and I stress the evidence; no
- 14 findings have been made -- of a range of unethical,
- 15 immoral, harmful behaviours which went far beyond the
- 16 scope of corruption of police officers and phone
- 17 hacking. I can give you plenty of examples, if you
- 18 wish. It's just your assessment of that. Are we
- 19 looking, in your view, at a miniscule problem, which is
- 20 atypical, really, of the culture, practices and ethics
- 21 of the press, or are we looking at a problem which is
- 22 capable of being regarded as serious?
- 23 A. I think it is a problem that is capable of being
- 24 regarded as serious, yes. The purpose of the remarks of
- 25 my speech, however, was to ask the question: might the
 - Page 53
 - cure, in certain circumstances, be worse than the
- 2 disease? The fact that I used the word "disease" I hope
- 3 conveys that I can -- I believe that there is a serious
- 4 problem, but I subsequently -- and I suspect that we may
- 5 go on to this -- came up with examples of processes
- 6 where what had been put in place in order to deal with
- 7 the problem was arguably worse than the pre-existing
- 8 situation.

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- 9 Q. So when we're looking still at diagnosis, we have
- 10 a problem in terms of its quality and extent, although
- 11 the extent may be difficult to judge, which is serious,
- 12 which causes harm and therefore is, at the very least,
- 13 worthy of significant consideration. Is that where we
- 14
- 15 A. I think it's entirely legitimate and appropriate to have
- 16 a public debate and to ask serious questions about how
- 17 individuals have used and perhaps in some cases abused
- 18 freedom of speech. Quite right also to ask what action,
- 19 if any, should be taken, but the balancing item in the
- 20 scales is what would be the costs in terms of the
- 21 infringement both of liberty and the culture of freedom
- 22 that might come about if that regulation went too far.
- 23 Q. Your argument almost proves itself by definition,
- 24 because if you use terms like "if you go too far", then
- 25 by definition one's gone too far into an area of
 - Page 54

- overregulation. But can we see where we are in terms of
- 2 regulation? You're not in principle, presumably,
- 3 opposed to what you describe as a proportionate,
- 4 reasonable degree of regulation to address a problem,
- 5 a serious problem, which undoubtedly exists. Are we in
- 6 agreement about that?
- 7 A. Not entirely. I have a prior belief that we should use
- 8 the existing laws of the land and individuals and
- 9 institutions should be judged fairly, on the basis of
- 10 the existing laws of the land --
- 11 LORD JUSTICE LEVESON: Well, do you think --
- 12 A. And that the case for regulation needs to be made very
- 13 strongly before we further curtail liberty.
- LORD JUSTICE LEVESON: I'm not seeking about curtailing 14
- 15 liberty but let me give you the speeding example.
- 16 Speeding is a crime. If a person driving the car in
- 17 excess of the speed limit were to say, "Actually, this
- 18 is all a problem of enforcement. I'm not to blame for
- 19 trying my car too fast; you, the police, are to blame
- 20 for not stopping me", you would dismiss that argument as
- 21 pretty specious, wouldn't you?
- 22 A. It would strike me as a weak argument, yes.
- 23 LORD JUSTICE LEVESON: Is that as far as you're prepared to
- 24
- A. It would certainly be one that I imagine probably 25

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- 1 wouldn't stand up in court. We might admire the
- 2 audacity of the individual making it but certainly
- 3 wouldn't be inclined to acquit him.
- 4 LORD JUSTICE LEVESON: Hm. But what we require of everybody
- 5 is an obligation to the rule of law, to obey the law,
- 6 and we have to recognise, have we not, that the police,
- 7 with their limited resources, cannot necessarily devote
- 8 as much time or attention to certain crimes as they
- 9 would wish in an ideal society, perhaps. The
- 10 consequence is that decisions are made and people are
- 11 trusted to obey the law. But doesn't there have to be
- 12 some mechanism to ensure that they do, or must it only
- 13 be the police?
- 14 A. I think the best way of making sure that people obey the
- 15 law is making sure that the police are appropriately
- 16 resourced to investigate crime, that the courts hear the
- 17 case for the prosecution and the defence and then, if
- 18 someone is found guilty, that they face the
- consequences. I fear for liberty if those principles 19 20 are eroded.
- 21 LORD JUSTICE LEVESON: Would you say the same about other
- 22 industries and professions which are subject to
- 23 regulation, that their liberty is being eroded by reason
- 24 of the fact that they have to observe a higher standard
- 25 of behaviour than that imposed by the criminal law?

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1 A. I think each case has to be looked at on its own merits. 2 I think if you look, for example, at the bar, then it is 3 entirely understandable that there should be a system of 4 public examination before an individual can plead a case 5 in court and offer their services as a barrister. It's 6 entirely appropriate that if someone behaves in an 7 unethical manner that the bar should say that they are 8 no longer capable of practising. 9 But there's a difference between offering your

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services as a barrister and publishing something, because whether or not it's an individual author of items on a blog or the editor of a newspaper or a particular journalist choosing either to tweet or to contribute to a newspaper, I think what they're doing is exercising a precious liberty, and I'm concerned about any prior restraint on their exercise of free speech.

16 17 LORD JUSTICE LEVESON: Maybe there won't be a prior 18 restraint but there will be a requirement that they pay 19 rather more attention to the standards of their 20 profession, if that's what you call it, than perhaps 21 they sometimes have.

22 A. The question again is -- when you say that they should 23 pay attention to particular standards, if it's the case 24 that they should obey the law like everyone else, 25 absolutely, but I think the burden of proof is on those Page 57

1 going to be offended some of the time.

2 LORD JUSTICE LEVESON: Don't you think that some of the

evidence that I have heard from at least some of those

4 who have been the subject of press attention can be

5 characterised as rather more than "some people are going

6 to be offended some of the time"?

A. I'm sure that there are cases where journalists and others will behave in ways which are deplorable. The

question remains, however: what is the most effective

10 means of ensuring that individuals do not behave in

11 a deplorable fashion? It's often the case that

12 individuals reach for regulation in order to deal with

13 failures of character or morality, and sometimes that

14 regulation is right and appropriate, but some of us

15 believe that before the case for regulation is made, the

16 case for liberty needs to be asserted as well.

LORD JUSTICE LEVESON: Well, I think I've spoken about

18 liberty and I'm not going to repeat myself. I am

19 concerned that over the last 50 years, there have been

20 repeated concerns about the conduct of the press,

21 repeated chances, opportunities, last chances, to quote

22 a former secretary of state, then further incidents --

23 the death of Princess Diana -- then further problems --

24 and I've passed Calcutt 1 and Calcutt 2 -- and here we

25 are, yet again, with a real public concern about how

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1 who wish to regulate and who wish to introduce some

2 method of regulation to make the case that that

3 regulation would be effective, rather than a curtailment

of the freedom of individuals to express themselves and

to engage in public debate, and I think the general case

6 for free expression has to be restated in every

7 generation, because we all collectively benefit from

8 a feeling that we are and shouldn't be inhibited in

stating our views on whatever platform is available to

us on matters that engage us.

11 LORD JUSTICE LEVESON: Mr Gove, I don't need to be told

12 about the importance of free speech. I really don't.

13 But I am concerned that the effect of what you say might

14 be that you are fact taking the view that behaviour 15 which everybody so far in this Inquiry has said is

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unacceptable, albeit not necessarily criminal, has to be

17 accepted because of the right of free speech. Is that 18 right?

19 A. I don't think any of us can accept that behaviour 20 necessarily, but there are a variety of sanctions.

There is social ostracism, disapproval. There is the

22 penalty that someone pays who chooses to use

a commercial outlet to publish that which is

24 inappropriate or distasteful. But by definition, free

speech doesn't mean anything unless some people are Page 58

1 certain parts of the press are behaving. Now, do you

2 dismiss that public concern as something which should be

3 put entirely subject to the freedom which I absolutely

4 endorse, the freedom of speech?

5 A. No, I think there is undoubtedly real public concern and

6 I think you are quite right to say that that public

7 concern has existed over the last 50 years. I think

8 that that public concern pre-dates the last 50 years.

9 I would simply say that when we're thinking of what the

10 means of addressing that concern should be, that we 11 should think carefully about the effects of regulation

12 in the same way as a legislator, when any particular

13 proposal is put before them to deal with a particular

14 evil, thinks: is this legislation necessary or

15 proportionate? Is it the right remedy for the

16 particular problem that's been identified? And I'm

17 unashamedly on the side of those who say that we should

18 think very carefully before legislation and regulation

19 because the cry "Something must be done" often leads to

20 people doing something which isn't always wise.

21 LORD JUSTICE LEVESON: Well, I am prepared absolutely to

22 agree that I should think carefully about the effect of

23 anything I suggest, and believe me, I am thinking very

24 carefully. I equally accept that one can't knee-jerk

25 react. The dangerous dogs legislation of which several

1	people have spoken may be thought to be an example. I'm	1	obtain redress, hasn't there?
2	not saying it is, but it may be thought to be an	2	A. Yes, I do believe the first thing that I would say is
3	example. But would you agree that in the context of the	3	that there is a case for reform of the law itself and
4	repeated concern, time after time and it may be more	4	certainly for reform of the law of defamation. I think
5	than 50 years, you may be absolutely right does	5	it's also the case that there's an evolving
6	suggest that where we are now is not entirely fit for	6	jurisprudence as a result of the ECHR as we balance the
7	purpose?	7	right to a private life and the right to free
8	A. I think the situation now is certainly not ideal and	8	expression, and I follow that debate with interest. And
9	there are abuses. This Inquiry has heard about them.	9	it's certainly the case that there may be room for
10	They have caused widespread public disquiet. My	10	improved regulation.
11	instinct is, if we look over time at how we have reacted	11	All I would say, and sought to say, is that the
12	to other abuses and errors and crimes that have been	12	experience that we have of regulation over certainly the
13	identified, there has been a tendency it hasn't	13	last three decades is that sometimes good intentions can
14	applied in every case but there has been a tendency to	14	result in the curtailment of individual freedom and they
15	meet that particular crisis or scandal or horror with	15	can also result in an unrealistic expectation of how
16	an inquiry. That inquiry has come up with	16	individuals behave.
17	recommendations, some of those recommendations have been	17	MR JAY: So are we clear then, Mr Gove, from your speech,
18	wise and thoughtful, others perhaps less so. But what	18	that you were throwing up ideas for consideration and
19	has subsequently happened is that the regulation or the	19	making it clear that in your view there was a burden of
20	intervention which has flowed from that inquiry has then	20	proof to be discharged before freedom of speech was
21	been gold-plated and applied in such a way as, in the	21	impeded or restricted by regulation, rather than setting
22	terms that I used in my speech to the press gallery, to	22	up a final position which effectively said, "Freedom of
23	be a cure worse than the disease, and in my speech to	23	speech is preeminent, touch it at your peril"; is that
24	the press gallery, I mentioned the way in which the	24	it?
25	vetting and barring scheme had grown and the way in	25	A. Yes. I have a strong some might call it a bias,
	Page 61		Page 63
1	which the Every Child Matters agenda had grown, and the	1	a prejudice, a predisposition to favour free expression,
2	way in which the Food Standards Agency had grown to	2	but by definition, one of the reasons that I favour free
3	interpret its brief in a particular way.	3	expression is that I believe that it is through public
4	Now, those were three examples where I believe	4	debate, the clash of ideas, that we can arrive at
5	and it's perfectly open to others to disagree with me	5	a better form of governing ourselves, a better method of
6	passionately, obviously but where I believe that an	6	helping the next generation and it's entirely
7	unfortunate tendency arose, which is a belief that we	7	possible it's happening often enough that I will
8	could, you know, mitigate against the evil which is	8	be proven wrong in open debate and it may well be that
9	inherent in human nature by setting up bureaucratic	9	the fears that I gave expression to in this speech prove
	bodies or enacting regulation.	- "	to be phantoms.
11	LORD JUSTICE LEVESON: Right. Well, in the same way that	11	Q. Because, of course, under the ECHR, as you mentioned, if
11/	von recognise others are entitled to their view. Voll are	1.17	voir le ouiside the realm of Section 17 and inferim

12 you recognise others are entitled to their view, you are 12 13 absolutely entitled to your view and I welcome it, and 13 14 I was keen to make sure that it was appropriately 14 15 discussed by the Inquiry. I would further agree that 15 16 bureaucracy is extremely unsatisfactory and that laws 16 17 don't necessarily solve problems. But if some sort of 17 18 regime is to be in place -- and you may say that we 18 19 don't even need a PCC, that it should just be 19 20 20 a free-for-all. But if you don't take that view -- and 21 I'll be interested to know if you do -- then there has 21 22 22 to be some structure -- not corrected to content, 23 I entirely agree -- that permits those who wish to 23 24 complain that their liberties are being interfered with, 24 status, particularly the last paragraph of your speech. 25 25 that their rights have been infringed in order they can Would you agree with that observation? Page 62

may well be that nis speech prove s you mentioned, if you're outside the realm of Section 12 and interim injunctions as you well know, Article 8 and Article 10 have the same status, don't they? A. Again, you're more of an expert than I am. I have followed the debate but I cannot follow it with the degree of authority that you can, Mr Jay. But it is the case, yes. I have seen people wrestling with the equal weight given, as I understand it should be, to both articles. Q. One might be forgiven, reading these words, that -- not that I mean this abusively; this is straight out of JS Mill -- that Article 10 is being given a predominant

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- A. Yes, I would agree with it except in one regard.
- 2 I don't think it's at all abusive to be compared to
- 3 JS Mill.

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- 4 Q. No, I wasn't intending to convey that. I reassure you
- 5
- 6 I think that's probably as far as we can take this,
- 7 Mr Gove. You're expressing a cautionary view and that's
- 8 where we are, is it?
- 9 LORD JUSTICE LEVESON: I think we can go a little bit
- 10 further.

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- Let's just test a couple of those ideas. One of the possible ways forward that I have been considering is to
- 13 reflect upon the very real cost of litigation and to
- 14 reflect also upon the inability for those who are not of 15 substantial means to obtain redress for sometimes
- 16 destructive invasions of privacy or libels. That has
- 17 led me to consider and to suggest -- and I've not
- 18 reached any conclusions as yet -- that some sort of
- 19 mechanism could be devised which allows for small claims
- 20 to be resolved outside the court and to enable people to
- 21 obtain swift redress. Of course, that would require
- 22 consensual submission but it would enable both the
- 23 individuals and the press to save a great deal of money,
- 24 and it might also encourage responsible titles to join
- 25 a new regulatory regime that enforces the code. Would Page 65
- 1 you consider such an appropriate desirable or not?
- 2 A. At first blush, it seems fair, but the devil would be in 3 the detail.
- 4 LORD JUSTICE LEVESON: I recognise that issue, but I'm not
- 5 dealing with the detail at this stage. If one did
- 6 visualise such a system, which also provided redress by
- 7 way of apology or publication of a correction, as the
- 8 PCC presently does, would you agree that it would be
- 9 sensible, if not imperative -- but let's say sensible --
- 10 that all responsible titles signed up to it?
- 11 A. I think there is a lot of merit in newspaper titles that
- 12 consider themselves to be responsible, holding
- 13 themselves publicly to a high standard. Absolutely.
- 14 The only additional note that I would enter is that as
- 15 the nature of the modern media changes, the definition
- 16 of what is a title inevitably changes with it.
- 17 LORD JUSTICE LEVESON: No, no, I agree with all that and
- 18 I've had the debate of everything from the conversation
- 19 in the pub, through Twitter, through blogs. I'm on top
- 20 of that additional complication. No, that's not the
- 21 true. I'm aware of the additional complication. But
- 22 assuming that such a system could be devised, where the
- 23 detail did not create the concerns that you are
- 24 obviously wary of, as you identify, and assume also that
- 25 one could articulate a respect for the freedom of

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- expression which is your fundamental starting point, in
- 2 the same way that, as I explained, section 3(1) of the
- 3 Constitutional Reform Act recognises the importance of
- 4 the independence of the judiciary -- it's a statutory
- 5 recognition of that fact, so one could equally have
 - a statutory regulation -- wouldn't one need, in order to
- 7 provide the form of small claim redress court, some
- 8 statutory framework not to touch what's happening, not
- 9 to touch content, not to touch the decision-making but
- 10 simply to permit enforceable decisions to be made in
- 11 this not formal -- ie not court system -- set-up?
 - A. I can see the merits in the case that you're putting
- 13 forward. I'd have to give it appropriate consideration.
- 14 A couple of thoughts occur to me.
- 15 The first is that part of the case that you make is
- 16 a case for reform of the law of defamation in order to 17 make it easier for people to have access to the redress
 - that that can give.
- 19 There's another concern as well. There must
 - inevitably be a grey area where you or I might consider
- 21 that something was inaccurate or indeed offensive or
- 22 intrusive, but the newspaper, journalist or blog
 - concerned would disagree, and I'm not sure how such
- 24 a dispute would be easily resolved.
- 25 LORD JUSTICE LEVESON: Well, we have that today, don't we,
- Page 67
 - with the Press Complaints Commission?
- 2 A. Indeed.
- 3 LORD JUSTICE LEVESON: And they resolve it, and it's
- 4 resolved by a body that is, at least in part, entirely
- 5 independent of the press and, speaking for myself,
- 6 I don't immediately see a problem. There will always be
- 7 issues and provided one is being careful to respect the
- 8 importance of freedom of expression, but equally to
- 9 weigh the importance of privacy rights or other
- 10 Article 8 rights, then that balance has to be made by
- 11 somebody. Somebody has to make a decision. If you come
- 12 to court, it's a judge. It could equally be, in an
- 13 arbitral system, a combination of those who represent
- 14 the industry, those who are independent, bringing
- 15 a different judgment, a public judgment, to bear on
- 16 where the line is, bearing always in mind the importance
- 17 of free expression. But balancing. That's what we do
- 18 all the time.
- 19 A. It may be the case that some titles would willingly join
- 20 in such an arrangement, and that they would consider it
- 21 to be a badge of pride that they were willing to abide
- 22 by such an arrangement, but it may be the case that
- 23 there are other titles or writers or websites that may 24 say, in a way: "We regard that as a cartel arrangement
- 25 and we wish to be buccaneers, outside it." Would such

1	an arrangement apply to a journal like Private Eye, for	1	it's going to work and other methods.
2	example?	2	As I say, I think it's an interesting idea which
3	LORD JUSTICE LEVESON: Well, Private Eye would have to	3	clearly deserves careful consideration, because I can
4	decide. What I might suggest to them, or to such	4	see the merits behind the case, but I can also see some
5	a buccaneer I don't know whether Mr Hislop would call	5	dangers, and those dangers would be the creation of
6	himself a buccaneer; perhaps he would that if you	6	a club of which you have to be a member if you are not
7	deprive the public of the opportunity cheaply of	7	to face more serious punishment in the courts if you
8	obtaining redress and you say, "No, if you want to	8	happen to make a mistake.
9	obtain redress, you're going to have to start very	9	LORD JUSTICE LEVESON: Or more serious cost, certainly.
10	expensive proceedings, and if you can't afford it,	10	A. Quite. Costs as a punishment.
11	that's just too bad", then it may be the court could	11	LORD JUSTICE LEVESON: The whole point is to avoid
12	then say, "Well, fair enough, if the paper is right, if	12	everybody I mean, it's not actually my mission in
13	we agree with the paper on this particular occasion,	13	life to deprive lawyers of money, but it's not a bad
14	fine, then they succeed, but if we don't agree with the	14	idea in this field, where a lot of people actually can't
15	paper, then there is a risk that, for example, exemplary	15	afford to take on the press.
16	damages might flow because the paper could have had this	16	A. Well, I think you're absolutely right, and the prior
17	resolved very easily in a different system", and then	17	point that I made is that we do need to look at the law
18	Private Eye would have to decide: do we want to be	18	of defamation. There are at least two problems with the
19	inside the system or outside the system?	19	existing law of defamation. One is that it costs
20	A. Absolutely, but Private Eye might decide that this	20	a great deal for the average citizen to bring action.
21	system is a less effective and speedy way of giving	21	The other is that the wealthy can use the courts to
22	redress to those who legitimately have concerns about	22	silence dissident voices, and we have had situations
23	what we've written than our editor, exercising his own	23	where citizens from other jurisdictions have used the
24	judgment, and in that sense we're saying that	24	English courts in order to silence people who have been
25	a particular method of organising one part of an	25	drawing attention to wickedness, tyranny, corporate
23	Page 69	23	Page 71
1	industry is preferable to a different method, within	1	malpractice and all the rest of it.
2	industry is preferable to a different method, within that broader industry, of co-ordinating their affairs.	2	malpractice and all the rest of it. So I absolutely accept that the law of libel is
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1	public debate around the Inquiry's deliberations is as
2	plural as possible.
3	LORD JUSTICE LEVESON: That's precisely why I was keen that
4	you have the opportunity to develop your thoughts in the
5	same forum as everybody else.
6	A. And I'm very grateful to you for that invitation.
7	LORD JUSTICE LEVESON: It's obviously not straightforward.
8	If there was an easy answer to any of it, then there
9	would be an easy answer. Actually, the solution that
10	I'm talking about might also help in relation to the
11	attempts by the very wealthy to muzzle, but we'll have
12	to see. Mr Gove, thank you very much.
13	A. Not at all. Thank you.
14	LORD JUSTICE LEVESON: Tomorrow, 10 o'clock.
15	(4.00 pm)
16	(The hearing adjourned until 10 o'clock the following day)
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