

<p>1 2 (2.00 pm) 3 LORD JUSTICE LEVESON: Yes, Mr Jay. 4 MR JAY: Still on general matters, you say towards the 5 bottom of page 06898, five lines from the bottom: 6 "Given the media system, it is often crude and 7 sometimes debasing but nonetheless unavoidable." 8 In that sentence, who is being debased? 9 <b>A. I suppose I was thinking selfishly, but for all I know 10 it goes for some of the journalistic profession as well.</b> 11 Q. Because Lord Patten, I think, used a different 12 adjective, "demeaning", vis-a-vis what he felt to be 13 some of his colleagues' relationships with proprietors. 14 Would you use that epithet or keep to "debasing" or 15 what? 16 <b>A. Yes, but I'm not just talking about proprietors. I'm 17 talking about the whole profession, the whole, as it 18 were, the whole transactional process that goes on. 19 Look, I wouldn't want to create a misleading 20 impression. I am not saying that every contact or every 21 relationship or whatever is debasing or demeaning, but 22 it can become so, and perhaps it is a feeling about that 23 that is present on both sides of the relationship.</b> 24 Q. "Close or overcosy relations". This is the last 25 paragraph of 06900.</p> <p style="text-align: center;">Page 1</p>	<p>1 <b>consequence of this policy" -- it depends on the 2 content.</b> 3 <b>All I'm saying is that these conversations are best 4 done with an official present, by which I mean a civil 5 servant, not a political adviser.</b> 6 Q. So any conversation which might conceivably have an 7 impact or might, as a matter of perception, have an 8 impact should be formalised to the extent to which there 9 should be an official present; is that what it amounts 10 to? 11 <b>A. That is normal. I mean, either an official present or, 12 if it's a telephone conversation, an official private 13 secretary listening in. As I say, that's normal for 14 every other walk of life or sphere of activity for 15 a minister or a prime minister, and I don't see why it 16 shouldn't apply to editors and proprietors as well.</b> 17 Q. I'm sorry to dart about a bit, but I'm picking up 18 general themes here. You refer on page 06899, in the 19 fourth paragraph down, to what you identify as the loss 20 of deference in society. 21 <b>A. I've lost you. 9 ...?</b> 22 Q. 06899. 23 <b>A. 068 -- I'm ...</b> 24 LORD JUSTICE LEVESON: Is this statement numbered? 25 <b>A. Yes, I have 6900. Where does it go from there?</b></p> <p style="text-align: center;">Page 3</p>
<p>1 <b>A. Which paragraph?</b> 2 Q. The very last paragraph on the page, where you're 3 identifying this at a high level of generality. You've 4 made the point in the previous paragraphs that 5 newspapers and their journalists tend to reflect the 6 slant and inclinations of their proprietor and editors 7 and I'm sure that's borne out of your experience. 8 The last sentence on this page: 9 "... and conversations with ministers and 10 prime ministers that might indirectly affect 11 proprietor's commercial interests should be held in 12 appointed meetings with an official presence." 13 So you're seeking some greater degree of formality, 14 but can I ask you about "indirectly". What sort of 15 conversations do you think might indirectly affect 16 proprietors' commercial relationships? 17 <b>A. Well, it depends on the content of them. I mean, if, in 18 an informal conversation, you know, a suggestion is 19 being made that perhaps, in respect of some public 20 policy or piece of legislation, the government doesn't 21 do what a proprietor would rather they didn't -- not 22 just a proprietor but an editor -- they will make an 23 argument, you know: "This would interfere with the 24 freedom of the press or make our ability to do our jobs 25 more difficult", or: "There may be an unintended</b></p> <p style="text-align: center;">Page 2</p>	<p>1 LORD JUSTICE LEVESON: Go back one. 2 <b>A. Sorry.</b> 3 LORD JUSTICE LEVESON: No, no, it's Mr Jay. He can't read 4 just from 1 to 2; he has to jump about a bit. 5 <b>A. Is it on the screen?</b> 6 Q. Might well be. 7 <b>A. Go on.</b> 8 Q. The paragraph which begins: 9 "This whole changing relationship is also being 10 driven by the loss of deference in society." 11 <b>A. Yes, I have that.</b> 12 Q. I think you told John Lloyd -- and this is noted in his 13 book, "What the media are doing to our politics" -- you 14 said this: 15 "Everyone is now treated in the same way -- 16 politicians, celebrities, sportspeople -- without 17 discrimination. The standards of manners and courtesy 18 have dropped. There's a lack of any kind of respect for 19 achievement and status. There's no feeling for what is 20 private in life. Politicians, it seems, are regarded as 21 being for the use of the media purely and simply to be 22 used and abused." 23 Is that the sort of wider cultural issue which you 24 are indirectly referring to here? 25 <b>A. Yes, I think it is. Look, I don't want a society in</b></p> <p style="text-align: center;">Page 4</p>

<p>1 which -- which is characterised by a hierarchy, in which                  2 everyone has to defer to the person on the next tier and                  3 so it goes on on upwards. I don't want that sort of                  4 society, but when I talk about a loss of deference,                  5 I mean a loss of almost preparedness to hear and listen                  6 to the other person's point of view, to treat them with                  7 respect and not assume that the worst motives can be                  8 attributed to them.</p> <p>9 LORD JUSTICE LEVESON: "Respect" is the word, isn't it?                  10 A. "Respect" is the word, but it doesn't mean to say that,                  11 having shown somebody respect, you then have to choose                  12 to either believe everything they've said or excuse                  13 everything that they've done, but to give them an                  14 opportunity, as it were, to have their day in court                  15 before a presumption is made that they're guilty as                  16 accused, need to be thrown out of the highest window,                  17 their reputations trashed and their careers ruined                  18 before anyone has an opportunity to establish the facts.</p> <p>19 LORD JUSTICE LEVESON: There are echoes, in what you say, of                  20 a number of things I have said in the course of the last                  21 few months.</p> <p>22 A. I don't think it's unfair or unreasonable to expect the                  23 media to operate on that basis. It doesn't mean to say                  24 that they should always operate on a presumption that                  25 all politicians are, you know, holy and untouchable.</p> <p style="text-align: center;">Page 5</p>	<p>1 newspaper, the Daily Sketch in the 1950s. I don't know.                  2 I just have a sense that during the course of my adult                  3 life, sensationalism, going for what is salacious,                  4 particularly in relation to household names or those who                  5 are not household names but are rapidly turned into them                  6 as a result of a newspaper's desire to create the                  7 maximum impact with a story that they have, true or                  8 otherwise -- and I think it's almost the sort of default                  9 place for newspapers to go if they are in fear of losing                  10 readers, if they're worried about their circulation. It                  11 is -- if I were to use a general term, it could be                  12 described as the tabloidisation of the media, in which                  13 there are barely any broadsheets left, figuratively or                  14 literally.</p> <p>15 Q. Okay. May I move off those general matters and move                  16 into politics now. In particular, the period probably                  17 1985 to 1992, culminating in the election campaign of                  18 1992. You characterise that period as "horrible and                  19 bloody". I know you regard it as important for what                  20 happened in the subsequent period, but would you like to                  21 expand on "horrible and bloody"?</p> <p>22 A. I think what I meant by that is that, you know, there                  23 has been a longer standing trend in the press to mix                  24 reporting with comment, and it didn't simply revolve                  25 around that period in the 1980s and the 1992 election.</p> <p style="text-align: center;">Page 7</p>
<p>1 I'm not suggesting that. The media has to be                  2 challenging. It has to enquire into wrongdoing. It's                  3 just that, as I think others have said sitting here,                  4 every journalist, it seems, want to turn themselves into                  5 a Woodward or a Bernstein, and they have to accept that                  6 sometimes people haven't done wrong, or that the line of                  7 enquiry they're pursuing is in fact a cul de sac or that                  8 actually the facts of the matter are different from                  9 those that they initially apprehended or assumed.</p> <p>10 It's about standards of journalism.</p> <p>11 MR JAY: In that context, you make a separate but related                  12 point on the next page again. This is 06900, exactly                  13 level with the upper hole punch. I'll read it out you                  14 say:                  15 "The shift, widely and better described by others,                  16 from conventional news to a pre-occupation with                  17 celebrity, scandal, gossip and sexual revelation was                  18 pioneered by News International titles but by no means                  19 limited to them."                  20 Why do you say "pioneered by News International                  21 titles"? And secondly, who else are you bringing into                  22 this net?</p> <p>23 A. It's possible that those with a greater historical than                  24 I have would say, "Oh no, you're overlooking what the                  25 Daily Mail was like in the 1930s", or some other</p> <p style="text-align: center;">Page 6</p>	<p>1 I think that what took this sort of merging of comment                  2 and reporting to a higher level was the more lethal                  3 cocktail, which I believe that the Labour Party was                  4 exposed to, and that was a sort of mixture of aggression                  5 and inaccuracy, and I think that the Labour Party                  6 generally and its leader, Mr Kinnock, in particular,                  7 were the victims of that. I think that the press took                  8 their gloves off. I think there was a sort of lack of                  9 scruple or restraint in the reporting of the Labour                  10 Party in those years.</p> <p>11 Now, I also quite honestly observe in my witness                  12 statement that, you know, a lot of the damage the Labour                  13 Party had done to itself in the early part of the 1980s.                  14 We weren't exactly making it easy for people to report                  15 us positively or warmly, given the vote-losing policies,                  16 the divisions, the entries into the Labour Party by the                  17 far left.</p> <p>18 But by the end of the 1980s, by the time we got to                  19 the 1992 General Election, a great deal -- I would say                  20 the bulk of that swamp had been emptied, and that the                  21 Labour Party had changed and I don't think we were given                  22 the credit for those changes, and I think Mr Kinnock in                  23 particular was on the receiving end of treatment by the                  24 media, notably but not only News International titles,                  25 that was not warranted and was not fair.</p> <p style="text-align: center;">Page 8</p>

<p>1 Q. Someone else has described the strategy from 1994 or 2 thereabouts as being a neutralisation strategy. You 3 probably recall that evidence, but he said that they did 4 rather better than that. Did part of the strategy 5 inevitably entail cultivation of particular journalists 6 in opposition so that your message could be got across 7 in the most favourable light?</p> <p>8 <b>A. Yes. Of course you identified opportunities and people 9 and events -- it was certainly my job when I was 10 Director of Communications -- that would put the Labour 11 Party in a better light and would receive favourable 12 reporting. Of course we did that. Given where we were 13 starting from, it was hardly surprise. The Labour Party 14 in the 1980s had a sort of near death experience and the 15 process of recovery from that, of change and what we 16 became, I would say from 1985/87 to 1995/97, was one in 17 which we had continuously to present what we were doing, 18 the changes that we were making in the most favourable 19 light.</b></p> <p>20 I mean, I don't know who described it as 21 a neutralisation strategy. I would call it a strategy 22 of reassurance. I mean, in a sense, reassurance of the 23 public, of the voters, and neutralisation of what had 24 been a very hostile media.</p> <p>25 I remember in the 1990s I came back to -- in Page 9</p>	<p>1 <b>sort of neutralise, to sort of take the roughest edges 2 off their hostility to us.</b></p> <p>3 Q. So much of what you're describing was taking place fully 4 in the public domain. We understand that --</p> <p>5 <b>A. By definition. It couldn't be done in secret.</b></p> <p>6 Q. Yes, I'm trying to identify cultivation of particular 7 journalists and whether the transactional relationship 8 you refer to ever came to the point of being a collusive 9 relationship.</p> <p>10 <b>A. Collusive? I don't know. I remember journalists on 11 newspapers and in broadcast media who felt that the 12 Labour Party hadn't been treated fairly and thought that 13 this should change. I remember journalists who were 14 more sympathetic to the Labour cause, felt that they 15 were coming under pressure from their news desks and 16 editors to distort how they reported politics and wanted 17 to help us. I'm not sure that I'd be able to count them 18 on the fingers of more than one hand, or possibly two, 19 but there were such people. I wouldn't describe that as 20 collusion, however.</b></p> <p>21 Q. Okay. I'll probably be coming back to that issue.</p> <p>22 LORD JUSTICE LEVESON: One of the consequences of what 23 you've just been talking about, a long-standing trend to 24 mix reporting with comment and the consequence to the 25 Labour Party, does bring into focus paragraph 1(iii) of Page 11</p>
<p>1 a sense, to the Labour Party headquarters after Mr Blair 2 became leader and I was put in charge of the 3 preparations for the 1997 election. I remember saying 4 to my people: "Never ever forget the three Rs", and my 5 three Rs were: remind -- remind people of what the 6 Tories had done to their country and their record -- 7 reward -- always tell people what our policies are and 8 what we will do, if elected, for them and their 9 families -- and the third was reassure, reassure people 10 that we weren't the same Labour Party of the 70s and 11 1980s, that we had changed and that people could have 12 very different expectations from us if we were elected.</p> <p>13 And that strategy of reassurance was absolutely 14 central to what we were doing and what we were saying at 15 the time, and part of that was a reassurance not just of 16 business, big and small, or middle class people who were 17 concerned about taxes and spending or indeed normal 18 ordinary working people, many of whom had parted company 19 with -- from us as well. Reassuring the south of 20 England or the rural areas, again, where swathes of 21 voters had parted company with the Labour Party.</p> <p>22 Now, part of that was to reassure the media that we 23 weren't the same Labour Party, and that, in a sense, in 24 trying to persuade them that we were no longer the toxic 25 brand of the 1980s you could describe as an attempt to Page 10</p>	<p>1 the press complaints code, the Editors' Code, which 2 says: 3 "The press, while free to be partisan, must 4 distinguish clearly between comment, conjecture and 5 fact." 6 So do I gather from what you're saying that what was 7 spectacularly absent in what you've just described was 8 an appropriate distinction between comment, conjecture 9 and fact?</p> <p>10 <b>A. I think in the case of most newspapers it barely 11 existed.</b></p> <p>12 LORD JUSTICE LEVESON: Sorry?</p> <p>13 <b>A. In the case of most papers, that barely existed. It was 14 observed in the breach, not the honouring of that part 15 of the code. But not in the case of all journalists or 16 all newspapers. I mean, I -- I remember journalists 17 working for clearly right wing Tory-supporting 18 newspapers who wanted to report straightly and factually 19 what the Labour Party were saying or doing or how it was 20 changing and they did, often. But if you're asking me 21 to generalise or characterise, I would say that that 22 particular feature of the PCC code was not very 23 prominent.</b></p> <p>24 LORD JUSTICE LEVESON: That was actually my point, because 25 while discussing the development of the handling of Page 12</p>

<p>1 Labour policies to the electorate, as we shall and as 2 you discuss in your statement, I am still going back to 3 one of my terms of reference, which is to see how 4 effective the mechanism that was supposed to -- and I'll 5 put the word "regulate" in inverted commas -- the press 6 operated.</p> <p>7 <b>A. The press was not regulated through the PCC or its code. 8 It was a system of non-regulation. There was no ability 9 of the PCC to uphold standards, enforce decisions or 10 bring about change. It was not a system, in my view, of 11 regulation, self or otherwise. We can come back to 12 that, but that is my view.</b></p> <p>13 LORD JUSTICE LEVESON: I think we probably shall, but it 14 just struck me that as you were describing how you saw 15 the reporting of the Labour Party in the 1980s to 1992, 16 which of course is some time ago, the words of the code 17 seemed very, very distant from that description. That 18 was all.</p> <p>19 <b>A. I think in all my dealings with journalists and the 20 contretemps I had and the fisticuffs I went through, if 21 I had gone to a journalist and said, "'Ere, 'ere, you 22 know, item clause (ii) of the PCC code suggests that you 23 should not be mixing opinion and comment", or whatever, 24 I mean, they would first smile and then conclude that 25 I'd arrived from Mars.</b></p> <p style="text-align: center;">Page 13</p>	<p>1 you deal with in the third paragraph --</p> <p>2 <b>A. Sorry, the highest was ...?</b></p> <p>3 Q. An express deal.</p> <p>4 <b>A. Express deal, yes, clearly expressed between two 5 parties.</b></p> <p>6 Q. Yes.</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. The lowest is the possibility of adverse inferences, 9 which you deal with in the third paragraph on 0609.</p> <p>10 <b>A. Mm.</b></p> <p>11 Q. And the mid position is some sort of implied deal.</p> <p>12 <b>A. Yeah.</b></p> <p>13 Q. My understanding of your statement is that you repudiate 14 the suggestion of the express deal and you accept the 15 possibility of adverse inferences. But I'm most 16 interested in implied deal, Lord Mandelson, whether you 17 think there's any basis for that.</p> <p>18 <b>A. I'm sorry to be precise, but let me clearly understand. 19 You're talking about a deal between who and who over 20 what?</b></p> <p>21 Q. Senior politician and media proprietor where, although 22 nothing is expressly stated, it is understood by each of 23 them what may or will be delivered in exchange.</p> <p>24 <b>A. In my view and from my experience and knowledge of the 25 time, there was no deal, express or implied, between any</b></p> <p style="text-align: center;">Page 15</p>
<p>1 LORD JUSTICE LEVESON: Which itself says a great deal.</p> <p>2 <b>A. Well, it just wouldn't be part of your discourse with 3 a journalist. I mean, it just wouldn't.</b></p> <p>4 LORD JUSTICE LEVESON: I understand that entirely.</p> <p>5 <b>A. You know, they would just -- honestly, they would just 6 look at you with a sort of mixture of pity and sort of 7 fascination.</b></p> <p>8 LORD JUSTICE LEVESON: Lord Mandelson, I understand exactly 9 what you're saying, but you will see why I'm bringing it 10 out.</p> <p>11 <b>A. I do.</b></p> <p>12 LORD JUSTICE LEVESON: It's actually quite important.</p> <p>13 <b>A. I think it is important and I would like to return, if 14 I may, when we come to discuss reforms.</b></p> <p>15 LORD JUSTICE LEVESON: I think we shall. Sorry, Mr Jay.</p> <p>16 MR JAY: Can I deal with the issue now of the Faustian pact, 17 which you address in your statement. See if we can 18 analyse this in three --</p> <p>19 <b>A. I think I said the non-Faustian pact.</b></p> <p>20 Q. Yes, you do. This is page 06902.</p> <p>21 <b>A. Got to watch the spin on this.</b></p> <p>22 Q. There are three different levels of possible pact. 23 There can be an express deal, where the terms of 24 reference are articulated and defined. That's the 25 highest level. The lowest level is perception, which</p> <p style="text-align: center;">Page 14</p>	<p>1 <b>proprietor and any leading politician of the Labour 2 Party that suggested that in return for that 3 proprietor's support for the Labour Party, they could 4 expect some favourable commercial treatment in return. 5 I simply do not believe such a deal happened, and 6 I don't believe that such a relationship existed.</b></p> <p>7 Q. Wasn't it a question, though, that each side to this 8 conversation, whether you describe it as a form of 9 pirouette, a courtship -- see the period 1995 to 1997 -- 10 would well understand what the other wanted and 11 therefore it wasn't necessary to set out the rules of 12 engagement because each would, not by telepathy but by 13 common sense, understand what the other was after?</p> <p>14 <b>A. Well, I think it was -- would have been -- if we're 15 talking about News International or if you want to take 16 News International as an example -- I mean, you'd hardly 17 be pirouetting around the Daily Telegraph or the 18 Daily Mail, I think, imagining that they're going to 19 change the habit of a lifetime and suddenly support the 20 Labour Party, New Labour or not.</b></p> <p>21 <b>In the case of News International, we had had 22 famously bad relations from the 1980s. The Labour 23 Party, an international executive had criticised and 24 attempted to mount a boycott of News International 25 titles and journalists when the move to Wapping took</b></p> <p style="text-align: center;">Page 16</p>

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<p>1 place. That didn't last for very long, but nonetheless 2 the bad feelings, I think, continued, but I think that 3 the Labour Party's feelings about News International and 4 about Mr Murdoch reached a sort of fresh depth around 5 the time of the 1992 election, for the reasons that 6 we've already discussed.</p> <p>7 What we all wanted to do in the 1990s, should we 8 ever have any hope of winning a General Election 9 again -- and by that time we'd lost three or four, 10 I can't remember -- we didn't want to make permanent 11 enemies of News International, and therefore, at 12 different levels in different ways, different dialogues 13 were opened, with working journalists or editors or 14 executives and including the proprietor. I don't think 15 that's unreasonable.</p> <p>16 Q. No, and your assessment was, presumably, that Mr Murdoch 17 liked to back the winning party; is that right?</p> <p>18 A. Yes. I mean, I was hopeful, I suppose, that if we 19 started turning things around and looked like winners, 20 he might be more attracted to supporting the Labour 21 Party, but I also think, being a man who's very 22 interested in politics and policy, that he might have 23 needed some reassurance from the Labour Party about how 24 genuine were the changes we had undergone and the 25 changes in policies that we had made.</p> <p style="text-align: center;">Page 17</p>	<p>1 between 1995 and March 1997, fill you with any distaste 2 at the time?</p> <p>3 A. About, I'm sorry, about ...?</p> <p>4 Q. The wooing of Mr Murdoch's titles.</p> <p>5 A. The wooing?</p> <p>6 Q. Mm.</p> <p>7 A. I -- I -- I -- I was a fully paid-up member of the New 8 Labour cause, the New Labour strategy.</p> <p>9 Q. Does that mean that any distaste you felt was 10 immediately suppressed because you were so wedded to 11 that clause?</p> <p>12 A. It would mean that I would either have kept it to myself 13 or given one or two people in private the benefit of my 14 views.</p> <p>15 Q. Okay.</p> <p>16 A. But look, I'm -- you know, I was part of whatever you 17 call it, the reassurance neutralisation strategy, just 18 to use that shorthand. Of course I wasn't comfortable 19 in policy areas like Europe, for example. I was 20 a notorious pro-European and I felt that the concessions 21 we were making in that policy area, at least on rhetoric 22 and tone, language, was perhaps going a tad too far.</p> <p>23 Q. You cover this at the top of 06908. This is the piece 24 in the Sun. I think it was 18 March 1997, wasn't it, 25 which you've described as all about rhetoric and tone,</p> <p style="text-align: center;">Page 19</p>
<p>1 Q. What you say in your statement is: 2 "What is clear is that Mr Murdoch does not make 3 a habit of backing losers." 4 Was it part of your assessment, at least, that he 5 would want to back the winning party because he felt 6 that there might be greater commercial advantage to him, 7 or put another way, less commercial disadvantage, 8 because the party now in power would not seek to harm 9 his interests?</p> <p>10 A. Well, if we were likely to win the election, and he in 11 the meantime had thrown everything bar the kitchen sink 12 at us to stop us being elected, then he might judge that 13 that was, you know, commercially not a brilliant thing 14 to do, that you don't deliberately want to put yourself 15 on the wrong side of a party that is looking more than 16 likely to become the next government. He may well have 17 had that in his mind, but as far as we were concerned, 18 whilst we wanted his support or didn't want the same 19 degree of trenchant opposition, at any rate, that we'd 20 experienced from them before, it did not mean that we 21 were prepared to make concessions to his commercial 22 interests that might enable us to curry favour and draw 23 him over the line in supporting us. I don't believe 24 such a conversation would have taken place.</p> <p>25 Q. Did the wooing of Mr Murdoch's title, in particular</p> <p style="text-align: center;">Page 18</p>	<p>1 not about substance?</p> <p>2 A. Yes. Yes, yes.</p> <p>3 Q. You must have been party to discussions about the timing 4 and tone of that piece, though, Lord Mandelson; isn't 5 that right?</p> <p>6 A. I wasn't sort of greatly involved. I mean, if 7 I remember -- and because you asked me to comment on 8 this, I familiarised myself with it -- I mean, there 9 were in fact two points at which Mr Blair sought to 10 reassure the Sun over Europe. One was on March 17, 11 1997, in an article place by Mr Blair in the Sun 12 entitled "I'm a British patriot", where he made clear 13 that New Labour would have no truck with a European 14 superstate, which you could argue was a statement of the 15 obvious and a statement of policy, no greater or less 16 than that, but probably the language chosen was designed 17 to make a point or strike home. And the day after that 18 article appeared, the Sun announced that it was 19 endorsing New Labour.</p> <p>20 And then, a month later, on April 17 -- that was 21 a couple of weeks before the election -- an interview 22 with Mr Blair appeared in the Sun, which was headlined 23 "My love for the pound", in which he made clear in this 24 exclusive interview that there would be a triple lock on 25 Britain's possible going into the single currency:</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 <b>a government lock, a Parliament lock and a public</b></p> <p>2 <b>referendum lock. And that obviously was well received</b></p> <p>3 <b>by the Sun and no doubt its proprietor.</b></p> <p>4 Q. Do you think there were discussions with the Sun's</p> <p>5 political editor, though, about the timing of the</p> <p>6 articles and the delivery of support?</p> <p>7 <b>A. From what I remember of the views of the then political</b></p> <p>8 <b>editor of the Sun, it didn't -- the less he had to do</b></p> <p>9 <b>with us, the better. He didn't like it at all.</b></p> <p>10 <b>I suspect the discussions would have been with the</b></p> <p>11 <b>editor of the Sun, Stuart Higgins.</b></p> <p>12 Q. Okay. The year after, in 1999 -- your statement says</p> <p>13 it's 1998 but the exact year probably doesn't matter</p> <p>14 very much -- it's paragraph 19(a) of your statement at</p> <p>15 06912 -- there were discussions about the possibility of</p> <p>16 a referendum on Britain's entry to the single currency.</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. You deal with this in your book, don't you?</p> <p>19 <b>A. I do.</b></p> <p>20 Q. You say:</p> <p>21 "My view was that there was much to recommend</p> <p>22 holding a referendum on the principle of joining and</p> <p>23 that we should hold it as soon as possible, while Tony's</p> <p>24 standing was at its highest. He was worried about the</p> <p>25 reluctance of a good part of the Cabinet, and of course</p> <p style="text-align: center;">Page 21</p>	<p>1 wish to avoid, so it's a bit difficult to say that</p> <p>2 excessive backlash or the fear of it was the real reason</p> <p>3 for not make the decision?</p> <p>4 <b>A. As ever in politics, it was probably a combination of</b></p> <p>5 <b>reasons and factors.</b></p> <p>6 Q. Okay. Another decision in 2001 when Mr Straw replaced</p> <p>7 Mr Cook as Foreign Secretary. You cover this in your</p> <p>8 book at page 336, Lord Mandelson.</p> <p>9 <b>A. Yeah. 300 and ...?</b></p> <p>10 Q. 336.</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. In the middle of the page:</p> <p>13 "Then he came to it [this is Mr Blair speaking].</p> <p>14 "I know you're not going to like this. Jack is</p> <p>15 going to the Foreign Office to replace Robin.'</p> <p>16 "I could hardly deny that I thought it was</p> <p>17 a mistake. Jack Straw seemed to me an inappropriate</p> <p>18 choice because he had euro-scepticism in his DNA. As it</p> <p>19 happened, that turned out to have been an attraction for</p> <p>20 Tony. He reasoned that once Jack was locked into his</p> <p>21 new job, he would toe the line on Europe and the euro.</p> <p>22 Due to the very fact he was a known sceptic, Tony said,</p> <p>23 his support would count for more voters, MPs and the</p> <p>24 Murdoch press.</p> <p>25 "'That remains to be seen,' I replied. In fact, it</p> <p style="text-align: center;">Page 23</p>
<p>1 Gordon, to agree. He also feared a backlash from the</p> <p>2 Murdoch papers, especially the Sun. The referendum now</p> <p>3 was a step too far."</p> <p>4 So you're saying there that there really were</p> <p>5 a mixture of factors which militated against any</p> <p>6 decision to hold a referendum on the euro and the</p> <p>7 backlash from the Sun was only one aspect, one facet of</p> <p>8 the overall decision. Is that fair?</p> <p>9 <b>A. Yes. The suggestion was that we should perhaps hold</b></p> <p>10 <b>a referendum on the principle of entering the single</b></p> <p>11 <b>currency, but then subsequently judge the exact timing</b></p> <p>12 <b>according to the circumstances prevailing at the time.</b></p> <p>13 <b>So you would separate the principle and the actual</b></p> <p>14 <b>recommendation to go into the single currency.</b></p> <p>15 <b>Mr Blair's view was: why take the pain of holding</b></p> <p>16 <b>a referendum, with all the sort of hostility and</b></p> <p>17 <b>opposition that will be thrown at you by the</b></p> <p>18 <b>anti-European press, when you weren't actually thinking</b></p> <p>19 <b>of going in there and then? Better to wait and do it</b></p> <p>20 <b>later when possibly the circumstances would be different</b></p> <p>21 <b>or better.</b></p> <p>22 Q. Yes. So is this an example when, for good political</p> <p>23 reasons, a decision might be made, as you described it,</p> <p>24 but an ancillary reason might be that there would be an</p> <p>25 excessive backlash in the press anyway, which we would</p> <p style="text-align: center;">Page 22</p>	<p>1 seemed to me that Tony had his doubts. He sounded as if</p> <p>2 he was trying to convince himself."</p> <p>3 So I suppose there the Murdoch press was just one</p> <p>4 factor looming in the background, but may not have been</p> <p>5 at the forefront of consideration. Have I correctly</p> <p>6 summarised it?</p> <p>7 <b>A. Yes. I say "voters, MPs and the Murdoch press".</b></p> <p>8 <b>I mean, people who, knowing that Jack Straw was less</b></p> <p>9 <b>sympathetic to Europe, should he, in becoming Foreign</b></p> <p>10 <b>Secretary, then back the Prime Minister in being more</b></p> <p>11 <b>pro-Europe or indeed entering the single currency, that</b></p> <p>12 <b>would count for more, that his sort of Damascene</b></p> <p>13 <b>conversion would have a positive effect, from the</b></p> <p>14 <b>Prime Minister's point of view.</b></p> <p>15 Q. Can you assist us with the events of Easter 2004 and the</p> <p>16 proposed referendum on the European constitutional</p> <p>17 treaty? You deal with this in your statement at 06907.</p> <p>18 But the Sun, you say, wanted a referendum?</p> <p>19 <b>A. This wasn't on the single currency; it was on the</b></p> <p>20 <b>constitutional treaty, so-called at the time.</b></p> <p>21 <b>Mr Blair certainly wanted to avoid a referendum</b></p> <p>22 <b>commitment. Those who wanted such a commitment,</b></p> <p>23 <b>frankly, were those who were least sympathetic to Europe</b></p> <p>24 <b>and/or its new constitutional treaty. They were people</b></p> <p>25 <b>who thought that the pressure on the government to hold</b></p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 a referendum would be great and overwhelming and that we 2 might as well concede it ourselves from the beginning. 3 There was also what I regarded as a false argument 4 at the time, that the House of Lords would insist on 5 a referendum and amend the legislation accordingly and 6 that as the House of Lords were going to insist on it 7 and impose a referendum, we might as well go for it at 8 the beginning. 9 I didn't think those arguments held water. 10 I thought they thought he were self-serving. I also 11 thought they were taking advantage of the Prime Minister 12 at a time when he was not politically strong, post Iraq, 13 and that they were arguably exploiting this opportunity 14 to get their way over Europe and the referendum. 15 Q. The pressure from -- 16 A. And I said that. 17 Q. -- the Sun was a factor in the decision? 18 A. Of course. It always is a factor and these discussions 19 took place with Mr Blair before Easter. I remember very 20 well -- I, of course, was not in the government at this 21 time, I hasten to add, but I was very familiar with them 22 from Mr Blair's vantage point. I gather -- I believe -- 23 I mean, he can speak for himself but I think what he 24 said to those who were pressing him in this way are: 25 "I see the arguments. You may well be right, but let me Page 25</p>	<p>1 Mr Blair's contacts with Mr Stelzer? 2 A. Then or generally? 3 Q. Generally. 4 A. I think he had quite a high regard for Irwin Stelzer as 5 an economist, as an analyst of global events, as I did 6 myself. 7 Q. Was there any sense that -- it would be unfair to 8 describe him as a proxy for Mr Murdoch, but at least 9 some sort of litmus paper test for what Mr Murdoch was 10 thinking or might be thinking? 11 A. He was a reasonable litmus test paper, yeah, litmus 12 paper test, but not the only one and probably not as 13 important as, you know, say Rebekah Wade as was or 14 Les Hinton. 15 Q. Okay. In your witness statement you make this further 16 point: that you agree that it's improbable that the 17 government would have made an important move on Europe 18 without warning News International. Why do you think 19 that was so? 20 A. It would have been so, in my view, as a matter of 21 relation management. If you were going to do something 22 that was bad news for the Sun or going to be received 23 badly by them all, you would probably not wish to take 24 them by surprise but pave the way by talking to them and 25 introducing them gently to the change or whatever, or to Page 27</p>
<p>1 think about it." 2 He went away to think about it over the Easter 3 break, but during the course of that weekend the news 4 was leaked or briefed to the Sun and to the Times that 5 the Prime Minister had made up his mind in favour of the 6 referendum and by the time he came back from holiday, it 7 was a fait accompli. 8 Q. In your book, you identify Mr Straw as the source of the 9 briefings? 10 A. He was not the only source. 11 Q. He was one of them, was he? 12 A. I believe he was. It doesn't matter who it was. The 13 fact is that side of the argument let it be known to 14 those Murdoch newspapers that the Prime Minister was 15 going for a referendum and once the genie was out of the 16 bottle, it was near impossible for the genie to be put 17 back, whatever the Prime Minister's view. He might have 18 reached a view in favour of one, but he hadn't reached 19 it before Easter. Not on the basis, at any rate, of 20 what he told me. 21 Q. You say in your statement you believe Mr Blair was in 22 contact with Irwin Stelzer at about this time; is that 23 right? 24 A. Yes, I believe that was the case. 25 Q. Do you know anything about the frequency and depth of Page 26</p>	<p>1 the development. 2 I mean, I remember in the case of the single 3 currency -- I can't remember whether it was in 1998 or 4 1999 -- I think it was 1999 -- Mr Blair insisted on 5 going ahead with publishing a national changeover plan. 6 I mean, our policy at the time was: prepare and decide. 7 The Conservatives' was sort of: wait and see and hope 8 the entire thing collapses and goes away and we won't 9 ever have to make up our mind. Our view was different. 10 Ours was: prepare and decide. In pursuit of that 11 policy, Mr Blair decided, rather courageously and 12 certainly against the advices, I remember, of the 13 Treasury, to publish a putative national changeover plan 14 from the pound to the euro should, at any stage, we 15 believe that Britain going in was right in our national 16 interest. I think I'm right in saying that the Sun's 17 front page the next day featured a rather large 18 photograph of an unhappy-looking Mr Blair, with the 19 question: "Is this the most dangerous man in Britain?" 20 So you got a taste then of what you could expect 21 from the Sun if you went against their views and wishes 22 on anything to do with Europe. But not just the Sun. 23 In different measures, other News International titles, 24 quite apart from the Daily Express and the Daily Mail, 25 of course. Page 28</p>

7 (Pages 25 to 28)

1 Q. You referred then to relation management in the context  
 2 of News International. Are you suggesting that they  
 3 would be the only beneficiaries of some sort of briefing  
 4 or are you including within this the Associated titles  
 5 and other important newspaper title?  
 6 **A. No, I wouldn't include Associated in this, because --**  
 7 **I mean, they were opposed, hostile without redemption.**  
 8 **In the case of News International, where -- in the**  
 9 **case of the Sun, at least, they were supporting you and**  
 10 **your government and what you were doing across the**  
 11 **policy area, you would probably want to manage the**  
 12 **relationship if you were going to do something that was**  
 13 **unwelcome to them, but by sheer dint of that, you're**  
 14 **doing something which is unwelcome to the Sun. You're**  
 15 **not sort of saying, "Oh my God, this is going to go down**  
 16 **like a lead balloon with the Sun. We'd better not do**  
 17 **it." That's not what I'm saying. What I'm saying is**  
 18 **that you manage the relationship, both when you're doing**  
 19 **things which the Sun & co are likely to support and**  
 20 **welcome and vice versa.**  
 21 LORD JUSTICE LEVESON: Do you think that gives the  
 22 proprietor of the Sun, who has made it clear --  
 23 Mr Murdoch made it clear that if one wanted to  
 24 understand his views, one need only read the editorial  
 25 of the Sun. But do you think that it gives him

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1 a greater, if not influence, at least relevance compared  
 2 to other titles? Because you may say, "The Associated  
 3 titles were always going to oppose us", the Trinity  
 4 Mirror titles were --  
 5 **A. Generally always going to support us.**  
 6 LORD JUSTICE LEVESON: -- likely going to support you,  
 7 therefore we don't need to worry about them at all,  
 8 particularly.  
 9 **A. You wouldn't not worry them at all, but you wouldn't --**  
 10 **they're not the swing constituency.**  
 11 LORD JUSTICE LEVESON: I understand. Therefore, by, as it  
 12 were, allowing it to go abroad that he, Mr Murdoch, was  
 13 open to discussion, he was acquiring for his papers  
 14 a link into the government -- it wouldn't affect your  
 15 policy, you've made that clear, but it might affect your  
 16 rhetoric -- that others did not have. Do you understand  
 17 the question I'm asking?  
 18 **A. I do. I think it's a very pertinent question and**  
 19 **I think probably the observation you're making is a fair**  
 20 **one.**  
 21 **I mean, look, you asked me whether I was happy or**  
 22 **unhappy in the run-up to the 1997 election. Now, I was**  
 23 **a fully paid-up member of and integral part of Labour's**  
 24 **strategy, but there would be some areas of policy where,**  
 25 **you know, I'd be less comfortable. Europe was one of**

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1 **them. Not that we were abandoning our pro-European**  
 2 **policies and credentials but the way in which they were**  
 3 **being presented, the concessions in rhetoric -- I would**  
 4 **say the same, to be honest, about myself in relation to**  
 5 **policies to do with immigration or crime and law and**  
 6 **order. You know, I was -- I tended to be more on the**  
 7 **liberal side of these things. It didn't mean to say**  
 8 **that I didn't fully support the party's policies; of**  
 9 **course I did, and I fully understood the need to do what**  
 10 **you could to bring the media with you, including, and**  
 11 **notably, News International. But it can make you a bit**  
 12 **queasy because all of us as individuals have slightly**  
 13 **different leanings one way or another. On Europe, my**  
 14 **leaning was obviously pro, and in other areas of policy**  
 15 **I had slightly different emphases or leanings or**  
 16 **whatever. So there will be times when you're feeling**  
 17 **a bit queasy.**  
 18 **I don't happen to like invoking patriotic language**  
 19 **very much. I don't like running up the Union Jack and,**  
 20 **you know, getting everyone to dance around it in what**  
 21 **I would regard as a rather sort of phoney jingoistic**  
 22 **way.**  
 23 **So we all have our preferences, but I think also --**  
 24 **look, what I was concerned about also over this whole**  
 25 **Europe business before 1997 was not whether we were pro**

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1 **or anti Europe or that I was pro and the party was pro,**  
 2 **or even whether it was necessary or not to manage**  
 3 **Mr Murdoch. Of course it was. But I didn't want**  
 4 **Mr Blair to say or do anything that might appear weak or**  
 5 **pandering, because that might lead to a wider judgment**  
 6 **by the public of him. I didn't want him to say or do**  
 7 **anything that might lead people to infer that he was**  
 8 **under some obligation to Mr Murdoch or any other**  
 9 **proprietor. I didn't think that that was wise or**  
 10 **healthy from a wider political and electoral point of**  
 11 **view.**  
 12 **I suppose if I was being honest too, I'd say that it**  
 13 **was attaching too much importance to them. It was**  
 14 **making them feel more important than they were entitled**  
 15 **to feel, and I didn't think that was terribly healthy**  
 16 **either. If you don't want press proprietors to sort of**  
 17 **go around, you know, sort of feeling that they're ever**  
 18 **so regal, they be don't treat them regally. I mean, you**  
 19 **could hardly blame proprietors for feeling rather grand**  
 20 **and important if that's the way that politicians behave**  
 21 **towards them, and I think that's been the case over**  
 22 **decades and generations. I don't think it's going to**  
 23 **happen very much in the future, incidentally, but we'll**  
 24 **see, or less so in the future. And I think that's very**  
 25 **good, both from the point of view of the proprietors and**

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<p>1 <b>the politicians, frankly.</b></p> <p>2 MR JAY: Thank you. The "feral beast" speech of Mr Blair in</p> <p>3 2007 --</p> <p>4 <b>A. Yes, just before he left office.</b></p> <p>5 Q. That's right. The themes that he raised in that speech,</p> <p>6 had they been the matter of discussion between you and</p> <p>7 him over the years?</p> <p>8 <b>A. Oh, we'd had endless discussions about the press and --</b></p> <p>9 <b>endless. I mean ... endless. I mean, he was very, very</b></p> <p>10 <b>frustrated, I think. You can ask him this. He can</b></p> <p>11 <b>speak better for himself than I can, but he felt,</b></p> <p>12 <b>I think, sort of mixed, conflicted and very frustrated.</b></p> <p>13 <b>I think he felt that the influence of the press on the</b></p> <p>14 <b>country, our society, was baleful. I think he believed</b></p> <p>15 <b>that the press made people, by and large, feel cynical</b></p> <p>16 <b>and negative about politics and politicians, and he</b></p> <p>17 <b>thought this was undermining of our political system and</b></p> <p>18 <b>our democracy. He didn't know really what to do with</b></p> <p>19 <b>it -- about it. It was like sort of wrestling with</b></p> <p>20 <b>a crocodile, and if you weren't careful, before you knew</b></p> <p>21 <b>where you were, it snapped your head off, so perhaps</b></p> <p>22 <b>keep away from it.</b></p> <p>23 <b>But I think there were times when he just sort of</b></p> <p>24 <b>felt completely exasperated. Not because of what they</b></p> <p>25 <b>were doing to him, per se, or to the government --</b></p> <p style="text-align: center;">Page 33</p>	<p>1 <b>A. I was listening very carefully.</b></p> <p>2 Q. Could it be said that the Faustian pact, which would</p> <p>3 have to be an implied pact, went along the lines that he</p> <p>4 supports you and you'll do nothing, which is indeed what</p> <p>5 happened?</p> <p>6 <b>A. How do you mean? On what? He will support -- who will</b></p> <p>7 <b>support who?</b></p> <p>8 Q. News International titles support New Labour, did so</p> <p>9 consistently from 1997.</p> <p>10 <b>A. Yeah.</b></p> <p>11 Q. New Labour then does nothing in the context of press</p> <p>12 regulation. In other words, leaves him -- and true,</p> <p>13 everybody else -- alone. Might that be the pact?</p> <p>14 <b>A. It might be, but I don't think it was because I don't</b></p> <p>15 <b>believe such a pact existed. But I think that certainly</b></p> <p>16 <b>if Mr Blair and the Labour government were going to</b></p> <p>17 <b>embark on a course of legislative change, then they</b></p> <p>18 <b>would have to put it in a manifesto, and then sort of</b></p> <p>19 <b>introduce legislation, and for the reasons I've</b></p> <p>20 <b>described, they will be taking a political risk in doing</b></p> <p>21 <b>that, because I think the attitude or punishment of you</b></p> <p>22 <b>by the press would have been fairly unrelenting.</b></p> <p>23 <b>I think you'd have quickly started to regret ever</b></p> <p>24 <b>embarking on the course. I think that it would take</b></p> <p>25 <b>real nerve and real mettle on any Prime Minister's part</b></p> <p style="text-align: center;">Page 35</p>
<p>1 <b>I think he can probably live with that or survive it.</b></p> <p>2 <b>I honestly think it was the wider effect and impact that</b></p> <p>3 <b>it was having on our country that troubled him, and it</b></p> <p>4 <b>troubled him to know what to do about it and whether he</b></p> <p>5 <b>should take it on and do something and take action. But</b></p> <p>6 <b>for the reasons I've explained in my witness statement,</b></p> <p>7 <b>a politician, a prime minister, is going to think very</b></p> <p>8 <b>long and hard before he starts taking on the press in</b></p> <p>9 <b>this country. Some would say, for the reasons I explain</b></p> <p>10 <b>in my witness statement, that it would be politically</b></p> <p>11 <b>suicidal and they would have good reason to wonder</b></p> <p>12 <b>whether that would be the case.</b></p> <p>13 Q. You said in a piece in the Guardian on 11 July of last</p> <p>14 year, which of course was right in the maelstrom,</p> <p>15 really, of the Guardian revelations, et cetera:</p> <p>16 "We were cowed."</p> <p>17 You probably recall that piece, Lord Mandelson?</p> <p>18 <b>A. Yes, I do.</b></p> <p>19 Q. I can bring it up in necessary. Was that rhetoric or</p> <p>20 was that the truth?</p> <p>21 <b>A. Touch of hyperbole, perhaps.</b></p> <p>22 LORD JUSTICE LEVESON: I have to say, that's not</p> <p>23 necessarily --</p> <p>24 MR JAY: No. I was giving you two choices which aren't, in</p> <p>25 fact, genuine choices because they could be both.</p> <p style="text-align: center;">Page 34</p>	<p>1 <b>to start introducing legislation because, as I say,</b></p> <p>2 <b>I think the press regarded themselves, to all intents</b></p> <p>3 <b>and purposes, as above the law. I don't believe they</b></p> <p>4 <b>felt that they should be accountable to anything or</b></p> <p>5 <b>anyone or any standard or set of ethics because that</b></p> <p>6 <b>would sort of constrain their freedom and that would</b></p> <p>7 <b>make them less the pillar of democracy that they try to</b></p> <p>8 <b>maintain they are.</b></p> <p>9 Q. You cover this very fully at 06905 in your statement,</p> <p>10 where you use two -- you use one comparison, historical</p> <p>11 comparison, and one metaphor. You say:</p> <p>12 "It would have been like inviting the press to beat</p> <p>13 us with steel rods until we gave in and backed down."</p> <p>14 Ten lines from the top of 06905. This is the</p> <p>15 context of introducing statutory changes to press</p> <p>16 regulation.</p> <p>17 <b>A. I probably wrote that a bit late at night, but I do make</b></p> <p>18 <b>the point later on -- I mean, look at their reaction to</b></p> <p>19 <b>Mr Blair's speech in 2007, as if he were announcing the</b></p> <p>20 <b>sort of killing of the first born across the country.</b></p> <p>21 <b>You know, that's just making a speech. You can imagine</b></p> <p>22 <b>what it would have been like if he'd started to</b></p> <p>23 <b>introduce legislation.</b></p> <p>24 Q. There would, in reality -- is this right? -- have been</p> <p>25 the reception the Conservative government would have</p> <p style="text-align: center;">Page 36</p>

<p>1 attracted to itself had it implemented the full force of 2 the Calcutt reforms. Is that fair?</p> <p>3 <b>A. Yes. I think it's why, after Calcutt reported, within 4 72 hours the Prime Minister's official spokesman, 5 Mr Major's press secretary, let it be known that the 6 Prime Minister would not embark on legislative change or 7 the introduction of legislation.</b></p> <p>8 <b>Now, in theory, in principle, when Clive Soley's 9 bill, following -- Clive Soley MP's bill was introduced 10 following Calcutt, which received an overwhelming 11 majority in favour in the House of Commons, the minister 12 who was participating in the debate made it all but 13 absolutely clear that the government would not allow 14 this bill to reach the statute book.</b></p> <p>15 <b>I've heard it said, incidentally, that as time wore 16 on and the bill went through its legislative stages and 17 was very well and thoroughly debated in the House, as 18 John Major's sort of views of the press sort of evolved, 19 he became more and more sympathetic to Mr Soley's bid, 20 and I've heard it said at one point he encouraged 21 Mr Soley to continue with it. But whether, at the end 22 of the day, his government would have allowed it to pass 23 on to the statute book by making time available in the 24 House of Commons I think is open to question. I suspect 25 that they would not. I think John Major felt as</b></p> <p style="text-align: center;">Page 37</p>	<p>1 <b>recommended such than if I were just taking it out of my 2 own mind and deciding on my own judgment that this is 3 something that should be done.</b></p> <p>4 LORD JUSTICE LEVESON: Maybe we'll come to this --</p> <p>5 <b>A. That's politics.</b></p> <p>6 LORD JUSTICE LEVESON: I understand that, but I must ask the 7 question while it's in my mind: do you think that the 8 process that has been undertaken over the last six, 9 seven, eight, nine months of these very public hearings 10 makes the task easier or do you think it's just as 11 difficult as it ever was?</p> <p>12 <b>A. Oh no, no, no, much -- significantly easier. 13 Significantly easier. For two reasons. People are, for 14 the first time, focusing on the issues in a way that 15 they wouldn't normally do, but secondly, as a result of 16 the Inquiry and people watching the television and 17 seeing -- not people like me, but other people, 18 personalities, ordinary members of the public, family 19 members interviewed and describing what they've been put 20 through will be a revelation for, you know, 90 per cent 21 or more of the population. A complete revelation. 22 I don't think that most people -- even I, and I'm pretty 23 experienced at the media -- when I was looking at many 24 so of these witnesses who were sitting here and giving 25 you evidence, my mouth dropped open because you don't</b></p> <p style="text-align: center;">Page 39</p>
<p>1 <b>conflicted in his mind on this as Mr Blair did, and as 2 Mr Cameron might do.</b></p> <p>3 <b>Q. It begins to suggest it's the sort of almost 4 quasi-constitutional piece of legislation which might 5 need a consensus across all parties; is that fair or 6 not?</b></p> <p>7 <b>A. I think that is fair, yes, because nobody would want to 8 single themselves out as the people who are sort of 9 taking on the press.</b></p> <p>10 LORD JUSTICE LEVESON: So they give it to a judge to do 11 instead?</p> <p>12 <b>A. Yes, in not so many words. But look, I'm not going to 13 anticipate what you -- what emerges from this Inquiry, 14 but I suspect that were you to make a proposal that some 15 form of legislation needed to be introduced, you would 16 be putting the government of the day in an incredibly 17 awkward position.</b></p> <p>18 <b>Yes, they would have greater cover for what they had 19 to do, it having been recommended as a result of 20 a full-blown judicial Inquiry, and that may be one of 21 the reasons you've been given the job that you have. 22 Certainly, if I were a politician, if I were a minister, 23 I can see myself standing up at the House of Commons 24 much more easily introducing a bill or making a speech 25 in favour of change because the Leveson Inquiry has</b></p> <p style="text-align: center;">Page 38</p>	<p>1 <b>realise what has happened and what people have been put 2 through and what sort of journalistic processes, if you 3 can use that term, stories have emerged from which 4 you've seen in the newspapers. You don't realise it. 5 You see the end product, but you don't know what hell 6 people have been put through in order to get to that 7 product. This is new for people. They've never had it 8 before. Calcutt wasn't taking evidence in public. You 9 couldn't watch his Inquiry on the television or streamed 10 out of your laptop. It's completely new.</b></p> <p>11 <b>I think because people will realise that actually 12 all these issues are both more complicated than they 13 imagine because the forces of play are so great. 14 I mean, the conflicts the interweaving interests and 15 issues are complex, but at another level it's all 16 amazingly simple. You either operate, in this walk of 17 British life, in an ethical way and operate standards 18 and put yourself within the frame of the law or you put 19 yourself above the law, beyond the reach of any set of 20 ethics or standards that might be applied by a sort of 21 half decent regulator on a good day.</b></p> <p>22 <b>Actually, when it boils down to it, it's amazingly 23 simple, and I think that the simple conclusion people 24 reach is that something has to be done, rather than 25 simply sitting back and allowing all this to continue as</b></p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 <b>it has done for years.</b></p> <p>2 MR JAY: Thank you. The second point you make, third</p> <p>3 paragraph, 606905:</p> <p>4 "The fact is the press has been too powerful for any</p> <p>5 government, in normal circumstances, to take on. Like</p> <p>6 the trade unions of old, they want to operate above the</p> <p>7 law, and like the trades unions, when you try to apply</p> <p>8 the law, they shout from the rooftops about basic</p> <p>9 freedoms and fundamental rights."</p> <p>10 <b>A. Yes, they want to make themselves untouchable. They</b></p> <p>11 <b>don't accept that there are sort of standards or ethics</b></p> <p>12 <b>or acceptable behaviour or what's reasonable or fair.</b></p> <p>13 <b>I mean, I had this when I came -- when I first went</b></p> <p>14 <b>to trade and industry. I had to introduce a White Paper</b></p> <p>15 <b>on trade union legislation and, you know, all these</b></p> <p>16 <b>arguments were paraded in front of me and I think what's</b></p> <p>17 <b>different now, as far as the press is concerned, is that</b></p> <p>18 <b>the methods they have and the technologies available to</b></p> <p>19 <b>them, the means they have at their disposal to operate</b></p> <p>20 <b>in an unethical way have transformed the situation.</b></p> <p>21 <b>We're not talking about somebody standing at a street</b></p> <p>22 <b>corner keeping an eye out on who's coming and going into</b></p> <p>23 <b>somebody's house or flat. You're talking about hacking</b></p> <p>24 <b>into people's mobile phones and their voicemail. That</b></p> <p>25 <b>is what technology and the failure to protect their data</b></p> <p style="text-align: center;">Page 41</p>	<p>1 Q. Yes. In the context of the Metropolitan Police, you</p> <p>2 share with us a letter that Mr Yates wrote to you on</p> <p>3 20 August 2007.</p> <p>4 <b>A. Which page are we on?</b></p> <p>5 Q. That's your annex 2, which is going to be under tab 3,</p> <p>6 Lord Mandelson.</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. It's our page 06567.</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. I think he was thinking that you were accusing him of</p> <p>11 leaking to the media, and he, as it were, came back --</p> <p>12 <b>A. I was leaking to the media? That would have been rich</b></p> <p>13 <b>coming from him. How do you mean?</b></p> <p>14 Q. That's what he was suggesting and --</p> <p>15 <b>A. I commented to the media. I didn't leak anything to the</b></p> <p>16 <b>media. I came out with my view.</b></p> <p>17 Q. It's right. He says, in the fifth line that following</p> <p>18 the CPS announcement, you were widely quoted, apparently</p> <p>19 on the record, accusing the police of using media leaks</p> <p>20 during the inquiry. So there's no question of you doing</p> <p>21 any leaking; it's on the record.</p> <p>22 <b>A. Absolutely.</b></p> <p>23 Q. And he denies that rather strongly. Why did you draw</p> <p>24 this letter to our attention in particular?</p> <p>25 <b>A. Because I think it says something about the Metropolitan</b></p> <p style="text-align: center;">Page 43</p>
<p>1 <b>adequately has given us as far as the press is</b></p> <p>2 <b>concerned, and that's what people have seen.</b></p> <p>3 Q. I think your own data were accessed by Southern</p> <p>4 Investigations. This is the top of 06906.</p> <p>5 <b>A. There was a guy called Jonathan Rees, yeah. This was,</b></p> <p>6 <b>I gather, commissioned by the Daily Mirror when</b></p> <p>7 <b>Piers Morgan was its editor, I'm told.</b></p> <p>8 Q. Is that what the police have told you?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. Without going into the detail of this, it relates to</p> <p>11 some bank account details and enquiries about another</p> <p>12 member of your family.</p> <p>13 <b>A. Yes, my brother and my mother. But the police were</b></p> <p>14 <b>rather unclear -- I mean, it's some time since I saw</b></p> <p>15 <b>them and they may have become clearer, I don't know,</b></p> <p>16 <b>since they originally saw me, but they were not clear</b></p> <p>17 <b>what activity had taken place, but they had seen the</b></p> <p>18 <b>invoices for the work that had been commissioned by</b></p> <p>19 <b>these people.</b></p> <p>20 Q. And then you released a press statement in June 2001</p> <p>21 which we see in your statement.</p> <p>22 LORD JUSTICE LEVESON: 2011.</p> <p>23 <b>A. Yes.</b></p> <p>24 MR JAY: My apologies.</p> <p>25 <b>A. Because I contacted the Metropolitan Police.</b></p> <p style="text-align: center;">Page 42</p>	<p>1 <b>Police, how it's operated and behaved and how senior</b></p> <p>2 <b>individuals inside it have chosen to go about their</b></p> <p>3 <b>business, and I think it deserved to be aired.</b></p> <p>4 <b>The idea -- he says later on in this letter --</b></p> <p>5 <b>I can't quite see -- he said how people around the</b></p> <p>6 <b>Prime Minister, you know, "admired the exceptional steps</b></p> <p>7 <b>we took to minimise the harm to his or his party's</b></p> <p>8 <b>reputation", "noted the many comments that were</b></p> <p>9 <b>supportive of the police team". He's got to be joking.</b></p> <p>10 <b>Praising the professionalism? All those around the</b></p> <p>11 <b>Prime Minister, I can tell you -- and I'm sure that</b></p> <p>12 <b>Mr Blair, when he comes to you, will be far more</b></p> <p>13 <b>circumspect in what he says than I need be. All of</b></p> <p>14 <b>those close to the investigation were absolutely</b></p> <p>15 <b>convinced that Mr Yates was briefing journalists</b></p> <p>16 <b>throughout the investigation, and frankly it was common</b></p> <p>17 <b>knowledge in journalistic circles that this was</b></p> <p>18 <b>happening. I remember a journalist remarking on this to</b></p> <p>19 <b>me himself.</b></p> <p>20 <b>It was thought that at the time Mr Yates wanted</b></p> <p>21 <b>a high profile. He was aiming for, you know, high</b></p> <p>22 <b>things in the Metropolitan Police, and of course,</b></p> <p>23 <b>inevitably, since then, people have contrasted his</b></p> <p>24 <b>absolute sort of determination -- in a sense, rightly</b></p> <p>25 <b>and professionally -- to pursue the cash for peerages</b></p> <p style="text-align: center;">Page 44</p>

11 (Pages 41 to 44)

<p>1 <b>inquiry in contrast to the manner in which he set about</b>  2 <b>conducting himself in relation to phone hacking,</b>  3 <b>an inquiry, I think, if I remember, which was opened and</b>  4 <b>closed down rather speedily by him initially.</b>  5 Q. Okay. The last point you make at 06906 of your  6 statement, this part of your statement --  7 <b>A. I mean, sorry, I just think that writing me a letter</b>  8 <b>like that -- I mean, it just showed such chutzpah.</b>  9 <b>Amazing. I also thought it was rather bullying.</b>  10 <b>Actually, if I hadn't been so busy being the European</b>  11 <b>Union's Trade Commissioner, I would have probably</b>  12 <b>thought it might be an idea to see him in court and</b>  13 <b>repeat the statement, but I didn't. I filed his letter</b>  14 <b>instead.</b>  15 Q. Mm. But you've drawn it to our attention now,  16 Lord Mandelson, so it's there.  17 You give some general thoughts there at the bottom  18 of 06906 about what happened at News of the World which  19 wasn't to do with any relationship between proprietor  20 and politicians, which is absolutely right. You say,  21 four lines from the bottom:  22 "Faced with unprecedented competition from online  23 sources, the News of the World reacted with increasingly  24 desperate, gossipy stories, errors of judgment as to  25 what constituted the public interest and a failure to</p> <p style="text-align: center;">Page 45</p>	<p>1 <b>proprietors and politicians, and I think that's</b>  2 <b>a reasonable point.</b>  3 <b>I think the News of the World, like every other</b>  4 <b>tabloid newspaper, was facing fierce competition, but it</b>  5 <b>chose to take on that competition in the media market</b>  6 <b>not by improving its quality and product but by falling</b>  7 <b>yet further in the standards of journalism that it chose</b>  8 <b>to operate. It sunk below rather than sort of engaged</b>  9 <b>in some more professional race to the top, if I can put</b>  10 <b>it in that way. But that's not the politicians' fault</b>  11 <b>or ministers' fault or indeed, I would say, not the</b>  12 <b>fault of an effective system of press regulation in this</b>  13 <b>country or a half decent PCC code. I happen to think</b>  14 <b>that regulation would help, but I don't think it's the</b>  15 <b>only or the full answer to this situation.</b>  16 <b>Corporate governance, transparency, professionalism,</b>  17 <b>all these things come into it, not just the law and not</b>  18 <b>just the actions of a would-be regulator.</b>  19 LORD JUSTICE LEVESON: Yes. That's why it's not sufficient  20 to say -- would you agree with this? I'll put it as  21 a question. It's not sufficient to say: "Well, the  22 criminal law is there. Let it do its business." It's  23 not sufficient to say that?  24 <b>A. I don't believe it is, no, and I don't see why the press</b>  25 <b>should be the last sort of bastion or professional</b></p> <p style="text-align: center;">Page 47</p>
<p>1 enforce a regime of high journalistic standards and  2 ethics. Effective regulation would certainly help to  3 counter this, but at root is a question of economics,  4 culture and quality of management, not just ethics."  5 So the economics are all the commercial pressures  6 bearing down on newspapers, which have increased over  7 the years; is that right?  8 <b>A. Yes. The technological changes and the consequent</b>  9 <b>economic pressures, yes, but you mix those economic</b>  10 <b>pressures and the technology available with a poor</b>  11 <b>quality management and a lapse of sort of standards and</b>  12 <b>a sort of absence of a moral compass and the result is</b>  13 <b>as we have seen. That's the point I'm making, and it's,</b>  14 <b>of course, right that you should ask questions about the</b>  15 <b>relationship between the press and politicians and</b>  16 <b>proprietors and prime ministers and whatever. I'm</b>  17 <b>simply making the point that the behaviour of the News</b>  18 <b>of the World -- and I would add this behaviour I don't</b>  19 <b>think is limited to the News of the World. I mean, look</b>  20 <b>in my own case of Southern Investigators and</b>  21 <b>Jonathan Rees and the Mirror. So it's not simply</b>  22 <b>confined to the News of the World, but I'm just making</b>  23 <b>the point that this is a result, as it were, of a sort</b>  24 <b>of breakdown in relations or a poor relationship between</b>  25 <b>the newspaper and its journalists, not between</b></p> <p style="text-align: center;">Page 46</p>	<p>1 <b>category left in this country that doesn't have some</b>  2 <b>form of accountability or enforceable standard in what</b>  3 <b>it does. Even lawyers have that now.</b>  4 LORD JUSTICE LEVESON: I'm not sure about the word "even",  5 Lord Mandelson.  6 <b>A. Lawyers have that now.</b>  7 MR JAY: I think you --  8 <b>A. As a result of legislation I think introduced by the</b>  9 <b>last Labour government.</b>  10 LORD JUSTICE LEVESON: Yes, all right.  11 MR JAY: I think you may also be saying that more effective  12 regulation is maybe necessary but is not sufficient  13 either, because you're looking for cultural and  14 corporate governance changes within the organisation --  15 <b>A. I don't think we have regulation.</b>  16 Q. No.  17 <b>A. So "more" doesn't come into it. But I do believe,</b>  18 <b>equally strongly, that just as in the case of banks, you</b>  19 <b>need good regulation, quite tough and intrusive</b>  20 <b>regulation -- I'm not saying that banks and the</b>  21 <b>newspapers are the same -- but for banks not to go wrong</b>  22 <b>and for them to uphold proper, professional ethical</b>  23 <b>standards and proper risk management, if you like, in</b>  24 <b>the judgments they make, they need better people running</b>  25 <b>them, better corporate governance, more transparency,</b></p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 <b>more accountability, more openness. That's the only way</b>  2 <b>in which you're going to raise standards alongside any</b>  3 <b>system of regulation that you introduce.</b>  4 Q. Can I touch on the section which is headed "Media  5 influence on the formulation of a party's media  6 policies", 06908, Lord Mandelson. You touch on that  7 quite briefly. You draw your attention to a number of  8 contemporaneous materials from you in your annexes,  9 which we've read.  10 The basic point you're making is that your  11 government's policy was, in fact, pro-BBC which might,  12 on one level, at least, be said to be contrary to what  13 Mr Murdoch would have wished your policy to have been.  14 Is that a fair summary?  15 <b>A. He was not in love with the BBC. He thought it was too</b>  16 <b>big, too expensive, too powerful, growing far too</b>  17 <b>quickly, it was too big for its boots and needed to be</b>  18 <b>cut down, as he would be very happy, I'm sure, to tell</b>  19 <b>you, with little encouragement. He's entitled to his</b>  20 <b>view. I happen to think it's wrong. I don't agree with</b>  21 <b>it and nor did the last Labour government. That's why</b>  22 <b>I have absolutely no hesitation in describing the</b>  23 <b>government as basically pro-BBC and proud of it.</b>  24 Q. Okay. I'm not going to dwell on the detail unless there  25 are any particular points you wish to draw to our  Page 49</p>	<p>1 <b>A. From time to time.</b>  2 Q. Could you tell us about those?  3 <b>A. He regarded Mr Dacre as being in charge, not the</b>  4 <b>proprietor. He thought there were very definite limits</b>  5 <b>to the proprietor's influence or scope of action.</b>  6 <b>Mr Dacre was and is the editor in charge, and in that</b>  7 <b>sense, you know, the Mail and the Mail on Sunday and the</b>  8 <b>MailOnline are forged in his image, not Mr Rothermere's.</b>  9 <b>Not Lord Rothermere's.</b>  10 <b>He -- I think he would encourage -- he encouraged us</b>  11 <b>to try and have contact with Mr Dacre, to try and take</b>  12 <b>the more hostile edges off his attitude to us. He</b>  13 <b>encouraged us always to explain, you know, what</b>  14 <b>New Labour was about, the changes, and basically to try</b>  15 <b>and set out to reassure him. But with Mr Dacre I always</b>  16 <b>felt that basically -- I mean, he was very firmly on the</b>  17 <b>right of centre, and therefore unlikely to support the</b>  18 <b>Labour Party, that he thought a sort of Labour</b>  19 <b>government was an interruption to the sort of natural</b>  20 <b>order of things, and that in the case of New Labour,</b>  21 <b>that, you know, we had gained support and office through</b>  22 <b>artifice, by hiding the truth about ourselves and</b>  23 <b>pretending that we were something that we weren't, and</b>  24 <b>he thought that the arch practitioner of this was</b>  25 <b>Mr Blair, which is why he disliked him so intensely and</b>  Page 51</p>
<p>1 attention in --  2 <b>A. No, I just think that when you talk I know</b>  3 <b>hypothetically about Faustian pacts, it's as well to</b>  4 <b>remember -- and there are others more versed in this</b>  5 <b>than I but I think it's worth remembering that the media</b>  6 <b>policies and those policies and decisions that bore on</b>  7 <b>the commercial interests of Mr Murdoch and other press</b>  8 <b>proprietors were unhelpful to him. Not welcomed by him.</b>  9 <b>The biggest of all, of course, was the creation of</b>  10 <b>Ofcom in the 2003 Act. He hated Ofcom. He and</b>  11 <b>James Murdoch have railed against it on every</b>  12 <b>opportunity since, and in my view were able to persuade,</b>  13 <b>in opposition, the Conservative Party to share their</b>  14 <b>view. You may want to come on to that.</b>  15 Q. Mm. Can I ask you about your relations with  16 proprietors.  17 <b>A. Yes.</b>  18 Q. You tell us that the third Lord Rothermere, who died, of  19 course, in 1998, was in fact a supporter of New Labour.  20 Is that correct?  21 <b>A. Yes, he was. Surprisingly, he was.</b>  22 Q. But you were under no misapprehension or had no  23 illusions that his paper would support New Labour. Did  24 you have any discussions with the third Lord Rothermere  25 about Mr Dacre and his editorial stance or not?  Page 50</p>	<p>1 <b>never made any secret of it.</b>  2 Q. And probably brought you within that same envelope?  3 <b>A. He was not press president of my fan club, no.</b>  4 LORD JUSTICE LEVESON: It does raise a very interesting  5 question.  6 <b>A. Although I could have relations -- I mean, I remember,</b>  7 <b>over the last ten years or so, meeting Paul Dacre and on</b>  8 <b>two occasions having dinner with him. He liked a good</b>  9 <b>argument, but it was not an argument that you thought</b>  10 <b>the outcome of which was going to be that you had</b>  11 <b>converted him to your cause. It was more to sort of try</b>  12 <b>and take the edges off his anger about us, and it was</b>  13 <b>real anger about New Labour and Mr Blair. Sorry.</b>  14 LORD JUSTICE LEVESON: No, no, no, I was going to ask the  15 question that it does raise an interesting question  16 about the nature of the relationship between  17 a proprietor and an editor --  18 <b>A. Well, they're different.</b>  19 LORD JUSTICE LEVESON: Oh, I understand. But the  20 relationship is different depending upon the title. The  21 Inquiry has seen a number of families who own, in large  22 or whole part, titles who take a very different approach  23 to the question of the relationship that they have to  24 their editors. I suppose that's just the way things are  25 and nothing can be done to affect it.  Page 52</p>

13 (Pages 49 to 52)

<p>1 <b>A. It is, and that's, in a sense, one of the virtues of our</b>  2 <b>system.</b>  3 LORD JUSTICE LEVESON: Do you reckon?  4 <b>A. It is that there is a plurality. It's not as great or</b>  5 <b>as wide a plurality as I would like to see, obviously,</b>  6 <b>but if you're not going to have newspapers which are</b>  7 <b>owned or controlled by the state -- which, thank God, in</b>  8 <b>this country we don't -- then you're going to have</b>  9 <b>commercial organisations and private individuals owning</b>  10 <b>and controlling your newspapers and that is a facet of</b>  11 <b>our democracy and our way of doing things in this</b>  12 <b>country which I think is good. But that doesn't mean to</b>  13 <b>say that they should be beyond the reach of standards</b>  14 <b>and ethics or of sort of a moral way of doing things in</b>  15 <b>that walk of life. That's all.</b>  16 MR JAY: Sir, would that be a convenient moment for our  17 break?  18 LORD JUSTICE LEVESON: Certainly. We'll just have five  19 minutes.  20 (3.25 pm)  21 (A short break)  22 (3.33 pm)  23 MR JAY: Lord Mandelson, moving off the Daily Mail, contacts  24 with News International journalists. You touch on this  25 at 06903. You make it clear that your relations with</p> <p style="text-align: center;">Page 53</p>	<p>1 <b>as hand-to-hand combat -- you know, I didn't make</b>  2 <b>a large number of friends through that and therefore</b>  3 <b>I don't think that those working for Mr Murdoch's titles</b>  4 <b>would have seen me either as a sort of great friend or</b>  5 <b>somebody who was a suitable target for lobbying in their</b>  6 <b>interests.</b>  7 Q. Thank you. You make it clear subsequently in your  8 statement -- this is 06911 -- you say:  9 "I think it's true to say that News International  10 executives were more active in soliciting contact with  11 politicians at the highest senior level than other  12 newspapers, and Les Hinton and Rebekah Brooks were  13 especially assiduous."  14 In what way was Mr Hinton especially assiduous?  15 <b>A. Just through his presence. I mean, he was Rebekah</b>  16 <b>Wade's/Brooks' predecessor as the chief executive of</b>  17 <b>News International, so it was his job to look after the</b>  18 <b>company's corporate interests vis-a-vis government,</b>  19 <b>Parliament and the rest, and he was not at all like</b>  20 <b>Rebekah, but that, I think, is because he wasn't really</b>  21 <b>a sort of a journalist/editor player the way Rebekah</b>  22 <b>was. He didn't quite seem to enjoy the fun of the chase</b>  23 <b>in the way that she did, if I can put it that way. But</b>  24 <b>he put himself about, certainly in Labour Party circles</b>  25 <b>and I assume in Conservative and Liberal Democrat</b></p> <p style="text-align: center;">Page 55</p>
<p>1 Sun and News of the World were poor from the 1980s  2 onwards, in part because of their strong antagonism to  3 Labour. Is that something which really continued into  4 the 1990s as far as you were concerned?  5 <b>A. Yes. I'm -- I mean, the early 1990s -- when I was</b>  6 <b>elected to Parliament in 1992, I took an interest in</b>  7 <b>media policy and broadcasting matters. I was -- I spoke</b>  8 <b>in the Commons. I initiated an adjournment debate on</b>  9 <b>another occasion about ITV, and I was known as</b>  10 <b>a champion of public interest service broadcasting, of</b>  11 <b>the BBC, of ITV, News at Ten included, I remember, on</b>  12 <b>one occasion -- so I had an interest. I even wrote an</b>  13 <b>article for the Daily Mail, I think, in 1993 or 1994, in</b>  14 <b>which I advocated changes in the regulation of the media</b>  15 <b>in this country to allow regional newspaper groups and</b>  16 <b>ITV companies to join forces, and my view was that the</b>  17 <b>best way -- and I said this in the article -- to, as it</b>  18 <b>were, beat Murdoch was not to ban Murdoch but to allow</b>  19 <b>rival alternative media groups to grow, and the way in</b>  20 <b>which the market was regulated should allow or encourage</b>  21 <b>that to happen.</b>  22 <b>So I doubt whether they saw me as, you know, the</b>  23 <b>best friend at court they had. Obviously, from the</b>  24 <b>1980s, when I had had a very robust, rumbustious</b>  25 <b>relationship with journalists -- I've characterised it</b></p> <p style="text-align: center;">Page 54</p>	<p>1 <b>circles as well.</b>  2 Q. His job, you said, was to look after the company's  3 corporate interests vis-a-vis, amongst other parties,  4 government. How did he go about doing that?  5 <b>A. I remember one occasion -- I refer to it in my witness</b>  6 <b>statement -- he was chiefly lobbying the government over</b>  7 <b>the changes in trade union legislation that we were</b>  8 <b>proposing to introduce, and he was concerned about how</b>  9 <b>that might affect the print industry. He obviously</b>  10 <b>didn't want to see the print industry going back to how</b>  11 <b>it was in the early 1980s and 70s and 60s and frankly,</b>  12 <b>nor did anyone else. I certainly didn't.</b>  13 Q. But to your knowledge, did he lobby government in  14 relation to media policy?  15 <b>A. He may well have done. I would assume that he did but</b>  16 <b>not me.</b>  17 Q. Okay. Elisabeth Murdoch you describe as a social friend  18 of yours.  19 <b>A. Yes. I hope still now.</b>  20 Q. How influential is or was Matthew Freud in terms of  21 being a social and lobbying hub?  22 <b>A. Active.</b>  23 Q. Can you be a little bit more specific, please,  24 Lord Mandelson?  25 <b>A. Well, I'm trying now. Matthew -- you know, he</b></p> <p style="text-align: center;">Page 56</p>

14 (Pages 53 to 56)

<p>1 socialises, he's a good networker, he gives reasonable 2 parties and he likes having people round to his home for 3 dinner and barbecues and the like, and you would see 4 a huge variety of people from different walks of life, 5 absolutely huge, from the sort of semi-interesting to 6 the genuinely interesting, and they would include people 7 from politics. A predominance of New Labour people in 8 the earlier years, perhaps a rather larger smattering of 9 Conservatives in the later years.</p> <p>10 Q. Apart from being an organiser of parties, was he 11 influential in lobbying or in pressing certain policies?</p> <p>12 A. I don't recall any occasion on which he did that. He 13 was more a connector than a conduit. He connected 14 people rather than sent messages to them. He was 15 a helper and supporter of mine when I was doing the 16 Millennium Dome, and he was a sort of -- I found him to 17 be the sort of person who, you know, when you were in 18 trouble and when things were going wrong, he'd be there 19 to help. I called him once, indeed, my foul-weather 20 friend, I remember.</p> <p>21 Q. Rebekah Brooks. Can I ask you first of all to address 22 her point that she is or was merely standing up for the 23 views of her readers. Is that a valid point or not?</p> <p>24 A. Yes, in the sense that she knew her readers as well as 25 we did, and obviously her readers' views were not only</p> <p style="text-align: center;">Page 57</p>	<p>1 you're constantly told, whether it be by the Sun or the 2 Daily Mail, that the entire Sussex and Kent countryside 3 is now awash with illegal immigrants and asylum seekers 4 who have clung to the bottom of the Eurostar, they'll 5 tend to believe it, even if it's a completely fanciful 6 piece of nonsense.</p> <p>7 Q. You describe her in the same bracket as Les Hinton as 8 being especially assiduous and then you refer to using 9 her personal influence --</p> <p>10 A. Another way of putting it would be to say they were 11 better at it.</p> <p>12 Q. Better at doing what?</p> <p>13 A. Better at putting themselves about, better at gaining 14 attention for their views, gaining access to ministers 15 and to politicians. It's not a crime.</p> <p>16 Q. No, no. But what are the attributes or characteristics 17 of her personal influence from your own perception of 18 it?</p> <p>19 A. Persistence. Charm. You know, manipulative skills, 20 although some people might say that's rich coming from 21 me, you know, given that they all think that people like 22 me are just sort of spin doctors and spend our time 23 manipulating people. She -- she's very good at keeping 24 in touch. I mean, obviously famously by text, as we 25 know, but in other ways. I mean, she doesn't hold back.</p> <p style="text-align: center;">Page 59</p>
<p>1 big in number and quantity, but were an important swing 2 vote in the British electorate, and therefore it was 3 important for us, during the 1990s, to win back and 4 retain the support of Sun readers.</p> <p>5 Now, she would say that the editorial stance or the 6 campaigning -- the campaigns she launched or the 7 positions she took were simply to advance the views and 8 interests of her readers. I think that is partly true. 9 I also think it's partly true that they were an 10 expression of her own and her colleagues', including her 11 proprietor's, prejudices. They don't like government. 12 They don't like regulation. They don't like 13 interference in markets. They don't like high taxes. 14 They think a lot of spending is wasteful. They think 15 that welfare is consumed by too many scroungers and so 16 it goes on, that the country is in danger of being 17 swamped by immigrants or asylum seekers.</p> <p>18 I'm not saying that these views are not held by 19 people in the country. I would argue, however, that 20 their views tend to be sharpened or excited by the Sun's 21 journalism, and that the way in which the Sun chooses to 22 portray a government's policies or response to these 23 issues can be very important in how voters see those 24 actions and their government. You know, perception is 25 all in politics but perception becomes reality. If</p> <p style="text-align: center;">Page 58</p>	<p>1 I'd say my greatest exposure to her was after I came 2 back to the government in 2008. I mean, that was the 3 sort of long slide down in relations between the 4 government and Mr Brown as Prime Minister and the Sun, 5 and there were occasions on which I got on the 6 telephone. I didn't like sometimes the way he was being 7 treated by the Sun. I objected to it very strongly and 8 told her in no uncertain terms. On other occasions, she 9 would come on to me and complain that, I don't know, Tom 10 Watson or whoever it was, or members of the Culture, 11 Media and Sport Select Committee, you know, were 12 hounding them. Couldn't they be pulled away, pulled 13 off.</p> <p>14 So she was very free with her views.</p> <p>15 Q. As you say, she was adroit, as editor, in pushing her 16 views with ministers and number 10. That's page 06910 17 of your statement. That implies she had ready ease of 18 access to the Prime Minister and senior members of 19 Cabinet. Is that so?</p> <p>20 A. Yes, I'd say so, or certainly to their, you know, 21 higher, innermost staffs, yes. But I think that -- 22 I mean, if you were a Home Secretary -- I think I say 23 this. If I didn't, I meant to, or I had it in 24 originally and took it out, I can't remember. But if 25 you were a Home Secretary, you'd be pretty well advised</p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 to watch your Ps and Qs as far as the Sun and the 2 Daily Mail are concerned. They were two papers who were 3 absolutely neuralgic about the policy areas and issues 4 you were dealing with as Home Secretary, and they 5 wouldn't hold back, certainly in print, in letting their 6 views be known about the shortcomings and failures of 7 whatever home secretary that they were trying to 8 influence/bully at the time.</p> <p>9 But they also, as it were, through the back door 10 would be saying, "Well, it might be nice if you, you 11 know, supported us in what we're doing for injured 12 soldiers or police dependants or whatever." You know, 13 heroes. And the Prime Minister or Home Secretary and 14 other ministers, Defence Secretary would probably be 15 keen to associate themselves with those events and those 16 causes, partly because they believed in them and partly 17 because it was a way of trying to retain some favour 18 from these papers, which were very, very important in 19 the way in which they were acting as ministers.</p> <p>20 I was more shielded from it, to be perfectly frank. 21 I was more on the economic side rather than the sort of 22 Home Office side. I never went to the Home Office. 23 Perhaps it's as well that I didn't, but -- I was 24 relatively shielded from it but I knew it was going on.</p> <p>25 Q. How important was Mrs Brooks' support for Mr Blair in</p> <p style="text-align: center;">Page 61</p>	<p>1 A. He was, much to our astonishment, incredibly close to 2 Mr Dacre. I'm not saying it's wrong to be a friend of 3 Mr Dacre; I too sometimes enjoyed Mr Dacre's company. 4 I enjoyed his company more than his treatment of me in 5 his newspapers. But he -- Gordon and Paul Dacre had 6 a great friendship and I remember Paul Dacre describing 7 to me the virtues of Mr Brown in contrast to Mr Blair in 8 fairly graphic terms.</p> <p>9 And that continued, actually. Even when Gordon, as 10 Prime Minister, was, you know, having a really tough 11 time, you know, following the financial crash and what 12 happened to our economy as a result of the financial 13 crash, and the Mail and the Mail on Sunday would be 14 laying into the Labour government left, right and 15 centre, there was always an element, an element, of 16 laying off Mr Brown, and so I think that friendship 17 continued.</p> <p>18 Q. Did that friendship, in your view, have any influential 19 on Mr Brown's political and policy thinking, 20 particularly in the context of Europe?</p> <p>21 A. I think Mr Dacre's influence in their friendship would 22 have accentuated his cooling on Europe and the single 23 currency, but that was by no means the only influence. 24 A far greater influence would have been his economic 25 adviser and minister throughout the period, Ed Balls,</p> <p style="text-align: center;">Page 63</p>
<p>1 his third term, 2005 to 2007?</p> <p>2 A. Oh, very important, because -- 2005 to 2007?</p> <p>3 Q. Mm.</p> <p>4 A. Very important, because he had been weakened politically 5 as a result of the Iraq war. The Murdoch titles 6 obviously had been, as it were, the last loyalists over 7 Iraq. They maintained consistent support for him when 8 other papers of the left and the right did not support 9 Mr Blair's actions or his decisions, and so I would say 10 that the importance of the titles -- the Murdoch titles, 11 before 2005, I think in a sense came to a peak around 12 Iraq, and then, when Mr Blair subsequently came under 13 pressure from his friend next door, the continuing 14 Murdoch support for Mr Blair was very important for him.</p> <p>15 Q. Okay. Can we talk then about the friend next door? 16 I think he started off being pro-euro; is that right? 17 Mr Brown?</p> <p>18 A. Yes, he was pro-euro, pro-Europe, decidedly so in the 19 early 1990s. He didn't really waver in that until we 20 reached government.</p> <p>21 Q. And then what happened?</p> <p>22 A. He went cooler.</p> <p>23 Q. And what were the reasons for that?</p> <p>24 A. I think you'll have to ask him.</p> <p>25 Q. Did he become an ally of Mr Dacre or vice versa?</p> <p style="text-align: center;">Page 62</p>	<p>1 who I remember, when he came to work for Gordon in 1992 2 or 1993, I talked to him and he said, "I'm with you guys 3 all the way, I believe in all you're doing to modernise 4 the Labour Party, but I'm not with you on Europe."</p> <p>5 So Ed would have had quite an influence on Gordon, 6 but it would not have been the only influence and 7 I think it was, in a sense, politically advantageous to 8 Gordon -- it was certainly an opportunity for Gordon to 9 use his views on Europe and the single currency as a way 10 of lifting himself in the sights of those newspapers 11 that were hostile to Europe.</p> <p>12 Q. Do you think Mr Brown had an eye on the Daily Mail, 13 Mr Dacre's view, in terms of policies for which he was 14 responsible?</p> <p>15 A. As Prime Minister, he was responsible, in a sense, for 16 all policies. I'm not sure. I mean, the only thing 17 I vaguely remember was something to do with data 18 protection. There was an issue to do with data 19 protection. I'm sorry, I didn't research this and my 20 memory is not great on it, but there was a piece of 21 legislation --</p> <p>22 Q. We've looked into this.</p> <p>23 LORD JUSTICE LEVESON: Increasing sentencing powers for 24 breaches of section 55 of the Data Protection Act, which 25 came onto the statute book alongside the parallel</p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)

<p>1 increased defence for data protection offences but was 2 never implemented. That's the position.</p> <p>3 <b>A. I'm afraid I'm not familiar with the detail of that at 4 all, but I remember that that was an issue which 5 concerned Mr Brown.</b></p> <p>6 MR JAY: We've discussed at some length the impact of 7 News International titles in the context of tone and 8 rhetoric, Lord Mandelson. Does the same apply at all to 9 the Daily Mail? We can look at any part of the relevant 10 period. Let's say 1997 to 2010.</p> <p>11 <b>A. Well, I mean, the tone of the Daily Mail?</b></p> <p>12 Q. The tone of policy.</p> <p>13 <b>A. Sorry, the tone -- our tone of policy?</b></p> <p>14 Q. Yes, your tone and rhetoric.</p> <p>15 <b>A. I think the truth is that most of the Daily Mail's views 16 and interests would have been coincidental with the 17 Sun's. Not in every case, but there was a huge overlap, 18 so it would have been difficult to distinguish between 19 the two and our management of both. When I say "our 20 management", I wasn't actually in the government, 21 famously, but anyway, "our", Labour, New Labour.</b></p> <p>22 Q. We know Mr Brown as well personally was close to 23 Rupert Murdoch, and you knew that. You cover this in 24 your book and Mr Stelzer again, in your book at 25 page 488.</p> <p style="text-align: center;">Page 65</p>	<p>1 <b>A. It was not hard to get Rebekah Wade, or Brooks, as she 2 became, to wax eloquent about the inequities of 3 Gordon Brown and the so-called coup against Tony Blair. 4 She had strong views. They were consistent. I remember 5 on one occasion I'd gone in to have lunch with the Times 6 when I came back as a minister, and at the end of the 7 lunch, a message came. Would I see Rupert Murdoch, as 8 he was in the building? Did I have time before I had to 9 leave? I saw him. Rebekah joined us, and straight away 10 she tipped into this great tirade against Gordon and 11 these others who had brought down Tony and whatever, and 12 Mr Murdoch said, "For goodness sake, Rebekah, can't you 13 let history be history? Let bygones be bygones. Let's 14 not go into that any more."</b></p> <p>15 Q. You were involved in, I think, the Corfu leg of 16 Elisabeth Murdoch's 40th birthday party.</p> <p>17 <b>A. Yes, in 2008.</b></p> <p>18 Q. That was in 2008. I think the boats had moved on from 19 Santorini; is that right? Not that you were this in 20 Santorini.</p> <p>21 <b>A. I wasn't on the Santorini leg of that, no. I managed to 22 get through great sort of logistical inconvenience from 23 where I was finishing my holiday in Italy to Corfu, but 24 then I'd been asked a long time in advance whether 25 I would do it and because it was a small birthday</b></p> <p style="text-align: center;">Page 67</p>
<p>1 <b>A. 488?</b></p> <p>2 Q. Yes, at the top of the page.</p> <p>3 "The chancellor, Gordon, had gone on to develop a 4 good relationship with Rupert Murdoch, and especially 5 with Murdoch's favourite economic adviser and columnist, 6 Irwin Stelzer."</p> <p>7 So we're looking really --</p> <p>8 <b>A. They thought highly of Gordon as chancellor with good 9 reason. But I think that in the main they preferred him 10 as chancellor over Prime Minister. So it's not just 11 a simple matter of Gordon sort of currying favour with 12 these people. These people genuinely admired Gordon's 13 performance as chancellor.</b></p> <p>14 Q. Then in --</p> <p>15 <b>A. Less so Rebekah.</b></p> <p>16 Q. You make that clear in your statement, and it's crystal 17 clear in the book --</p> <p>18 <b>A. It didn't stop her entertaining perfectly open relations 19 with Gordon Brown. She wouldn't have allowed mere 20 dislike to get in the way of what she needed to do.</b></p> <p>21 Q. You presumably detected the shift in support, which was 22 gradual, from Mr Brown to Mr Cameron; is that right?</p> <p>23 <b>A. Yes. That was during 2009. Yes, during the course of 24 that year.</b></p> <p>25 Q. Had you seen signs of it the previous year in 2008?</p> <p style="text-align: center;">Page 66</p>	<p>1 <b>party -- everything is relative, of course, small -- for 2 Elisabeth Murdoch's 40th birthday, but I did get there.</b></p> <p>3 Q. There's a much-talked about conversation between you and 4 Mr Osborne, and I think Rebekah Brooks was party to that 5 conversation.</p> <p>6 <b>A. No, she wasn't. I mean, if fate had acted differently, 7 I'd have ended up at the other end of the table sitting 8 next to Rebekah, because when I arrived late for this 9 meal in the Greek taverna, there were just two places 10 empty at different ends of the table. One was beside 11 Rebekah Brooks. The other was beside George Osborne. 12 In 2008, I chose George Osborne, and the rest, as they 13 say, is history.</b></p> <p>14 Q. What passed between you and Mr Osborne is in fact of no 15 interest to this Inquiry, but you presumably learnt at 16 that dinner that Mr Cameron had seen Mr Murdoch at 17 Santorini and you were beginning to work out that the 18 shift of opinion within News International was moving in 19 a certain way; is that right?</p> <p>20 <b>A. Yeah, I sort of teased Matthew mercilessly for -- 21 because I think he did put his plane at David Cameron's 22 disposal to fire him through there in order to have 23 a dinner and a tete a tete with Rupert Murdoch. I said, 24 "Don't be so quick to forget your old friends." He 25 smiled.</b></p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 Q. But when the shift in support came finally in September 2 2009, it clearly wasn't a surprise to you, as your book 3 makes clear at page 487.</p> <p>4 <b>A. Yeah. What had irritated me before September 2009 was 5 the way in which the Sun, in my belief, was using the 6 war in Afghanistan -- I mean, all our armed forces had 7 taken on there -- as a way of undermining public 8 confidence in Mr Brown in particular and the government 9 in general. There was a sort of regular drip feed of 10 poisonous reporting and comment, which implied that 11 Mr Brown was not a good leader for this war, that he was 12 indifferent to the alleged lack of protection of our 13 troops, that he was not paying attention to the need for 14 helicopters and the like, and it greatly irritated me, 15 because I believed -- I could see, in daily contact with 16 Mr Brown, that he was focused, that he did care, that he 17 was very concerned about any shortages in body armour or 18 helicopters or whatever, and I thought that this was 19 a -- that this was sort of an unfair weapon to use 20 against him.</b></p> <p>21 <b>In my view, it was being used in order to sort of 22 ramp up and pave the way for their abandoning of support 23 for Labour, and using him and the Afghan war as 24 a pretext for doing to.</b></p> <p>25 Q. I don't think the basic facts are in dispute --</p> <p style="text-align: center;">Page 69</p>	<p>1 <b>I called them chumps. I thought they would make fools 2 of themselves and I believe that they did. And actually 3 I think Rupert Murdoch foresaw that, which is why he 4 didn't support what they had done that day and said so.</b></p> <p>5 Q. I'm going to come to that. Your feeling was that some 6 sort of deal had been done between the Conservative 7 Party and News International. You said as much on 8 Radio 4, the Today programme, on 11 November 2009, 9 didn't you?</p> <p>10 <b>A. I did say that, and I know that, you know, some people 11 have said that I was just, you know, throwing around 12 these claims for specious reasons or without evidence. 13 In fact, I made these comments both on the Today 14 programme and in the House of Lords, when it was clear 15 to me that there was more than a coincidence, if I can 16 put it that way, between the Tory's media policies and 17 the views that were being expressed, for example, by 18 James Murdoch in his MacTaggart lecture.</b></p> <p>19 <b>In July of 2009, Mr Cameron had pledged to dismantle 20 the hated Ofcom -- I mean hated by News International. 21 He said that it was part of the Tories' cutting back of 22 the quango state and he said that under the 23 Conservatives Ofcom will cease to exist as we know it.</b></p> <p>24 <b>When I subsequently learned that the team supporting 25 the Conservative Party's media policy development were</b></p> <p style="text-align: center;">Page 71</p>
<p>1 <b>A. What page, sorry?</b></p> <p>2 Q. 487:</p> <p>3 "She tried to speak to Mr Brown. Couldn't get 4 through."</p> <p>5 You agreed to speak with her --</p> <p>6 <b>A. This is on the actual day?</b></p> <p>7 Q. Yes.</p> <p>8 <b>A. Yeah.</b></p> <p>9 Q. And then there was a conversation in which the exact 10 words used, again, are not something we need debate.</p> <p>11 <b>A. The reason I said I thought they were a bunch of chumps 12 was because I think for a newspaper like the Sun to 13 insult its readers by supporting one party in the 14 government right up until a particular speech on one day 15 and then turn on a sixpence and suddenly undergo this 16 Damascene conversion and find out that actually they 17 were, after all, Conservative supporters and thought 18 that David Cameron was the bees' knees would be 19 incredible to their readers, and I thought that to turn 20 the Sun into some Tory fanzine just on the flick of 21 a coin between Rebekah Brooks and James Murdoch -- you 22 know, "Shall we do it today or shall we wait another 23 day?" -- was insulting to Sun readers. Not that they 24 were my paramount concern. My paramount concern was the 25 government and where it would leave us. But that's why</b></p> <p style="text-align: center;">Page 70</p>	<p>1 <b>the same team and the same people who were helping 2 Mr Murdoch to draft his speeches, including the 3 MacTaggart lecture, I didn't have to go very far to put 4 two and two together to realise that this coincidence of 5 policy had slightly greater meaning and that there was, 6 in fact, a sort of organic link between the two, which 7 is why I said what I did.</b></p> <p>8 Q. Can I seek to address that in two ways? You were very 9 careful in your evidence, when we were looking at the 10 period 1995 to 2010, that there's no evidence of any 11 implied deal between Mr Murdoch and politicians, and yet 12 you seem quite willing to persuade us that as soon as 13 we're talking about Tory politicians, then Mr Murdoch 14 changes and is prepared to reach almost an express deal 15 with his interlocutor. Isn't that a little bit 16 inconsistent?</p> <p>17 <b>A. No, I don't think it is. I'm not saying that Mr Murdoch 18 wouldn't have liked to see express commitments made in 19 the Labour Party's manifesto in 1997 onwards to media 20 policies and regulatory matters which suited him and his 21 commercial interests. I'm not saying he wouldn't have 22 liked to see that. All I am saying is that (a) he 23 didn't get it, (b) I have no knowledge that he expressly 24 asked for it, and that there was certainly no pact or 25 contract put in place between Mr Murdoch and the Labour</b></p> <p style="text-align: center;">Page 72</p>

18 (Pages 69 to 72)

<p>1 government that would deliver it.</p> <p>2 Whereas I am saying, in contrast, that it is</p> <p>3 a little more than a coincidence to see basically the</p> <p>4 same teams working both for the Conservative Party and</p> <p>5 James Murdoch, and lo and behold, Mr Cameron comes up</p> <p>6 with a speech and commitments in July 2009 which were</p> <p>7 exactly corresponding to the policy objectives of</p> <p>8 News International, and Mr Murdoch, James Murdoch, came</p> <p>9 out with the same sort of sentiments when a month later</p> <p>10 he delivered his MacTaggart lecture.</p> <p>11 Q. It's not what you say in your book either,</p> <p>12 Lord Mandelson. At page 489, at the very top of the</p> <p>13 page -- to give the context -- and I'm going to come</p> <p>14 back to this -- Mr Brown was of the view that there was</p> <p>15 a deal.</p> <p>16 A. 489?</p> <p>17 Q. 489. At the top of 489, you having said that:</p> <p>18 "At his urging [that's Mr Brown's urging] I spoke</p> <p>19 out on that issue publicly on a couple of occasions</p> <p>20 following the Sun's switch."</p> <p>21 Well, we've covered one of those. You say:</p> <p>22 "In fact, I suspected that the real reason for the</p> <p>23 change was simpler and, in a way, even more</p> <p>24 discouraging. The Sun was a mass market paper. It saw</p> <p>25 its interests as backing a winner. While I was still</p> <p style="text-align: center;">Page 73</p>	<p>1 2010 without any prescience that I might be poring over</p> <p>2 it line by line, word by word with you in the course of</p> <p>3 justice, but secondly and more seriously, two things</p> <p>4 were operating here, in my view: one, the Conservatives</p> <p>5 looked as if they were on the up and with a good chance</p> <p>6 of winning the election, and the Murdochs wouldn't</p> <p>7 ignore it.</p> <p>8 Secondly, they would have seen very clearly that</p> <p>9 their commercial interests would have been suited more</p> <p>10 by a Conservative victory, given what Mr Cameron was</p> <p>11 saying in his own public speeches, than they would with</p> <p>12 a further Labour government, you know.</p> <p>13 Q. But you don't think the same considerations were equally</p> <p>14 in play at all material times between 1995 and 2010,</p> <p>15 Lord Mandelson?</p> <p>16 A. No, I don't, because there was nothing on offer to the</p> <p>17 Murdochs and to News International, in respect of their</p> <p>18 commercial interests, from Mr Blair or Mr Brown or from</p> <p>19 the Labour Party. There was from Mr Cameron. He made</p> <p>20 it very clear in his speech in July 2009, and repeated</p> <p>21 his views about Ofcom, its chief executive, how much</p> <p>22 money he was earning. This was a deliberate,</p> <p>23 institutional and personal attack on an organisation,</p> <p>24 Ofcom, which News International wanted to see swept off</p> <p>25 the board.</p> <p style="text-align: center;">Page 75</p>
<p>1 not convinced or at least not ready to accept that</p> <p>2 a Tory victory at the next election was inevitable,</p> <p>3 giving the yawning gap we would have to make up in the</p> <p>4 polls --"</p> <p>5 A. Precisely.</p> <p>6 Q. You're not saying there that there was any --</p> <p>7 A. No, I'm saying that they're not mutually exclusive. I'm</p> <p>8 talking -- of course the Murdochs will make continuing</p> <p>9 calculations about who's up and who's down and who's</p> <p>10 likely to win and how that would effect them, both in</p> <p>11 terms of their commercial interests --</p> <p>12 Q. Yes.</p> <p>13 A. -- Ofcom, and secondly the position of their</p> <p>14 best-selling title, the Sun, which always likes to be on</p> <p>15 the winning side. These aren't mutuality exclusive.</p> <p>16 They're not compartments in people's minds without any</p> <p>17 connection between them.</p> <p>18 Q. Surely, Lord Mandelson, by saying "in fact", which is by</p> <p>19 contrast, "I suspected that the real reason for the</p> <p>20 change was simpler", you're saying that you're</p> <p>21 disagreeing with Mr Brown's conspiracy theory and you're</p> <p>22 putting forward a much plainer and simpler theory.</p> <p>23 A. No.</p> <p>24 Q. Isn't that the true position?</p> <p>25 A. First of all, I chose my words in finishing this book in</p> <p style="text-align: center;">Page 74</p>	<p>1 Q. Okay. You say in your book that Mr Brown was stunned by</p> <p>2 the news that the Sun had shifted allegiance, and that</p> <p>3 this grew greater, as it were, over the forthcoming</p> <p>4 weeks. Was it your assessment that Mr Brown was</p> <p>5 personally embittered by this?</p> <p>6 A. I think he was greatly upset by it. I don't think he</p> <p>7 should have been surprised, but he took these things</p> <p>8 very personally.</p> <p>9 Look, different politicians will take these things</p> <p>10 in different ways, and he did feel stung by it. He</p> <p>11 thought that after all that he had done as</p> <p>12 Prime Minister, all that he had done to deliver our</p> <p>13 economy from the greatest post-war crisis that we had</p> <p>14 seen, during which he felt that in respect of the banks,</p> <p>15 for example, he had received a lot of encouragement from</p> <p>16 Rupert Murdoch and Irwin Stelzer and other informed</p> <p>17 commentators, that it was sort of unfair in a sense for</p> <p>18 them to turn on him now.</p> <p>19 He also felt wronged over Afghanistan, with good</p> <p>20 reason, and I was very sympathetic to him, but he</p> <p>21 shouldn't have taken it so personally. You know, this</p> <p>22 is politics. You know, this was, I'm afraid, a Labour</p> <p>23 government which, coming to the end of 12, 13 years in</p> <p>24 office, you know, was being buffeted by events and</p> <p>25 changing electoral attitudes, as well, I believe -- but</p> <p style="text-align: center;">Page 76</p>

19 (Pages 73 to 76)

<p>1 <b>it's for others to judge -- a company that saw a greater</b>  2 <b>commercial interest in the election of a Conservative</b>  3 <b>government than the re-election of a Labour one.</b>  4 Q. You might be able to throw direct light on that belief  5 by a piece of evidence. We heard from Mr Murdoch -- and  6 he said it twice, sitting where you are -- that there  7 was a telephone call between him and Mr Brown when  8 Mr Brown delivered what was tantamount to --  9 <b>A. But the interesting thing about the phone call --</b>  10 Q. Can I --  11 <b>A. -- is Mr Murdoch himself said that he did not agree with</b>  12 <b>the method and timing of what had been done.</b>  13 Q. Yes, but we don't know yet from your evidence whether  14 you know whether there was such a call, and that was the  15 question.  16 <b>A. Oh, I'm sorry.</b>  17 Q. The allegation is -- or rather the evidence was from  18 Mr Murdoch -- that Mr Brown said or uttered the words  19 "declare war on News International" or words to that  20 effect. From your own knowledge, Lord Mandelson, can  21 you assist us as to whether there was such a call?  22 <b>A. Well, I wasn't on the call. I hadn't been patched into</b>  23 <b>the call.</b>  24 Q. No, of course not.  25 <b>A. I assume that there was the call because I seem to</b></p> <p style="text-align: center;">Page 77</p>	<p>1 Afghanistan. We're talking about an earlier  2 conversation, if it took place.  3 <b>A. There would have been a number of -- I mean, Gordon did</b>  4 <b>not hold back in talking to Rupert Murdoch. He did</b>  5 <b>telephone him, he had every right to do so, and when he</b>  6 <b>thought that he was being traduced, as he did, by the</b>  7 <b>Sun, he wanted to give vent to his feelings about that.</b>  8 <b>I mean, who can blame him in the circumstances?</b>  9 <b>Personally, I think it is better to go to editors rather</b>  10 <b>than proprietors, but he did have a good relationship</b>  11 <b>with Rupert and he invoked that friendship.</b>  12 Q. Did you have a meeting with Mr Murdoch at about this  13 time?  14 <b>A. I don't know when I had a meeting with Mr Murdoch, but</b>  15 <b>I was asked to go to dinner with him. It would have</b>  16 <b>been, I assume, some time in the spring of 2010.</b>  17 <b>I declined the invitation to dinner and I agreed to go</b>  18 <b>and see him at his flat before dinner, but not to stay</b>  19 <b>for dinner.</b>  20 Q. Why did he want you to have dinner with him, or meet  21 him, at least?  22 <b>A. I think he wanted to -- and he did -- give me his views</b>  23 <b>on the fact, as he saw it, that the government had</b>  24 <b>declared war on his company, as he put it to me.</b>  25 Q. But where did he get the idea from that the government</p> <p style="text-align: center;">Page 79</p>
<p>1 <b>remember the Prime Minister telling me that</b>  2 <b>Rupert Murdoch was not at all happy with the method and</b>  3 <b>timing of James and Rebekah's action.</b>  4 Q. What did the Prime Minister tell you, Lord Mandelson,  5 about the call? Did he communicate to you that that's  6 what he told Mr Murdoch?  7 <b>A. No, he didn't say that. He told me what Mr Murdoch had</b>  8 <b>said to him.</b>  9 Q. So there was nothing about what Mr Brown said to  10 Mr Murdoch? Is that your evidence?  11 <b>A. Yes, it is. I cannot remember being told by Mr Brown</b>  12 <b>what he said, and I have no way of knowing. But I --</b>  13 <b>but I know what he said to me about Rupert Murdoch's</b>  14 <b>reaction, which was to say basically: "I don't like how</b>  15 <b>it's been done and I think it's a bad day to do it and</b>  16 <b>I wouldn't have done it this way myself, but that's life</b>  17 <b>and we have to get on with it."</b>  18 Q. Mr Murdoch's reaction to what, though, Lord Mandelson?  19 <b>A. The decision of the Sun to switch support from New</b>  20 <b>Labour to the Conservative Party, which he has said, if</b>  21 <b>I recall correctly, was James and Rebekah's decision.</b>  22 <b>Not the editor's, incidentally.</b>  23 Q. Can you at least assist us with the timing of this call?  24 We know that there was a later call relating to the  25 letter to the mother of the soldier who died in</p> <p style="text-align: center;">Page 78</p>	<p>1 had declared war on his company, Lord Mandelson?  2 <b>A. Well, possibly by what I had said, if I had said it by</b>  3 <b>then, on the Today programme and in the House of Lords.</b>  4 Q. Right.  5 <b>A. But I'm -- I don't think there's any great secret that</b>  6 <b>the government and the Prime Minister were unhappy that</b>  7 <b>suddenly, after all those years of support from the Sun,</b>  8 <b>that the Sun was now gunning for us. I don't think it's</b>  9 <b>a great secret that people felt unhappy.</b>  10 Q. You'd never used the words "declare war on  11 News International", had you?  12 <b>A. Certainly not.</b>  13 Q. Someone else had, though, to your knowledge,  14 Lord Mandelson, hadn't they?  15 <b>A. I don't know for sure whether they had used those words.</b>  16 <b>All I know is that when I saw Mr Murdoch he was quite</b>  17 <b>agitated --</b>  18 Q. Yes.  19 <b>A. -- as he put it, that the government had declared war on</b>  20 <b>his company.</b>  21 Q. And you didn't have any idea where he got that notion  22 from; is that it?  23 <b>A. Well, as I said, he might have got that notion from what</b>  24 <b>I had said publicly. I didn't say anything behind his</b>  25 <b>back. I expressed my views quite straightforwardly.</b></p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 Q. But I suppose, apart from issues of credibility, which 2 may or may not in the end be resolved, it's relevant to 3 this extent: it would be all the more reason, I suppose, 4 for News International to want a Conservative government 5 at the election which, of course, was going to take 6 place in May 2010.</p> <p>7 <b>A. Yes.</b></p> <p>8 Q. So it throws light on that, doesn't it?</p> <p>9 <b>A. You could say: here we were, history repeating itself, 10 and we were back to the sort of, you know, late 1980s, 11 early 1990s, at war with the Murdoch empire. It's not 12 something that I would have sought or wished for, but 13 there we are. They decided to withdraw their support. 14 There was nothing that we could do about it at that 15 stage. We had to live with it. As it happens, in my 16 view, it meant a darn sight less to us in 2010 than it 17 had been in 1997.</b></p> <p>18 <b>In my view -- and I think frankly people exaggerated 19 the role of the Sun in 1997 and said so at the time, but 20 nonetheless, I think by 2010 their influence had further 21 receded and my view was, you know, shrug it off. Don't 22 dignify them with tears, crocodile or otherwise. Just 23 get on with life, get on with business, get on with 24 government, fight the election hard, and if they want to 25 go for us, let them do so.</b></p> <p style="text-align: center;">Page 81</p>	<p>1 assist.</p> <p>2 <b>A. I think it's quite a leap to judge somebody's modus 3 operandi from being the director of a think tank to 4 being the chief lobbyist of News International.</b></p> <p>5 <b>I mean, I don't want to mislead you and I'm not 6 going to do so, but I'm in a difficult position.</b></p> <p>7 <b>I think all I would say is that he was perhaps better at 8 networking than he was, you know, dealing with policies. 9 He was better over people than he was on policies and 10 perhaps he might have been better suited to public 11 relations than lobbying.</b></p> <p>12 Q. That all sounds very fair and moderate, but is that it?</p> <p>13 <b>A. Yes.</b></p> <p>14 LORD JUSTICE LEVESON: I'm not trying to traduce anybody 15 unfairly. I'm not trying to do anything but be fair in 16 connection with the issues that I have to consider, and 17 I have no doubt at all that you understand very fully 18 what I am going to have to confront in the course of the 19 next few weeks. Therefore, putting to one side that 20 there are party political issues -- and I understand 21 that, I'm fully aware of what's going on --</p> <p>22 <b>A. I don't have a party political issue.</b></p> <p>23 LORD JUSTICE LEVESON: -- I am interested to learn what 24 I can simply to try and decide what I make of the 25 various exchanges there have been.</p> <p style="text-align: center;">Page 83</p>
<p>1 Q. I think you have had, to change the subject, some 2 personal dealings with Mr Michel; is that correct?</p> <p>3 <b>A. I haven't had personal dealings with him. I was 4 chairman of a think tank policy network that employed 5 him as its director until, I think, about 2003.</b></p> <p>6 Q. So for how many years were you involved with him in that 7 capacity?</p> <p>8 <b>A. About two. Two and a bit.</b></p> <p>9 Q. And after 2003, have you spoken to or met with Mr Michel 10 at all or not?</p> <p>11 <b>A. No. He's messaged me, texted me, but I've not had any 12 contact with him, no.</b></p> <p>13 Q. The Inquiry is interested to know, from your own 14 knowledge, anything which might assist it as to his 15 character and modus operandi, please, Lord Mandelson. 16 Can you assist us?</p> <p>17 <b>A. I think I'm in a difficult position, because he left the 18 think tank, the organisation that I chaired, by mutual 19 consent, and part of our -- part of that decision was 20 that the circumstances would remain confidential.</b></p> <p>21 Q. Hm. It would be standard practice for the circumstances 22 of departure, if I can put it in those terms, to remain 23 confidential. But I'm not asking you about that, 24 I think; I'm asking you about, more generally, his 25 character and modus operandi, because you may be able to</p> <p style="text-align: center;">Page 82</p>	<p>1 So, for example, Mr Michel in a statement that was 2 put into the Inquiry, made it clear that his references 3 to "JH" did not necessarily mean a reference to the 4 Secretary of State for Culture, Olympics, Media and 5 Sport. It might be one of his special advisers. 6 I think that that was in the statement, wasn't it, 7 Mr Jay? Does that surprise you?</p> <p>8 <b>A. No.</b></p> <p>9 LORD JUSTICE LEVESON: So, without, in any sense, divulging 10 any confidence -- and although I'm not sure that 11 I could, I'm not going to ask you to -- should I address 12 issues such as the ones that I will have to think about 13 with that answer in mind? Would that be, in your 14 judgment, fair?</p> <p>15 <b>A. I think it would be fair for you to approach this 16 with -- and some of the communications that took place 17 with some scepticism.</b></p> <p>18 LORD JUSTICE LEVESON: Thank you very much. And to be fair 19 to him, I think Mr James Murdoch said that one had to 20 look at these with a bit of a pinch of salt himself. 21 I think that was his expression. Again, am I right?</p> <p>22 MR JAY: (Nods head)</p> <p>23 LORD JUSTICE LEVESON: All right.</p> <p>24 <b>A. You also have to ask yourself: what on earth was 25 a temporary civil servant, you know, a special adviser</b></p> <p style="text-align: center;">Page 84</p>

<p>1 to a Secretary of State, doing, texting like that and 2 exchanging messages and information with a corporate 3 lobbyist? 4 LORD JUSTICE LEVESON: Well -- 5 <b>A. I mean, if they had been in the Department of Business 6 or the Department of Trade and Industry, they would have 7 been taken out and shot. Actually, they would never 8 have got to that stage, because, you know, the rules and 9 discipline in a department that is familiar with dealing 10 with these issues would never have allowed it to get to 11 that point. Perhaps it was the inexperience, perhaps, 12 of the individuals concerned and the Secretary of State 13 and, dare I say it, the department that didn't take 14 greater preventive action to stop this inappropriate 15 contact and information exchange that would, as I say, 16 never have happened in my department.</b> 17 LORD JUSTICE LEVESON: Thank you. Right. 18 MR JAY: Thank you, Lord Mandelson. 19 The issue now of spin, which I've been asked to 20 address with you. 21 <b>A. Yes.</b> 22 Q. You told Mr Rawnsley, page 9 of his book: 23 "There was great emphasis on managing the media at 24 the expense of managing policy. There was a sense that 25 if you got the story right, you'd achieved something,</p> <p style="text-align: center;">Page 85</p>	<p>1 strategic direction or thrust or policies of the Labour 2 government from 1997 onwards were sort of subordinated 3 to a sort of media confection or obsession about how 4 things were going to play in the press. I don't think 5 that's true. But in an organisation like Number 10 6 Downing Street, you know, there are things, people, 7 processes, that acquire a bigger prominence than others, 8 and I think we did go through a period where -- 9 I think -- didn't I write this or say something about it 10 in the book that I republished in 2002, "The Blair 11 Revolution Revisited"? And I'm almost certain that 12 Alastair Campbell made a speech or wrote a very lengthy 13 article saying exactly the same thing, that our media 14 focus extended for too long into the government, not to 15 the detriment of policy but perhaps in the energy that 16 was devoted to, you know, media relations as opposed to 17 policy development. Perhaps things in those early years 18 got a little bit out of kilter. 19 Q. Yes. The piece you wrote -- 20 <b>A. I don't think it's so of Mr Blair's second or third 21 terms, incidentally.</b> 22 Q. Your book, "The Blair Revolution Revisited", which is 23 annex -- 24 <b>A. I fear not available in all good book shops, unlike the 25 other book.</b></p> <p style="text-align: center;">Page 87</p>
<p>1 and that is not how government is." 2 First of all, has he fairly quoted you? 3 <b>A. I really have absolutely no memory of talking to him or 4 using the quote, but that's not a reason for thinking 5 that I didn't say it. I just don't recall saying it to 6 him. It sounds -- I mean, in a sense it echoes a view 7 I had. What time are we talking about? The early part 8 of the government or -- 1997 onwards?</b> 9 Q. He notes this as a private communication he had with you 10 for the purposes of preparing his book, but he doesn't 11 date that private communication. It's just footnote 43 12 on page 9. 13 <b>A. Okay, I don't know. Look, I think that early on in the 14 government there was, perhaps at the centre of 15 government, a too media-centric mode of operation as 16 opposed to a policy-centric mode of operation. Why do 17 I say that? I think it's partly -- I mean, in the sort 18 of New Labour hierarchy of things, you know, media 19 management, the personality of Alastair Campbell 20 himself, the Prime Minister's pre-occupations, media 21 management was pretty high. I happen to think, although 22 you'd be forgiven for wondering otherwise, that it's 23 also rather high in the case of Mr Cameron and the 24 present government.</b> 25 <b>But that doesn't mean to say that the sort of</b></p> <p style="text-align: center;">Page 86</p>	<p>1 Q. You've kindly copied it for us. It's under tab 2, in 2 the preface, page 44. 3 <b>A. Which tab is it?</b> 4 Q. Tab 2. It's material you provided us with, 5 Lord Mandelson. If go to page 44, in Roman numerals, 6 seven lines from the top: 7 "My criticism of New Labour ..." 8 To be fair, you may be looking, what, at the first 9 term of office, not subsequent terms; is that right? 10 <b>A. Yes, because this was published in 2002, so it would 11 have been written at the back end of 2001. So we're 12 talking about the first term.</b> 13 Q. Yes. 14 "My criticism of New Labour -- and of course, 15 I include myself in this -- is not that it has good 16 media skills but that these have been allowed to fall 17 into disrepute through overuse and misuse when in 18 inexperienced or overzealous hands, and in the process, 19 the government's character has been harmed. That's why 20 in the case of spin, as in other aspects of the 21 government, actions generate reactions that have to be 22 countered by new actions, as Alastair Campbell has 23 openly acknowledged." 24 Well, he did that conspicuously in 2002 in a piece 25 which we've found and we've referred to. Then you say,</p> <p style="text-align: center;">Page 88</p>

22 (Pages 85 to 88)

<p>1 further down:</p> <p>2 "But crude, clumsy handling of the media by overly</p> <p>3 controlling and politicised press officers causes more</p> <p>4 problems than no handling at all because it undermines</p> <p>5 trust."</p> <p>6 <b>A. All of those statements are true and I stand by them and</b></p> <p>7 <b>I think they were legitimate self-criticisms. But</b></p> <p>8 <b>I also think that what was going on was a very</b></p> <p>9 <b>interesting and sustained attempt by many in the media</b></p> <p>10 <b>to turn essentially what was New Labour's strengths into</b></p> <p>11 <b>weaknesses and vulnerabilities of the government, and in</b></p> <p>12 <b>a sense what they were trying to do is turn us into</b></p> <p>13 <b>something that we weren't. I mean, people who were</b></p> <p>14 <b>obsessed by the media, obsessed by so-called spin --</b></p> <p>15 <b>indeed, what did spin become? Spin, in the eyes and</b></p> <p>16 <b>words of many in the media, became anything that any</b></p> <p>17 <b>minister said or anything that anyone working for</b></p> <p>18 <b>a minister said. Facts became spin. Explanations</b></p> <p>19 <b>became spin. It just became the most overused word in</b></p> <p>20 <b>the English language, as it was applied to the</b></p> <p>21 <b>government.</b></p> <p>22 Q. But didn't it also involve bullying, control freakery,</p> <p>23 to use your term, and excessive favouritism of some</p> <p>24 journalists?</p> <p>25 <b>A. Excessive favouritism?</b></p> <p style="text-align: center;">Page 89</p>	<p>1 <b>into some sort of terrible wrongdoing or crisis.</b></p> <p>2 <b>I mean, that's the way the press are. I don't know</b></p> <p>3 <b>how -- I don't know why, in the first two years of the</b></p> <p>4 <b>government, they didn't see all this, but suddenly, you</b></p> <p>5 <b>know, having thought that the government walked on</b></p> <p>6 <b>water, now they can do absolutely nothing right. So</b></p> <p>7 <b>that when a book is published about -- a biography is</b></p> <p>8 <b>published about the Prime Minister and it harmlessly</b></p> <p>9 <b>points out that when he does relax over a weekend, you</b></p> <p>10 <b>know, he enjoys karaoke or watches a DVD, immediately</b></p> <p>11 <b>you have interviewers asking people on TV and radio chat</b></p> <p>12 <b>shows what they think about the Prime Minister's</b></p> <p>13 <b>indolence? You know, isn't this a problem for the</b></p> <p>14 <b>government that you have a lazy prime minister who</b></p> <p>15 <b>doesn't do any work, just because somebody's written</b></p> <p>16 <b>a book somewhere saying that he likes watching DVDs on</b></p> <p>17 <b>a Saturday evening! It's ridiculous. It's fad and</b></p> <p>18 <b>fashion. Heaven knows, there are perfectly legitimate</b></p> <p>19 <b>criticisms to be made of this government without</b></p> <p>20 <b>resorting to what is essentially media spin, to use an</b></p> <p>21 <b>expression.</b></p> <p>22 Q. You say in your statement, almost with a tone of lament:</p> <p>23 "I wish I could have played soft cop to someone</p> <p>24 else's hard cop."</p> <p>25 The implication being --</p> <p style="text-align: center;">Page 91</p>
<p>1 Q. By you?</p> <p>2 <b>A. What, the people who supported us?</b></p> <p>3 Q. Mm.</p> <p>4 <b>A. There weren't that very many, you know.</b></p> <p>5 Q. What about the bullying, Lord Mandelson?</p> <p>6 <b>A. It's hardly a crime to sort of talk to people who sort</b></p> <p>7 <b>of were going to give you a fair crack of the whip. But</b></p> <p>8 <b>bullying? No. I mean, look, you take this thing about</b></p> <p>9 <b>control freakery. Yes, we did have a strong centre of</b></p> <p>10 <b>government and we did want to provide a strong sense of</b></p> <p>11 <b>direction for the government and therefore for the</b></p> <p>12 <b>country. That was turned into, called, labelled,</b></p> <p>13 <b>control freakery, and all of a sudden, alongside spin,</b></p> <p>14 <b>we have everyone talking about this awful control</b></p> <p>15 <b>freakery government. It's part and parcel of, you know,</b></p> <p>16 <b>propaganda and war by another means. I mean, there</b></p> <p>17 <b>comes a time in the life of any government when the</b></p> <p>18 <b>honeymoon ends and the press turns and they think:</b></p> <p>19 <b>"Right, we're going to give these people a run for their</b></p> <p>20 <b>money." And my word, isn't the present government</b></p> <p>21 <b>seeing the same, coincidentally or not, with the launch</b></p> <p>22 <b>of this Inquiry?</b></p> <p>23 <b>But now, all of a sudden, everything the present</b></p> <p>24 <b>government does is wrong. They can't do anything right.</b></p> <p>25 <b>Every sort of small thing is magnified and amplified</b></p> <p style="text-align: center;">Page 90</p>	<p>1 <b>A. No, that was the story of my life. I don't know what</b></p> <p>2 <b>page that's on.</b></p> <p>3 Q. 904.</p> <p>4 <b>A. That just about sums up my life. If I had been able to,</b></p> <p>5 <b>you know, be, you know, homespun chatty Larry, you know,</b></p> <p>6 <b>friend of everyone, a great guy to go out for a pint</b></p> <p>7 <b>with and an Indian meal, thoroughly emollient Mandy, as</b></p> <p>8 <b>it were, I have no doubt my life in politics would have</b></p> <p>9 <b>been easier.</b></p> <p>10 Q. Yes.</p> <p>11 <b>A. However, that wasn't the case.</b></p> <p>12 Q. Maybe you were the victim of circumstance. You've</p> <p>13 talked about the horrible 1980s, but the reality is that</p> <p>14 in order to survive you had to be this extremely --</p> <p>15 <b>A. I was tough. I was tough.</b></p> <p>16 Q. -- tough, hard cop --</p> <p>17 <b>A. In the 1980s, when I started out, we didn't have a lot</b></p> <p>18 <b>to play with. We didn't have great material in the</b></p> <p>19 <b>Labour Party. Nobody was doing us any favour, including</b></p> <p>20 <b>ourselves to ourselves. So I stood up for my party and</b></p> <p>21 <b>I always do and I always will and I know that some</b></p> <p>22 <b>people therefore feel that I'm too partisan a figure or</b></p> <p>23 <b>whatever, but there we are. You can't change your</b></p> <p>24 <b>character.</b></p> <p>25 Q. Mm. In this brutal world, no doubt, part of your</p> <p style="text-align: center;">Page 92</p>

23 (Pages 89 to 92)

<p>1 strategy inevitably had to be briefing against others, 2 your enemies, often on the same side of the House; is 3 that right? 4 <b>A. Briefing against others? What does that mean? What 5 does that mean?</b> 6 Q. Well, attacking the allies of the man next door, as you 7 described him. Is that not it? 8 <b>A. If -- if I was doing that, which I don't accept I was, 9 I certainly had many lessons to learn from next door.</b> 10 Q. Because of course he was -- his men were arch-exponents 11 of the same tactic. 12 <b>A. The problem for me was I started off in the 1980s as 13 a rough, tough robust defender of my party, such as it 14 was. It nearly went out of existence in the 1980s. 15 Then I became a lightning conductor for Mr Blair, very 16 handily, and then, of course, I would say I was picked 17 over by Mr Blair's neighbour, who thought that weakening 18 me would have been an advantage for him.</b> 19 Q. Okay. 20 <b>A. So, you know -- but that's politics and it's all water 21 under the bridge, and fortunately I've turned a corner 22 and got a new life.</b> 23 Q. Mm. I have been asked to put to you these two 24 questions. 25 <b>A. Who's asking you to put --</b></p> <p style="text-align: center;">Page 93</p>	<p>1 <b>journalists felt their job was when they were tearing us 2 to bits, then I'm very sorry. We'll reflect on it. But 3 equally, I think the press must also reflect on what's 4 happened in their stable, and I don't think it's pretty.</b> 5 <b>I also think, incidentally, that the challenges that 6 we're going to face as digital content takes over from 7 print circulation are nothing -- are going to far exceed 8 anything that we've had to deal with to date. I mean, 9 you're looking at a domestically and internationally 10 sourced Internet which is pouring out undigested news 11 and information and character assassination about 12 people, which doesn't even know how to spell the word 13 "privacy".</b> 14 Q. I will come -- 15 <b>A. It knows a darn sight more about piracy than it does 16 about privacy.</b> 17 Q. Mm. 18 <b>A. And that's the challenge that we face in the -- I said 19 at the end of my witness statement -- somebody showed me 20 another statement written by somebody. I can't remember 21 his name --</b> 22 LORD JUSTICE LEVESON: Martin Clarke. 23 <b>A. Martin Clarke for MailOnline. I thought that was 24 fascinating and chilling, what he was pointing to, and 25 really creates a much bigger challenge for you and what</b></p> <p style="text-align: center;">Page 95</p>
<p>1 Q. The questions come to me and I just put them. 2 <b>A. These predictable questions.</b> 3 Q. Predictable or otherwise, they're going to come to you, 4 Lord Mandelson. How much personal responsibility do you 5 accept for the increase in cynicism and negativity of 6 which you complain? 7 <b>A. I don't accept responsibility for it. No, I don't. 8 I know it's a wonderful defence that the press like to 9 put forward, that if it weren't for these great sort of 10 media manipulators and kings of spin like 11 Alastair Campbell and Peter Mandelson, all would have 12 been different. But please, do me a favour. Do me 13 a favour.</b> 14 Q. Is the thrust of your evidence that insofar as 15 responsibility in full need to be found -- query whether 16 that's necessary but insofar as it does -- we should be 17 looking at journalists rather than politicians? 18 <b>A. I think that in a sense, up to a point, they sort of 19 deserve each other, because both must have 20 responsibility for a relationship that has broken down. 21 Both must take responsibility also for putting it right. 22 They need a better working relationship. It needs for 23 openness, more transparency, more mutual respect and an 24 understanding of what each other's job is, and if we 25 didn't adequately understand and appreciate what the</b></p> <p style="text-align: center;">Page 94</p>	<p>1 <b>you're doing in this Inquiry than anything that arises 2 from whoever said what to whom over the 2003 3 Communications Act.</b> 4 MR JAY: That's one of the four topics I'm going to conclude 5 with, the last section of your witness statement, but 6 there's one other question from a core participant 7 before I come to that, if you will forgive me, 8 Lord Mandelson. I'm required to put these. 9 Did either you or your company, Global Counsel, 10 provide advice to News Corporation or News International 11 and/or senior staff there? 12 <b>A. Like a job? No, we did not.</b> 13 Q. Okay. 14 <b>A. I have talked on occasions to people about what's 15 happened, obviously. It's hard not to talk to people 16 about what has happened and to consider what to do about 17 it, but work professionally? No.</b> 18 Q. So it's informal advice but not part of your 19 professional -- 20 <b>A. It's not advice. I mean, expression of opinion.</b> 21 Q. Yes, okay. 22 I have four topics to conclude -- 23 <b>A. I do remember saying, by the way, that what they really 24 ought to do is embark on a sort of truth and 25 reconciliation process. I don't just mean</b></p> <p style="text-align: center;">Page 96</p>

24 (Pages 93 to 96)

1 News International. I mean the press generally. Put  
 2 their hands up to everything, and let it all come out,  
 3 put it all on the table and say, "Look, this is why we  
 4 did it, these are the pressures, yes, there were lapses,  
 5 no, we shouldn't have done this and we shouldn't have  
 6 gone there, but there we are, we did and it won't happen  
 7 again." Truth and reconciliation. I remember saying  
 8 this to -- on occasion, to somebody at  
 9 News International. I said, "Actually, why are you  
 10 taking the whole rap for all the rest of the press?  
 11 It's not as though News of the World is the only  
 12 newspaper to have used these illicit and covert means",  
 13 and the reply was that Paul Dacre would take a very dim  
 14 view indeed if we were to start spraying machine gun  
 15 bullets in all directions around the media. So if we  
 16 start broadening it and making into an issue of the  
 17 press as a whole and not just News International, then  
 18 we'll be in danger of the roof falling in and the whole  
 19 house collapsing around our years.  
 20 Well, fine, but it's happened anyway. So it would  
 21 have been better if they'd got there to begin with  
 22 before this Inquiry began, in my view.  
 23 Q. My four concluding topics, Lord Mandelson.  
 24 A. Yeah.  
 25 Q. Do you have any view about Lord David Hunt's proposals,

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1 contractual proposals, for the future of  
 2 self-regulation, for want of a better word?  
 3 A. Well, I have looked at them. He sent them to me, and  
 4 I think they are a perfectly plausible, respectable  
 5 system, as outlined, of self-regulation of the press.  
 6 I make a distinction between that and what we have at  
 7 the moment, which is no regulation. We don't have  
 8 a regulator as such in the press, and I think the whole  
 9 term "self-regulation" is a misnomer. We don't have  
 10 anyone who is able to sort of intervene, you know,  
 11 investigate, draw out patterns of behaviour or practice  
 12 that are unacceptable or adopt views and impose them or  
 13 enforce anything. I mean, no judgment that the PCC  
 14 reaches about anything is enforceable. It's ridiculous.  
 15 He quite rightly rejects that system of what I would  
 16 call non-regulation, but in its place, he proposes  
 17 a system of contractually based self-regulation.  
 18 I don't think that would be in effect, in practical  
 19 terms, any different from what we have at the moment,  
 20 and instead what we need is not self-regulation but  
 21 independent regulation, and if, as a result of all  
 22 that's happened and all that we've seen flow through  
 23 this Inquiry and the evidence that people have seen, we  
 24 still do not result in a system of independent  
 25 regulation, then it won't be a last drink that the press

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1 are enjoying at the last-chance saloon; it will be many  
 2 magnums of champagne.  
 3 Q. By independent regulation, you mean what?  
 4 A. I mean statutorily based regulation by neither the press  
 5 nor government. It's what we have in other walks of  
 6 life. It's what we're used to in this country. It's  
 7 what lawyers have had to take on, as I said earlier.  
 8 Q. Okay.  
 9 A. You know, Ofcom undertakes a perfectly reputable  
 10 responsible role in regulating the media generally in  
 11 this country. Why not have Ofcom or Ofcom-like doing  
 12 the same in this context?  
 13 LORD JUSTICE LEVESON: Could I ask why you think that  
 14 Lord Hunt's proposals, if accepted, would effectively be  
 15 the same as the present?  
 16 A. Because they would rely on a system there was industry  
 17 buy-in. He underlines that. I'm not saying that the  
 18 industry shouldn't have confidence in the system, but  
 19 "buy-in", ie acceptable to them and on their terms,  
 20 I don't think is likely to command public confidence.  
 21 Secondly, a system that relies on a regulator suing  
 22 newspapers, with all the rigmarole, upheaval and expense  
 23 and bad feeling that that would generate, is not  
 24 practical and not likely to be an effective mode of  
 25 operation.

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1 I think that essentially what Lord Hunt -- and  
 2 I have great respect for Lord Hunt. I've known him for  
 3 over 30 years, and I think he's very sincere in what  
 4 he's proposing, but essentially what he's talking about  
 5 is mediation under a different name and within  
 6 a different rubric. And mediation, I'm afraid, has been  
 7 seen to fail when it's not backed by teeth. It's the  
 8 same in every other walk of life.  
 9 The idea that some industry -- some compliance  
 10 officer, appointed by each company and each newspaper or  
 11 whatever, is going to be able to sort of crack the whip  
 12 and stand up to the likes of -- I don't know, whoever,  
 13 James Murdoch or Paul Dacre or whatever. I mean, taking  
 14 any action open to a compliance officer would be like  
 15 travelling across an assault course cum minefield to get  
 16 effective enforcement of the standards they're meant to  
 17 be operating. It's just not realistic.  
 18 I mean, I think it's sincerely motivated and I can  
 19 see why he's come up with these ideas. It's to avoid  
 20 what the press most dislike, and that's the thought that  
 21 Parliament might take a view. But Parliament has to  
 22 take a view on everyone else's professions and walks of  
 23 life and how we do things in this country. It doesn't  
 24 mean to say that, you know, their role, their freedoms  
 25 are eviscerated as a result of Parliament setting up or

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1 **underpinning some sort of independent mechanism.**  
 2 LORD JUSTICE LEVESON: The argument is, of course, that it  
 3 would impact on freedom of speech.  
 4 **A. Why? How?**  
 5 I mean, all these great investigative campaigns, all  
 6 these resources and all this investment and journalistic  
 7 firepower that's thrown by these newspapers at  
 8 unearthing real wrongdoing, real corruption, real  
 9 corporate misbehaviour -- where is all this investment  
 10 in investigative journalism? Where are all these  
 11 journalists and all these resources being thrown at  
 12 investigative activity by these newspapers that would be  
 13 in peril? I don't think there's any likelihood  
 14 whatsoever of a regulator standing in the way of real,  
 15 purposeful, focused, investigative journalism, and in  
 16 any case, as I say, how much do we have it already in  
 17 the present circumstances? Not nearly enough in my  
 18 view. If newspapers spent more time looking into  
 19 corporate misbehaviour or corruption or genuine  
 20 wrongdoing rather than, you know, journalistic  
 21 celebrity-driven tittle-tattle and gossip, the entire  
 22 country would be a lot better off, and actually their  
 23 circulation would probably go up as well, and it would  
 24 be more profitable.  
 25 MR JAY: Thank you. The second topic, Mr Cameron stated  
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1 last year the relationship between politicians and the  
 2 press at the higher echelons needed to be reset. How  
 3 does one do that?  
 4 **A. I think you have to digest what's been exposed and**  
 5 **revealed during the course of this Inquiry. Parliament**  
 6 **has to take on the recommendations and proposals and**  
 7 **government needs to back Parliament in doing that rather**  
 8 **than sitting on a fence or sitting on the sidelines not**  
 9 **wanting to take the brunt of media anger.**  
 10 Thirdly, I think that government and opposition have  
 11 to look at the way in which they sort of carry out their  
 12 discourse, if I can use that term, with the public  
 13 through the media. I think everyone has to be a mite  
 14 less paranoid, a mite less cynical, and frankly more  
 15 generous to each other, and operating standards of sort  
 16 of truthfulness, openness and genuine news as opposed  
 17 to -- reporting as opposed to comment, which if, you  
 18 fall below those standards, the weight of public opinion  
 19 and, in extremis, a regulator will come down on you.  
 20 But I think public opinion is a much more important and  
 21 much bigger force for change in this than any statutory  
 22 based regulator might be, and I have no doubt that what  
 23 you say and what comes out of this Inquiry will have  
 24 a huge impact on the public's views and their  
 25 understanding of what's going on, whether it be on the  
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1 **media side or the political side.**  
 2 I don't think you should underestimate the influence  
 3 that you will have in shaping public opinion and its  
 4 receptiveness to the proposals and recommendations that  
 5 come from this Inquiry. And any legislation, by the  
 6 way, needs to be conducted as far as possible and go  
 7 through its legislative stages on a bipartisan basis.  
 8 I think that's really important. The moment one party  
 9 seeks to be taking advantage over the other in the  
 10 stance they take is a road -- is a race to the bottom,  
 11 and it should be avoided by them.  
 12 Q. The last big point is the concluding section of your  
 13 evidence, 06912.  
 14 **A. Sorry.**  
 15 Q. You make a general point about the power of the media,  
 16 which I think has safely been covered now, but your  
 17 second observation, new technology, of course the  
 18 Internet and all the other manifestations of it, do you  
 19 have any practical solutions which you would wish this  
 20 Inquiry to consider?  
 21 **A. Well, I would like to think about it a bit more,**  
 22 **although I'm sure that there are others who are more**  
 23 **knowledgeable than I am about these matters. They are**  
 24 **very big issues. I'm not absolutely sure what you do**  
 25 **when digital content, the vast quantity of it, the**  
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1 **different sources of it, the different means by which it**  
 2 **arrives at an individual's door, as it were, the role of**  
 3 **Internet service providers, which I had to deal with**  
 4 **when I introduced the digital economy legislation and**  
 5 **ran up against huge resistance from ISPs in taking any**  
 6 **responsibility or assuming any role in dealing with**  
 7 **issues to do with piracy -- they will be even more**  
 8 **loathe to become involved, in my view, and assume some**  
 9 **sort of responsibility in respect of privacy.**  
 10 And for good and understandable reasons. I mean,  
 11 privacy is, to an extent, a nebulous concept. It's  
 12 a concept which means different things to different  
 13 people, and they will feel it's not for us to provide  
 14 the judge and jury about what people should be able to  
 15 receive from the web. So it is very difficult --  
 16 indeed, if bloggers, for example, don't now accept the  
 17 purview or reach of the PCC, in the way that sort of  
 18 online versions of printed material and providers could  
 19 do, heaven knows what we're going to do when the whole  
 20 social media universe continues to explode, offering  
 21 messages, information, judgments, descriptions of  
 22 character which might be troublesome at best and  
 23 downright libellous at worst. What do you do? How do  
 24 you manage this? It's like managing a tsunami.  
 25 LORD JUSTICE LEVESON: These are the questions that have  
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<p>1 been bouncing around in my mind for some months, and 2 I have described it a little bit as the elephant in the 3 room. I would be grateful for your assistance on the 4 topic, Lord Mandelson, because you approach these issues 5 with a different experience, with an experience of 6 government, with an experience of having to consider the 7 digital economy, and if you do have, on reflection, some 8 thoughts that you feel might be of value, I'd be very 9 interested to see them.</p> <p>10 <b>A. I'll try.</b></p> <p>11 LORD JUSTICE LEVESON: I've wondered -- and one of the 12 things that I am considering is whether those who are 13 putting stories, facts, information, comment out in the 14 course of a trade or business might be treated 15 differently from those who are simply communicating on 16 Facebook or Twitter.</p> <p>17 <b>A. Mm.</b></p> <p>18 LORD JUSTICE LEVESON: I'm not saying yea or nay at this 19 stage, I'm merely contemplating the possibilities, but 20 I am very conscious that there is an enormous range out 21 there. On the one hand, what the BBC puts online is 22 governed by Ofcom, what the MailOnline puts online is 23 governed by the PCC and what a blogger puts online is 24 governed by nobody.</p> <p>25 <b>A. Nobody.</b></p> <p style="text-align: center;">Page 105</p>	<p>1 <b>talk realistically at any rate. This is an area,</b> 2 <b>I would have thought, where Europe needs to come to the</b> 3 <b>fore rather than try to carve up the operation of the</b> 4 <b>Internet at least on our continent into sort of</b> 5 <b>artificial national compartments.</b></p> <p>6 LORD JUSTICE LEVESON: I understand entirely, and I see this 7 as an extremely difficult area --</p> <p>8 <b>A. Yes.</b></p> <p>9 LORD JUSTICE LEVESON: -- if not insoluble. I'm not saying 10 it is, I'm not saying it isn't; I simply don't know. 11 We've focused a lot on what's happened, as it were, in 12 the last years because that at least provides us with 13 a base from which to proceed to consider what might 14 happen, but if you say, as in fact you do imply in your 15 statement, that there is no purpose in my simply solving 16 yesterday's battles without considering tomorrow's, 17 I think you'd be absolutely right.</p> <p>18 <b>A. I mean, I have felt a little bit, in preparing my</b> 19 <b>statement -- my appearance before you, that I have been</b> 20 <b>operating in a rather, I don't know, not anachronistic</b> 21 <b>but I felt that I was taking a rather more</b> 22 <b>backward-looking historical perspective, that the world</b> 23 <b>is fast-changing and moving on and that we have to be</b> 24 <b>prepared now for what's coming our way, the hurtling</b> 25 <b>train.</b></p> <p style="text-align: center;">Page 107</p>
<p>1 LORD JUSTICE LEVESON: That just seems, at least, difficult, 2 not necessarily soluble, but it needs to be thought 3 about. So if I can trespass on your time --</p> <p>4 <b>A. No, you can, and I will think about it or find some</b> 5 <b>people to talk to about it and think what is best or</b> 6 <b>what might be helpful, and I want to help you. I don't</b> 7 <b>have any silver bullets or magic solutions, I have to</b> 8 <b>say. I'm not one of those, I'm afraid, who thinks that,</b> 9 <b>you know, the Internet can or should be regulated.</b></p> <p>10 LORD JUSTICE LEVESON: No, well --</p> <p>11 <b>A. To be honest, my sort of more practical and liberal</b> 12 <b>sympathies lie on the side of freedom of the Internet.</b> 13 <b>My difficulty, though, with it, is on issues, as I had</b> 14 <b>to deal with as a Secretary of State to do with piracy,</b> 15 <b>and now, even more challengingly, privacy. It's very</b> 16 <b>difficult. We're not going to deal with the Internet by</b> 17 <b>sort of forcing or training water to flow uphill.</b></p> <p>18 LORD JUSTICE LEVESON: No, I understand that entirely, and 19 indeed in some places the criminal law might operate. 20 So if somebody breaches the criminal law by naming the 21 victim of a sexual assault on Twitter, then the criminal 22 law can deal with it and that will be the way forward, 23 and it may be that that's all we can do. But --</p> <p>24 <b>A. But should we have national rules and laws or should</b> 25 <b>they be European, at least, if not global? But let's</b></p> <p style="text-align: center;">Page 106</p>	<p>1 <b>On the other hand, that's not a reason for doing</b> 2 <b>nothing. It's not a reason for sort of plunging</b> 3 <b>ourselves into a sort of analysis paralysis. Perhaps at</b> 4 <b>the end of the day we have to address what we know and</b> 5 <b>deal with what we can.</b></p> <p>6 LORD JUSTICE LEVESON: Yes. I agree with that. But we 7 ought to think about all that we can, it seems to me, 8 and if we can help, then we should do. If we can't, 9 then it will be for another problem, another day.</p> <p>10 <b>A. Yes. Talking of which ...</b></p> <p>11 LORD JUSTICE LEVESON: Certainly. 12 Mr Garnham?</p> <p>13 MR GARNHAM: I notice the time, but in the light of the way 14 Lord Mandelson gave evidence in respect of the cash for 15 honours saga, I do apply to ask him one or two 16 questions.</p> <p>17 <b>A. Could you tell me what tab? Oh, tab 3.</b></p> <p>18 LORD JUSTICE LEVESON: Sorry?</p> <p>19 <b>A. Tab 3. That's all.</b></p> <p>20 LORD JUSTICE LEVESON: All right. 21 Questions by MR GARNHAM</p> <p>22 MR GARNHAM: Lord Mandelson, you had in July 2007, and you 23 still have today, no evidence whatsoever, do you, that 24 Mr Yates or the Metropolitan Police leaked information 25 about the cash for honours investigation?</p> <p style="text-align: center;">Page 108</p>

27 (Pages 105 to 108)

<p>1 <b>A. I have belief.</b></p> <p>2 Q. You have no evidence?</p> <p>3 <b>A. I have belief.</b></p> <p>4 Q. And no basis for that belief, do you?</p> <p>5 <b>A. No, you're quite wrong. I do have a basis for belief.</b></p> <p>6 Q. Because it's a surprising belief for you to continue to</p> <p>7 hold when, firstly, there was an independent</p> <p>8 investigation into that very question that concluded --</p> <p>9 <b>A. Who undertook that investigation?</b></p> <p>10 Q. Surrey Police.</p> <p>11 <b>A. Oh, really?</b></p> <p>12 Q. Yes. And it may be of interest, may it not, that some</p> <p>13 of the most sensitive material from that investigation</p> <p>14 was never leaked?</p> <p>15 <b>A. Amazing.</b></p> <p>16 Q. Including the fact that a serving Prime Minister was</p> <p>17 interviewed four times without that ever being leaked.</p> <p>18 Is that not surprising, if your belief was well-founded?</p> <p>19 <b>A. I'm afraid I do not find your line of questioning very</b></p> <p>20 <b>plausible.</b></p> <p>21 Q. The plausibility of it or otherwise is not the question</p> <p>22 I ask you. I ask you whether or not it's the case that</p> <p>23 there is no foundation for your belief.</p> <p>24 <b>A. If I thought there was no foundation, I wouldn't have</b></p> <p>25 <b>made the comments I did.</b></p> <p style="text-align: center;">Page 109</p>	<p>1 <b>himself.</b></p> <p>2 Q. And are you willing to name who these people are?</p> <p>3 <b>A. No, I'm not.</b></p> <p>4 MR GARNHAM: Thank you very much.</p> <p>5 <b>A. But it remains solid belief. But I fully appreciate and</b></p> <p>6 <b>respect the job that you have to do.</b></p> <p>7 LORD JUSTICE LEVESON: Right. Lord Mandelson, thank you</p> <p>8 very much indeed. We've trespassed on your time a great</p> <p>9 deal. I'm very grateful to you.</p> <p>10 <b>A. It's a pleasure.</b></p> <p>11 LORD JUSTICE LEVESON: Tomorrow morning.</p> <p>12 (5.06 pm)</p> <p>13 (The hearing adjourned until 10 o'clock the following day)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 111</p>
<p>1 Q. And I'm suggesting you should not have made those</p> <p>2 comments --</p> <p>3 <b>A. You're entitled to your view. You do your job, you're</b></p> <p>4 <b>representing the Metropolitan Police, you're a lawyer,</b></p> <p>5 <b>you're employed by them and of course you would say</b></p> <p>6 <b>this.</b></p> <p>7 Q. What's the answer to the question, though? Was there</p> <p>8 any evidence to support the belief you say you hold?</p> <p>9 <b>A. Solid belief.</b></p> <p>10 Q. Is there any evidence behind that belief?</p> <p>11 <b>A. Yes, what journalists said themselves. They were as</b></p> <p>12 <b>surprised as anyone to suddenly find themselves on the</b></p> <p>13 <b>phone to Assistant Commissioner Yates.</b></p> <p>14 Q. Did it not occur to you that the --</p> <p>15 <b>A. Why should he be talking to these journalists during the</b></p> <p>16 <b>course of an Inquiry? Why should he?</b></p> <p>17 Q. On the contrary, there's nothing to suggest that he was.</p> <p>18 <b>A. Oh, really?</b></p> <p>19 Q. Isn't the much more likely explanation for where such</p> <p>20 information as did become public the fact that material</p> <p>21 had to be released to those who were being interviewed</p> <p>22 as part of the pre-investigation disclosure? Is that</p> <p>23 not much more likely?</p> <p>24 <b>A. No, it's not much more likely, given that journalists</b></p> <p>25 <b>found themselves talking on the phone to Mr Yates</b></p> <p style="text-align: center;">Page 110</p>	

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