

<p>1 2 (2.00 pm) 3 MR JAY: Sir, this afternoon's witness is the Right 4 Honourable George Osborne, please. 5 LORD JUSTICE LEVESON: Has the issue that was discussed 6 before been resolved? 7 MR JAY: Yes. 8 LORD JUSTICE LEVESON: Thank you. 9 MR GEORGE OSBORNE (sworn) 10 Question by MR JAY 11 MR JAY: Your full name, please? 12 <b>A. George Gideon Oliver Osborne.</b> 13 Q. Thank you. You've kindly provided us with two witness 14 statements, the first dated 4 May, the second 11 May of 15 this year, each with a statement of truth. Is this your 16 formal evidence to our Inquiry? 17 <b>A. Yes, it is.</b> 18 Q. You, of course, are the Chancellor of the Exchequer and 19 were Shadow Chancellor between 2005 and 2010; is that 20 right? 21 <b>A. Indeed.</b> 22 LORD JUSTICE LEVESON: Mr Osborne, just one moment. First 23 of all, thank you very much indeed for the obvious 24 effort that you've put into these statements. I do want 25 to clarify one fact or correct the misapprehension</p> <p style="text-align: center;">Page 1</p>	<p>1 <b>A. Well, in all my interactions with proprietors, editors,</b> 2 <b>it's a conversation partly with an individual, who is</b> 3 <b>either editing a newspaper or owns newspapers, or</b> 4 <b>someone speaking on behalf of, or at least claiming to</b> 5 <b>speak on behalf of, their readers.</b> 6 <b>Now, I would say sometimes they are very clear about</b> 7 <b>the distinction, so quite often when you're dealing with</b> 8 <b>a proprietor, they will have large commercial interests,</b> 9 <b>large business interests, not necessarily just the</b> 10 <b>newspaper's, and they will speak as you might speak to</b> 11 <b>the chairman of a FTSE company or anyone with broader</b> 12 <b>business interests and have a general interest in the</b> 13 <b>economy and in things related to that.</b> 14 <b>Other times, there's a very specific readers'</b> 15 <b>campaign or a campaign mounted by the newspaper, and</b> 16 <b>sometimes, in private conversation, they will say, "Our</b> 17 <b>readers are very concerned about this." Now, obviously</b> 18 <b>I sometimes form my own judgment about whether they</b> 19 <b>really are speaking for their readers or not, but quite</b> 20 <b>often they purport to be.</b> 21 Q. Do you think that disproportionate weight is given to 22 the constituency they claim to represent, namely their 23 readers? 24 <b>A. I don't think so. I think that's their job. I think</b> 25 <b>throughout all of this -- maybe we'll come on and talk</b></p> <p style="text-align: center;">Page 3</p>
<p>1 that's enters the public domain. For some people, I 2 have made it clear that they will have to give evidence. 3 For others, I've wanted to wait and see what they say 4 before deciding whether they have to give evidence. 5 It's quite wrong to suggest, as I know has been 6 suggested, that you've been required to give evidence 7 after the evidence of Mr Hunt. The fact is, as you know 8 but I'm very keen the public should understand, some 9 considerable time ago, having seen your statement, the 10 view was taken that you ought to give evidence, you were 11 perfectly content to do so, and arrangements were made 12 accordingly. So I want to correct that. 13 <b>A. Thank you.</b> 14 MR JAY: May we start off with some introductory topics, 15 paragraphs 2.5 to 2.7 of your statement, our page 04089. 16 You speak, at our request, of the value of these 17 interactions to you. I'm particularly interested in 18 2.7, where you say: 19 "Sometimes these [that's the views of your 20 interlocutors] will be presented as the personal view of 21 the person speaking. On other occasions, it will be 22 presented as the views of their readers." 23 You will presumably know which. When they claim to 24 present the views of their readers, do they speak with 25 greater authority, in your view?</p> <p style="text-align: center;">Page 2</p>	<p>1 <b>about regulation of the press -- I would say there is</b> 2 <b>a very important check in the system, which is these are</b> 3 <b>commercial products that need to be sold to the public,</b> 4 <b>and if they are not reflecting at least some view held</b> 5 <b>by some part of the public, they're unlikely to sell</b> 6 <b>their newspaper.</b> 7 <b>So obviously it's up to them to judge whether they</b> 8 <b>are correctly reflecting the views of their readers, but</b> 9 <b>they certainly think they are.</b> 10 Q. But do you feel that politicians give disproportionate 11 weight to the views they claim to represent? That's the 12 views the editor or the proprietor may be claiming to 13 representment. 14 <b>A. Well, I think that's up to the individual politician,</b> 15 <b>frankly. I think politicians are also held to account</b> 16 <b>ultimately through the ballot box in this country, and</b> 17 <b>if politicians are seen to be entirely craven to</b> 18 <b>newspapers, I think the public sense that and sniff it</b> 19 <b>out. I think the public are much smarter in this whole</b> 20 <b>process than is sometimes given credit for, and I would</b> 21 <b>say there are moments where newspapers have fought</b> 22 <b>campaigns which are not obviously of the highest</b> 23 <b>interests to their readers but which they nevertheless</b> 24 <b>think is very important.</b> 25 <b>I could give you a couple of examples that came to</b></p> <p style="text-align: center;">Page 4</p>

<p>1 mind, thinking about coming here: the Times' recent                  2 campaign on adoption. That's probably not towards the                  3 top of most Times' readers' concerns. The Daily Mail's                  4 campaign into the injustice around Stephen Lawrence.                  5 I doubt any survey of opinion of Mail readers would have                  6 revealed that as one of their leading concerns, but in                  7 both cases, the editors of those newspapers chose to                  8 make those campaigns. I guess they were, in the end,                  9 editorial judgments for those people.</p> <p>10 Q. You refer to the astuteness of the public in being able                  11 to sniff it out, but do you think, until the events                  12 revealed by the Inquiry, this Inquiry, the public has                  13 had enough information to make the sort of judgment that                  14 you imply?</p> <p>15 A. Well, I think -- my personal view about this is that                  16 they were always aware that the private lives of a lot                  17 of politicians and celebrities were being investigated                  18 by newspapers and they weren't actually overly perturbed                  19 about that. Why this issue suddenly became of such                  20 importance is because they saw an ordinary family, if                  21 I can put it like that, the Dowler family, suddenly                  22 exposed to what appears to be, anyway -- let's see what                  23 the legal proceedings reveal, but what appears to be                  24 illegal practices, totally outrageous intrusion, and                  25 that's when this whole issue became much more</p> <p style="text-align: center;">Page 5</p>	<p>1 and I think, as I say, the public judge when they think                  2 a politician is craven to particular interests or is                  3 trying to represent the national interests, and if they                  4 think they're not doing very well in representing the                  5 national interests, they kick them out.</p> <p>6 Q. Do you feel, as some witnesses have felt, that the                  7 fusion of news and comment is an issue of particular                  8 concern?</p> <p>9 A. My feeling is -- I think this is a bit of a blind alley                  10 for the Inquiry, personally. I think there are lots of                  11 things to concern us, lots of things we want to get                  12 right, and perhaps we'll come on and talk about how the                  13 press can better self-regulate itself. But I think if                  14 you are trying to distinguish between fact and comment                  15 and opinion, or at least set out in some more prescribed                  16 way some way of policing that, I think you're going to                  17 find that extremely difficult.</p> <p>18 Now, I know it is part of the PCC code but it's                  19 proved impossible to police under the PCC. I suspect it                  20 will prove impossible to police under whatever body                  21 replaces it, and ultimately, if you look over the                  22 history of politics and public opinion, the facts are                  23 very fiercely disputed and one person's fact, as I say,                  24 is another person's leading comment or opinion.</p> <p>25 Q. So your diagnosis is not, is this right, that at the</p> <p style="text-align: center;">Page 7</p>
<p>1 significant and I guess is one of the reasons we're all                  2 here today.</p> <p>3 And I think the politicians at the time, myself                  4 included, because I was party to the decision to suggest                  5 this Inquiry, were reflecting public concern about what                  6 they had learnt, whereas I think the public had probably                  7 suspected for a long time that all sorts of other                  8 practices were going on with celebrities and                  9 politicians, as I said.</p> <p>10 Q. But aren't there two separate issues here, Mr Osborne?                  11 There may be public concern in press intrusion, but                  12 there might also be public concern in politicians                  13 getting too close to the press. They're separate issues                  14 and I think my question was: until this Inquiry, the                  15 public might not have had enough information to be able                  16 to assess that second concern, let alone the first                  17 concern. Would you agree with that?</p> <p>18 A. Again, I think the public are probably smarter than                  19 people are giving them credit for. I mean, the public,                  20 I think, certainly over my lifetime, have become much                  21 more aware of the interaction between politics and the                  22 media. There have been all sorts of television dramas                  23 and films based around that interaction. Terms like                  24 "spin doctor" have become common parlance. So I think                  25 the public have become quite smart about the interaction</p> <p style="text-align: center;">Page 6</p>	<p>1 root of the problem and the deterioration in standards                  2 in the press is the fact that over the last generation                  3 there has been a fusion, so the argument runs, of fact                  4 and comment? Is that right? Have I correctly                  5 understood --</p> <p>6 A. I don't think there's been, over the last generation,                  7 a fusion. I think that has always existed in the                  8 British press. If you look right back to 18th century                  9 free sheets, they are very aggressive in promoting                  10 a particular opinion, which they state to be fact, and                  11 it's just a part of our written press -- by the way,                  12 it's part of our broadcast press, although, of course,                  13 the broadcasters are under particular rules about                  14 impartiality, which I think is reasonable, given that at                  15 least until the development of the internet, there's                  16 been a limited amount of spectrum that needs to be                  17 allocated in some way. There is no limit on the amount                  18 of free news sheet -- or not free news sheet you can                  19 produce in this country, provided you can get someone to                  20 pay for it.</p> <p>21 Q. Do you feel, as some have said again, that the news                  22 agenda tends to be driven by the printed media and the                  23 BBC and other broadcasters follow suit, or do you feel                  24 it's the other way around or a mixture of the two?</p> <p>25 A. I saw Tony Blair's evidence on this, and I think that</p> <p style="text-align: center;">Page 8</p>

<p>1 might have been the case perhaps when he was 2 Prime Minister. Speaking personally as someone active 3 in front line politics today, I would say the 4 broadcasters are incredibly important. It is not clear 5 that they're always following a newspaper judgment. 6 I would say the significance of a story is massively 7 elevated if it is right at the top of one of the big 8 news shows and that's often the judge of whether 9 something is really going to have an impact in the 10 political sphere.</p> <p>11 Now, quite often they will be picking up indeed 12 stories from newspapers, but quite often they'll have 13 their own investigations and quite often those -- you 14 know, the BBC, for example -- and I'm a supporter of the 15 BBC, so this is not -- I'm not seeking to criticise the 16 entire institution, but they will run a special report, 17 a Panorama report, then put that top of the Today 18 programme and suddenly we're all expected to treat that 19 as the most important thing happening in Britain that 20 day.</p> <p>21 So I wouldn't say it's a straightforward process 22 whereby the newspapers run a story and the 23 journalists -- the broadcast journalists cover it. 24 I think it's more complicated than that, and I think the 25 power of the broadcasters is enormous. It is power</p> <p style="text-align: center;">Page 9</p>	<p>1 accurate after the event, if I can put it like that. 2 Phone conversations were never diarised in the way 3 that they sometimes are in government, and there are one 4 or two occasions, like party conferences and the Davos 5 conferences, for example, where I've put a general 6 holding because there simply were no diary references 7 because we kept separate diaries. I've investigated 8 this subsequently and they were just Word documents kept 9 at the time while we were at a particular conference. 10 But to the best of my knowledge, this is accurate.</p> <p>11 Q. We can review the individual items, but it's clear from 12 this material, as it's been clear from other witnesses, 13 that you see effectively the whole gamut, and your 14 calculation is that News International accounts for 15 about a third of all the entries; is that right?</p> <p>16 A. It's a very rough calculation. I basically added up all 17 the entries and it was just over a third, which I think 18 is roughly, again, their share of the newspaper market 19 at the time.</p> <p>20 Q. We see there there are one or two dinners, certainly in 21 2006, and those continue, with Mr James Murdoch. On 22 3 May 2006, at 04064, it's at his invitation, and then 23 you reciprocate on 4 July; is that right?</p> <p>24 A. Yes, that's right.</p> <p>25 Q. It's impossible at this distance -- it's five or six</p> <p style="text-align: center;">Page 11</p>
<p>1 exercised with responsibility, but nevertheless it's 2 significant.</p> <p>3 Q. Okay. We may come back to some of those themes at the 4 end of your evidence when we deal with the future.</p> <p>5 Can I ask you now kindly to look at your table of 6 interactions with media proprietors, et cetera, which is 7 annex A of your evidence, under tab 2 of the bundle 8 which has been prepared, which starts at 04061. 9 Obviously there are two sections to this: the first 10 period as Shadow Chancellor and the second period from 11 the advent of the Coalition government, which was 11 May 12 2010.</p> <p>13 So that we're clear -- you cover this in your 14 evidence -- how reliable is annex A when we're looking 15 at the period when you were Shadow Chancellor?</p> <p>16 A. We've been able to retrieve, at the request of this 17 Inquiry -- so this was not something which we had 18 readily available, but we have been able to retrieve my 19 electronic diary from the period as Shadow Chancellor. 20 It is accurate to the best of my knowledge, although 21 I put a caveat on it that because I had a very small 22 team compared to the office I now have as Chancellor of 23 the Exchequer, if meetings were cancelled, I can't 24 promise that those meetings were removed from the diary. 25 They may remain. So it was not a diary that was kept</p> <p style="text-align: center;">Page 10</p>	<p>1 years ago -- to recall exactly what was discussed on any 2 particular occasion, but presumably political matters 3 would be on the informal agenda; is that fair?</p> <p>4 A. Yes, that would be fair. I think the independence of 5 the United States was discussed, from memory, on 4 July.</p> <p>6 Q. That's a reasonable inference.</p> <p>7 Were issues of media regulation, do you think, ever 8 discussed with Mr James Murdoch on this sort of 9 occasion?</p> <p>10 A. Not to my recollection. I mean, there was one issue 11 which he was concerned about which came up on occasion 12 in conversations with him, which was the BBC and the 13 licence fee, but it was never -- it was more of 14 a complaint that we had in this country 15 a taxpayer-funded state broadcaster, but I made clear to 16 him then, as indeed I made clear to him subsequently 17 when we came into government, that we were not going to 18 change that, and indeed we haven't.</p> <p>19 Q. Is that a topic on which he bent your ear on quite a few 20 occasions?</p> <p>21 A. He raised it on a number of occasions and indeed gave 22 a number of speeches and interviews about it publicly. 23 I would say he's not the only person in the media who is 24 concerned about the funding of the BBC but that was 25 a particular bugbear of his.</p> <p style="text-align: center;">Page 12</p>

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<p>1 Q. Was another bugbear Ofcom?</p> <p>2 <b>A. To my recollection, he never raised Ofcom with me.</b></p> <p>3 Q. Okay. Looking again at this schedule -- we're not going</p> <p>4 to alight on more than a few items -- if we were to</p> <p>5 look, for example, on 3 June 2008, which is page 04072,</p> <p>6 there's recorded there a dinner with Paul Dacre. Do you</p> <p>7 see that?</p> <p>8 <b>A. Mm-hm.</b></p> <p>9 Q. Are we to deduce that that was a one-to-one occasion or</p> <p>10 not?</p> <p>11 <b>A. I can't remember precisely, although most of my dinners</b></p> <p>12 <b>or times I met Mr Dacre, he would usually have with him</b></p> <p>13 <b>his political editor, one of his leader writers, maybe</b></p> <p>14 <b>a columnist. So they were almost like editorial boards.</b></p> <p>15 <b>They weren't the full editorial board, but he would get</b></p> <p>16 <b>a selection of people from the newspaper and then he</b></p> <p>17 <b>would allow them to pick up the conversation, ask me</b></p> <p>18 <b>things, and the like. There were a couple of occasions</b></p> <p>19 <b>when I had social encounters with Mr Dacre, but normally</b></p> <p>20 <b>that is how he would meet with me.</b></p> <p>21 Q. These are sort of semi-structured occasions. Would they</p> <p>22 be regarded as off the record or not?</p> <p>23 <b>A. They were regarded as off the record, although, you</b></p> <p>24 <b>know, I've always taken the view that you should be</b></p> <p>25 <b>careful to say things off the record that you wouldn't</b></p> <p style="text-align: center;">Page 13</p>	<p>1 at two entries there. It's page 04073. We've heard all</p> <p>2 about, from another witness or indeed two witnesses, the</p> <p>3 famous birthday celebration of Elisabeth Murdoch.</p> <p>4 I think it was her 40th birthday. I'm going to</p> <p>5 disappoint people by not asking you questions about</p> <p>6 that, unless you particularly want to cover it, but</p> <p>7 6 September, we see there's dinner with Rebekah Wade,</p> <p>8 Elisabeth Murdoch, James Murdoch and Rupert Murdoch. Do</p> <p>9 you remember whether the Santorini visit was discussed</p> <p>10 on that occasion or not?</p> <p>11 <b>A. I think my trouble had come from another Greek island,</b></p> <p>12 <b>Corfu, rather than Santorini, which is I think what the</b></p> <p>13 <b>"summer" was referring to that you didn't want to bring</b></p> <p>14 <b>up. So there was no mention of Santorini.</b></p> <p>15 Q. Are you sure about that?</p> <p>16 <b>A. Pretty sure.</b></p> <p>17 Q. Okay.</p> <p>18 <b>A. Or at least not with me. Maybe among other people.</b></p> <p>19 Q. Okay. Then if we can go to December 2009, 04078, on the</p> <p>20 19th, there's dinner with Rebekah Brooks, James Murdoch</p> <p>21 and Rupert Murdoch. It's at the invitation of</p> <p>22 Rebekah Brooks, so it's presumably at her home, is it?</p> <p>23 <b>A. Yes, I think so, yes.</b></p> <p>24 Q. And a pre-Christmas celebration. Can you remember</p> <p>25 whether political matters may have been discussed on</p> <p style="text-align: center;">Page 15</p>
<p>1 want to see on the record, and certainly if there was a</p> <p>2 group of people, there is a bit of -- they have safety</p> <p>3 in numbers.</p> <p>4 LORD JUSTICE LEVESON: I'm not so sure you quite mean that.</p> <p>5 I think you mean you've been careful not to say things</p> <p>6 off the record that you wouldn't be prepared to see on</p> <p>7 the record.</p> <p>8 <b>A. Sorry, that's --</b></p> <p>9 LORD JUSTICE LEVESON: You put it the other way around and</p> <p>10 I didn't think you meant what you actually said.</p> <p>11 <b>A. I certainly didn't mean that. Obviously, you can have</b></p> <p>12 <b>a more informal conversation off the record, but I think</b></p> <p>13 <b>you just have to be careful. Ultimately, if you're</b></p> <p>14 <b>telling a journalist something that is so interesting</b></p> <p>15 <b>that they feel bound in some way to report it, they</b></p> <p>16 <b>will, and of course there are all sorts of conventions</b></p> <p>17 <b>that exist between politicians and the lobby that allows</b></p> <p>18 <b>people to say "sources close to the Shadow Chancellor"</b></p> <p>19 <b>or "sources in the Conservative leadership" or whatever</b></p> <p>20 <b>it happens to be.</b></p> <p>21 <b>But as I say, I think as long as you are relatively</b></p> <p>22 <b>careful not to say things you wouldn't be happy to see,</b></p> <p>23 <b>Lord Justice Leveson, on the front pages of the</b></p> <p>24 <b>newspaper, then I think you'll be okay.</b></p> <p>25 MR JAY: Thank you. The summer of 2008, if I can just look</p> <p style="text-align: center;">Page 14</p>	<p>1 that occasion?</p> <p>2 <b>A. I'm sure political matters were discussed. I mean, they</b></p> <p>3 <b>normally were. I don't remember any improper</b></p> <p>4 <b>conversation or any conversation about the commercial</b></p> <p>5 <b>interests of News Corp or News International. I think</b></p> <p>6 <b>it was a general discussion about the political</b></p> <p>7 <b>situation in Britain as we were heading into a General</b></p> <p>8 <b>Election year and indeed the economic situation with the</b></p> <p>9 <b>rest of the world.</b></p> <p>10 <b>I mean, normally when Rupert Murdoch was at one of</b></p> <p>11 <b>these events, the conversation was about the global</b></p> <p>12 <b>economy and at the time, of course, we were right in the</b></p> <p>13 <b>middle of the financial crisis.</b></p> <p>14 Q. Yes. On 21 January, there's a drink with Rebekah Brooks</p> <p>15 and James Murdoch. On 28-30 January, the world economic</p> <p>16 forum. That's the annual meeting at Davos; is that</p> <p>17 right?</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. Many people have suggested that there was a private</p> <p>20 meeting with News International executives at a chalet</p> <p>21 at Davos which you intended. Is that true?</p> <p>22 <b>A. No, it's not true. It's a good example, actually, of</b></p> <p>23 <b>fact and comment getting blurred. There was -- I don't</b></p> <p>24 <b>remember -- in fact, I'm certain I didn't meet</b></p> <p>25 <b>Rupert Murdoch, who was not there. The only event</b></p> <p style="text-align: center;">Page 16</p>

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<p>1 I recollect is a semi-public event which was hosted by 2 News International, which David Cameron spoke at and 3 a US Senator called Lindsay Graham also spoke at, maybe 4 for about 100 people in a restaurant.</p> <p>5 There was a meeting a year earlier in 2009 in 6 a chalet with Rupert Murdoch and James Murdoch and 7 Rebekah Brooks, which was also as part of a Davos 8 conference, but obviously in 2009, unlike 2010, doesn't 9 fit with some of the theories currently doing the rounds 10 in certain newspapers.</p> <p>11 Q. Okay. If we're looking at January 2009 rather 12 than January 2010 being the date, can we be clear: there 13 was a meeting in a private chalet and Rupert and 14 James Murdoch were there. Have I correctly understood 15 your evidence?</p> <p>16 A. Yes.</p> <p>17 Q. Can you remember the subject matter of the discussions 18 at that meeting?</p> <p>19 A. First of all, the context was that as part of a Davos 20 conference, people rent hotels and chalets and different 21 news organisations do that, so it's not particularly 22 unusual that it's in a chalet. I think it was just part 23 of holding a conference in a ski resort. And the 24 meeting was a lunch with David Cameron and myself, and 25 Rupert and James Murdoch, Rebekah Brooks, and as</p> <p style="text-align: center;">Page 17</p>	<p>1 interest to him and most of the world than what the 2 Conservative Party wanted to say in a General Election, 3 but he kept bringing the conversation back to the global 4 economic situation, which of course was also what most 5 of the conference was about as well.</p> <p>6 Q. So are we to understand that you failed to get your 7 message across as regards Conservative Party --</p> <p>8 A. I think we did our best.</p> <p>9 Q. You didn't fail altogether; is that it?</p> <p>10 A. Well, ultimately, of course, as no doubt you'll come 11 onto, the Sun newspaper supported us, as indeed did the 12 Times newspaper, but I don't think this lunch was the 13 crucial encounter.</p> <p>14 Q. But was it one step on the road, as it were, to the 15 ultimate goal?</p> <p>16 A. Well, I don't think that the decision of those 17 newspapers to support the Conservative Party in the 18 General Election was simply because we'd had quite a lot 19 of lunches or dinners with the Murdoch family. As 20 you've heard this morning and on previous encounters, 21 our political opponents were having an awful lot of 22 dinners and lunches with the Murdoch family, so if it 23 was simply a question of outlunching them, I don't think 24 we would have beaten New Labour.</p> <p>25 Q. Okay. Can we move back to your witness statement now.</p> <p style="text-align: center;">Page 19</p>
<p>1 I remember it, the conversation was partly about the 2 domestic political situation but actually, the focus of 3 the lunch was the global financial crisis, which 4 in January of 2009 was raging, and actually, if 5 anything, I remember that David Cameron and I were 6 seeking to try and bring the conversation gently on to 7 domestic politics and what the Conservative Party was 8 doing to put itself in a position to win a General 9 Election, which, of course, may well have been happening 10 later that spring. It would have been a four-year 11 Parliament. But Rupert Murdoch was more keen to talk 12 about the international economic situation.</p> <p>13 Q. So did you ever get around to discussing domestic 14 politics and the virtues of the Conservative Party --</p> <p>15 A. Briefly, but -- in all these encounters, either with the 16 Murdochs or other proprietors or other editors, we were 17 trying to set out our stall and explain how we thought 18 a change of government would be a good thing for the 19 United Kingdom and we would use every opportunity to do 20 that.</p> <p>21 Q. Can you recall how the Murdochs responded to your pitch 22 on that occasion?</p> <p>23 A. As I say, Rupert Murdoch kept bringing the conversation 24 back -- understandably, because frankly, at that point, 25 the international economic crisis was probably of more</p> <p style="text-align: center;">Page 18</p>	<p>1 LORD JUSTICE LEVESON: Just before we move on from these 2 meetings, I've tried to make it clear that politicians, 3 like everybody else, are entitled to be friendly with 4 whosoever they want. That's absolutely fundamental, as 5 far as I'm concerned. The issue that just does concern 6 me -- and it may not matter in opposition as much as in 7 government, but I'd be interested in your view -- is how 8 one prevents the perception of influence.</p> <p>9 A. I wouldn't draw a huge distinction, Lord Justice 10 Leveson, between opposition and government, because 11 I think opposition, particularly, in this case, on the 12 verge of becoming a government or part of 13 a government -- the encounters an opposition has are 14 important, and the thoughts it has are important. So 15 I wouldn't draw a huge distinction between the two.</p> <p>16 I think in the end -- maybe I trust too much in the 17 public but I think in the end the public has a sense of 18 what motivates these people. Are they trying to pursue 19 their idea of the national interest? And I think people 20 understand that politicians hang out with journalists 21 and people who own newspapers. The history books are 22 littered with very close relationships between the 23 owners of national newspapers and some of our most 24 famous and successful politicians.</p> <p>25 So I think the public broadly understand that.</p> <p style="text-align: center;">Page 20</p>

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1 I certainly think an improvement has been the decision  
 2 last year to publish now the meetings between members of  
 3 the government and journalists. That, of course, has  
 4 been brought on by the events that this Inquiry has been  
 5 looking at, so I'm not claiming that we were prescient  
 6 in introducing that, but we have introduced that change  
 7 and I think it will help. But in the end, you can have  
 8 any amount of paragraphs in ministerial codes and PCC  
 9 codes and any amount of websites publishing meetings.  
 10 In the end, the public are going to make a judgment  
 11 about the politician, and in the end the public are  
 12 also, through the purchase of a newspaper, going to make  
 13 a judgment about the newspaper.

14 If the newspaper was holding back from criticism of  
 15 a government and the government was unpopular, then  
 16 I think the public would start to question why they were  
 17 buying that newspaper.

18 LORD JUSTICE LEVESON: Yes. It may be just a bit more  
 19 subtle. I understand the point, that the public will  
 20 see what's going on, provided they know what's going on,  
 21 and therefore you're right when you say that publishing  
 22 links makes it all the more transparent, but I was in  
 23 part thinking about the evidence -- I think it was in  
 24 Alastair Campbell. One of the criticisms that he makes  
 25 is that the attitude of New Labour in opposition before

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1 the 1997 General Election was taken into government when  
 2 perhaps it shouldn't have been, and the approach to the  
 3 press should have been recalibrated for the fact they  
 4 were then incumbent. You may not agree.

5 A. This is going to sound like talking my own book, but it  
 6 also, I think, is genuinely the case. I think New  
 7 Labour were very aggressive, when they became the  
 8 government, in pursuing the media management techniques  
 9 they had developed in opposition. And they had  
 10 developed those techniques in opposition, to be fair to  
 11 them, because of the way people like Neil Kinnock had  
 12 been treated by all the press beforehand.

13 Now, we learnt, in a way, from that. We were -- we  
 14 came of political age -- myself, David Cameron and  
 15 others -- during that political period, and we felt too  
 16 that that government in its early years had been too  
 17 obsessive about tomorrow's headline and tried to control  
 18 every aspect of the media.

19 That's not to say when we came into government, we  
 20 didn't want to have a good and effective media  
 21 operation, but we were more relaxed about fighting for  
 22 every single headline or fighting for every news  
 23 bulletin, and I think there is also partly an  
 24 understanding on our behalf that in what has become,  
 25 even over that period, a much more fragmented media, it

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1 is impossible to manage every single headline or fight  
 2 for every headline. In the end, we had a belief that --  
 3 we came into government, we had to set out some  
 4 difficult things we needed to do and we would trust  
 5 ultimately to the judgment of the public but also trust  
 6 to the judgment of the media, even if along the line you  
 7 got some bad headlines.

8 Certainly, I have been more relaxed as Chancellor of  
 9 the Exchequer in that early period than I would have  
 10 been as Shadow Chancellor about some the headlines we've  
 11 had.

12 MR JAY: Paragraph 3.1 of your first statement now,  
 13 Mr Osborne, our page 04090. You state you've never  
 14 discussed with Rupert Murdoch Conservative Party or  
 15 government policy in relation to BBC licence fee or  
 16 Ofcom. The only discussion you can recall -- and  
 17 I paraphrase -- is one with James Murdoch, which you  
 18 think must have been after 20 October 2010. Can you  
 19 recall whether that was in a meeting or by phone?

20 A. Well, I remember -- this was a very specifically about  
 21 the BBC licence fee, rather than -- as I say,  
 22 James Murdoch would often let us have his views in  
 23 public as well as in private about his view about the  
 24 BBC, but specifically about the licence fee and our  
 25 decision in October 2010 to freeze the licence fee but

Page 23

1 not to dismantle it, and indeed to, in effect, continue  
 2 for the next five or six years with the current  
 3 structure of BBC funding.

4 Now, as I say in this statement, I cannot remember  
 5 exactly how this conversation took place, and it may  
 6 well have been on the phone, because it's not obvious  
 7 that there was a meeting where this would have had --  
 8 but I have a pretty clear memory of him being quite  
 9 angry about our -- the decision we had taken, and  
 10 I explained to him why I thought it was the right  
 11 decision and why, in any case -- you know, we had always  
 12 made it clear that we were not setting out to dismantle  
 13 the BBC or radically cut the licence fee or distribute  
 14 the licence fee in a different way, but he was clearly  
 15 disappointed with that decision.

16 Q. I think you've interpreted the question as covering only  
 17 the period in government from May 2010, because you've  
 18 told us a quarter of an hour ago about discussions you  
 19 had with Mr James Murdoch about the BBC licence fee  
 20 beforehand; is that right?

21 A. There were discussions -- this is the only conversation  
 22 I remember where it was very specifically about the  
 23 licence fee, rather than the concept of a state-funded,  
 24 licence-fee-funded what he would describe as a state  
 25 broadcaster.

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<p>1 Q. Can I go back a year to August 2009 and the 2 James Murdoch MacTaggart lecture. Did you have any 3 conversations with him about the subject matter of the 4 lecture before he gave it?</p> <p>5 <b>A. No.</b></p> <p>6 Q. Did you have any conversations with him about the 7 lecture after he gave it?</p> <p>8 <b>A. To be honest, I'm not sure I've read the lecture. I've 9 read the news reports of the lecture. I don't remember 10 a conversation with him about it.</b></p> <p>11 Q. If you've only read the news reports, this may not be 12 that easy to answer, but what was your reaction to the 13 lecture?</p> <p>14 <b>A. I thought it was -- I don't mean this in a pejorative 15 sense. I mean, it was typical. It was what he thought 16 and what he was telling anyone who wanted to listen to 17 him at the time.</b></p> <p>18 Q. "Typical" in the sense of what he thought, but what was 19 your reaction to it?</p> <p>20 <b>A. I disagreed with him, basically, and certainly David 21 Cameron also disagreed with him, and I think -- you 22 know, he had been agitating for some dramatic change in 23 the funding of the BBC or the structure of the BBC and 24 he was not going to get that from the Conservatives.</b></p> <p>25 Q. He was also agitating for the neutering, if not quite</p> <p style="text-align: center;">Page 25</p>	<p>1 <b>made very clear this was not my decision; it was 2 a quasi-judicial decision.</b></p> <p>3 <b>Mr Murdoch spent most of the time talking about his 4 new online newspaper that he was launching in the 5 United States, and we had a broader conversation -- it 6 was a social conversation, my wife was there, and it was 7 a social conversation about American politics, the 8 Internet, how newspapers were changing. It was not 9 specific about British politics and as I say, neither 10 Ofcom nor BBC nor the BSKyB bid came up in conversation.</b></p> <p>11 Q. You do remember the conversation -- or at least it was 12 part of a conversation -- about that bid with 13 Mr James Murdoch, the previous month, on 29 November 14 2010. Do you remember whether that was a meeting or 15 a phone call?</p> <p>16 <b>A. That was a meeting.</b></p> <p>17 Q. Do you know what other matters were discussed on that 18 occasion?</p> <p>19 <b>A. I seem to remember it was, again, a broader conversation 20 about the political situation. The government had been 21 in office for some months then. We'd just had the 22 spending review a month earlier. We were having an 23 argument about tuition fees. So there were a whole 24 range of things going on in politics.</b></p> <p>25 <b>At this point, he -- at some point in the</b></p> <p style="text-align: center;">Page 27</p>
<p>1 the dismantling, of Ofcom. Did that chime at all with 2 your policy?</p> <p>3 <b>A. I never discussed with him Ofcom and I don't remember 4 personally being involved in any great internal 5 discussion within the Conservative Party about the 6 future of Ofcom.</b></p> <p>7 <b>There was a general concern that Ofcom had become, 8 like many Quangos, rather bloated, but that was not 9 a complaint about the function of Ofcom, just that like 10 many parts of government, that there had not been 11 a proper regard for cost.</b></p> <p>12 Q. Do you know whether any analysis was done within the 13 Conservative Party of the MacTaggart lecture and what 14 your response to it should be?</p> <p>15 <b>A. I'm not aware of any.</b></p> <p>16 Q. Okay. Paragraph 4.1 of your statement. We're in the 17 middle of December 2010 now. You have dinner in 18 New York, 17 December 2010. You're sure on that 19 occasion there was no discussion of the BSKyB bid, the 20 BBC, Ofcom or media regulation; is that right?</p> <p>21 <b>A. Yes, I'm very clear because -- and obviously, I would 22 have remembered if the BSKyB bid had come up. It 23 didn't, and I remember remarking to my wife as we left, 24 noting the fact that it hadn't come up. And I was going 25 to be very clear -- if he had raised it, I would have</b></p> <p style="text-align: center;">Page 26</p>	<p>1 <b>conversation he raised his frustration with how long, as 2 he saw it, the process was taking. I made it very clear 3 that that was not a process that I was involved in in 4 any way.</b></p> <p>5 Q. Was Mr Michel there on that occasion or not?</p> <p>6 <b>A. No.</b></p> <p>7 Q. Have you had meetings with him, either one-to-one or in 8 a wider group?</p> <p>9 <b>A. I think the only time I think I've come across him is 10 when -- at the party conferences, News International 11 host dinners, one dinner at each conference, for 12 a number of Shadow Cabinet or Cabinet members and 13 a number of their editors, and I think Mr Michel was at 14 at least one of those dinners.</b></p> <p>15 Q. We know that there was some discussion about one aspect 16 of the BSKyB bid with Mrs Brooks, which you were party 17 to. It's reflected in an email we have under tab 9, 18 Mr Osborne. It's the email of 14 December 2010, which 19 is in the PROP file, page 01679. So you'll see that at 20 the bottom right-hand side of the page.</p> <p>21 This relates to the Ofcom issues letter and 22 Mrs Brooks emails Mr Michel and says: 23 "Same from GO [that's obviously you]. Total 24 bafflement at response." 25 Her evidence was this bafflement was conveyed at</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

1 a dinner the previous evidence, Monday, 13 December. Do  
 2 you remember anything about that occasion?  
 3 **A. Well, I certainly remember the dinner. It was a dinner**  
 4 **with my wife and I, the Brookses and the Lewises in**  
 5 **a restaurant. I don't have any recollection of the**  
 6 **conversation, but I don't question that it took place.**  
 7 **I'm not doubting what Mrs Brooks says. I noticed in her**  
 8 **evidence to this Inquiry she said it was perhaps**  
 9 **a three-minute conversation and that I'd looked slightly**  
 10 **perplexed.**  
 11 **I have read the Ofcom issues letter in preparation**  
 12 **for appearing before you today and I think that is the**  
 13 **first time I've ever read that letter. Certainly it**  
 14 **jogs no memory and I've done a search of my private**  
 15 **office of whether the Ofcom issues letter was brought to**  
 16 **my attention, and there's no -- we can find no evidence**  
 17 **that it was.**  
 18 **So I'm perfectly prepared to accept that there was**  
 19 **a conversation; I just have no memory of it, and perhaps**  
 20 **the reason I was perplexed or baffled was because**  
 21 **I hadn't actually read the Ofcom issues letter.**  
 22 Q. You might have been given an oral gist of what the  
 23 issues letter apparently said and you might have reacted  
 24 to that gist. Is that possible?  
 25 **A. Well, of course, I knew from the previous conversation**  
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1 **we're talking about with James Murdoch that they were**  
 2 **frustrated at the process, but I was always very clear**  
 3 **that this was not a process I was involved in, it was**  
 4 **a quasi-judicial process and was being handled by**  
 5 **Vince Cable. So as I say, although I don't recollect**  
 6 **this particular conversation, I'm sure I would have**  
 7 **said.**  
 8 **I have to say, at this time, all sorts of people**  
 9 **were raising the B Sky B bid with me, usually people who**  
 10 **were hostile. One or two exceptions, but on these**  
 11 **occasions, people who were hostile. So it was just**  
 12 **a topic of conversation. At drinks, parties, when you**  
 13 **went to have coffee with a journalist, people would**  
 14 **raise the -- because it was one of the main issues of**  
 15 **the day and it was leading news bulletins and so on. So**  
 16 **people would often raise it and I would always politely**  
 17 **say it was something I wasn't involved in.**  
 18 Q. It was one of the main political issues of the day.  
 19 Aside from the fact it didn't fall within your  
 20 jurisdiction, as it were, presumably you had a general  
 21 opinion about it, didn't you?  
 22 **A. I didn't have a strong view about its merits because as**  
 23 **far as I could see, it was just going to cause us**  
 24 **trouble one way or the other. Indeed, so it has proved**  
 25 **to be, and I just thought it was either going to offend**  
 Page 30

1 **a group of newspapers and indeed broadcasters who we**  
 2 **wanted to have good relations with if it was rejected --**  
 3 **sorry, if it was accepted, and if it was rejected, it**  
 4 **was going to offend another bunch of people who we want**  
 5 **to have good relations with.**  
 6 **So I regarded the whole thing as a political**  
 7 **inconvenience and something we just had to deal with and**  
 8 **the best way to deal with it was to stick by the**  
 9 **process.**  
 10 Q. Aside from the inconvenience of all of it, surely your  
 11 own political viewpoint might have informed, in general  
 12 terms, your attitude to the bid, namely either you're  
 13 going to be favourable to it or hostile towards it.  
 14 Wouldn't you agree?  
 15 **A. On the strict politics of it, as you put it, you had**  
 16 **a couple of important Conservative-supporting newspapers**  
 17 **who were vehemently against it and a couple of**  
 18 **Conservative-supporting newspapers who were for it, and**  
 19 **as far as I could see, it was difficult to find a common**  
 20 **ground between them. So it was, as I say, a political**  
 21 **inconvenience.**  
 22 Q. That's a rather narrow way of looking at it, Mr Osborne.  
 23 **A. Well, you said that I was not -- you know, since I was**  
 24 **not involved in assessing the commercial merits of it or**  
 25 **the plurality merits of it -- I was not involved in that**  
 Page 31

1 **process. I was merely, in that sense, within the**  
 2 **government, an external observer of the process and my**  
 3 **own personal view was that this is all politically**  
 4 **inconvenient for us, and I think that judgment has been**  
 5 **borne out by events.**  
 6 Q. That no doubt is correct. People either seemed to be  
 7 very strongly in favour of the bid or very strongly  
 8 against it. That conclusion may have been drawn or  
 9 based on purely political considerations or commercial  
 10 considerations but there is also an ideological aspect  
 11 here, and surely, your own view of the world would have  
 12 caused you to be in favour of the bid, if I can put it  
 13 that straightforwardly. Would you agree?  
 14 **A. I'm not sure you can infer that, because as far as**  
 15 **I could see, it was about increasing the shareholding in**  
 16 **a company that most people would think they ran anyway.**  
 17 **So it wasn't -- obviously, if you were commercially**  
 18 **involved in that world, either as a rival or indeed as**  
 19 **News Corp, you had strong views about it, but as**  
 20 **a practising politician at the time, it was not clear to**  
 21 **me that there was -- as I say, it was anything other**  
 22 **than an inconvenience.**  
 23 Q. If it was simply a question of increasing shareholding  
 24 in a company of which they had control anyway, that  
 25 would lead one to think that you were in favour of the  
 Page 32



<p>1 bid going through, because that was exactly the position 2 News Corp were taking publicly and privately with the 3 decisionmaker. Do you see that?</p> <p>4 <b>A. As I say, I didn't have a view. I mean, the 5 European Commission had made a ruling on the competition 6 aspects. Ofcom and the Secretary of State were going to 7 make judgments on the plurality aspects. But I didn't 8 have a strong view on, as I say, the merits or demerits 9 of the merger. It was what it was and it was causing 10 trouble with various newspaper groups.</b></p> <p>11 Q. It's rather unusual for someone to have such a lack of 12 interest in an issue which everybody was talking about. 13 Is that where you stood?</p> <p>14 <b>A. No, I didn't have -- I could see the political challenge 15 it was posing us because you had, as I say, some of our 16 supporters in newspapers very agitated about it and you 17 had some of our supporters in newspapers promoting it, 18 others writing to their own newspapers complaining about 19 it. As I say, it was a political inconvenience. Since 20 there was nothing I could do about it because I wasn't 21 involved in the process -- there was a process, just let 22 the process run. That was the way I approached it.</b></p> <p>23 Q. We know you didn't have conversations with Dr Cable 24 about it. Did you have conversations with Mr Hunt about 25 it?</p> <p style="text-align: center;">Page 33</p>	<p>1 <b>this point, in the autumn of 2010, there was a huge 2 spending review, we had the controversial issue of 3 tuition fees occupying a lot of time, so there was no 4 point sitting around chewing the cud on the B Sky B bid 5 because it was being dealt with by BIS.</b></p> <p>6 Q. Did you know what his views were about the bid?</p> <p>7 <b>A. I was not aware of his view.</b></p> <p>8 Q. Were you aware of Mr Cameron's view about the merits of 9 the bid?</p> <p>10 <b>A. No.</b></p> <p>11 Q. Did you suspect what their views might be?</p> <p>12 <b>A. No.</b></p> <p>13 Q. So you assumed what, that they didn't have a view or 14 that you simply were oblivious as to what it might be?</p> <p>15 <b>A. No, I assumed -- speaking about Mr Cameron -- that, like 16 me, he thought the whole thing was, as I say, 17 a political inconvenience. It was very clear to us that 18 some important newspaper groups, from our point of view, 19 like the Telegraph, like Associated and the Mail, were 20 very hostile to it, as indeed was, I think rather 21 extraordinarily, the Director General of the BBC. So it 22 was pretty clear that there were a lot of people out 23 there who were not going to be happy if the deal went 24 through and equally, of course, News International 25 wouldn't be happy if the bid didn't go through, but</b></p> <p style="text-align: center;">Page 35</p>
<p>1 <b>A. I had no specific conversations with either Dr Cable or 2 Mr Hunt, and indeed I have, for the purposes of this 3 Inquiry, searched both for any communication between the 4 two departments -- there was no communication -- and 5 also the minutes that were kept by the civil servants of 6 my bilateral meetings with Dr Cable and Mr Hunt, and on 7 no occasion have the civil servants recorded any 8 substantive conversation.</b></p> <p>9 <b>I do remember, as part of general conversations, 10 both of them, both Dr Cable and Mr Hunt, saying -- well, 11 just explaining what the process was and what had 12 already happened, but as I say, there was no substantive 13 discussion or else it would have been recorded.</b></p> <p>14 Q. But before Mr Hunt acquired responsibility for the bid, 15 which we know was on 21 December, he, by definition, 16 wasn't occupying a quasi-judicial role. It would not 17 have been inappropriate for you to have conversations 18 with him privately and informally. Are you saying that 19 you believe you had no such conversations?</p> <p>20 <b>A. I don't remember any such conversations. I mean, 21 I think it was just the view -- certainly the view 22 I took, certainly in my conversations with others -- the 23 view was there's a process. There's a process under way 24 at BIS with Dr Cable and we have other things, 25 therefore, we need to be getting on with. Obviously at</b></p> <p style="text-align: center;">Page 34</p>	<p>1 <b>there was nothing we could do or would want to do or 2 should do to influence that process. It was being 3 handled in a quasi-judicial fashion by the business 4 department.</b></p> <p>5 Q. Apart from the one conversation you had with 6 Mr James Murdoch which you refer to in your first 7 witness statement, is it your evidence that there were 8 no other communications with him by whatever means about 9 the bid?</p> <p>10 <b>A. Not that I'm aware of.</b></p> <p>11 Q. Can I ask you, please, to look at your supplementary 12 witness statement now, please, which in the file we have 13 under tab 3. At paragraph 5.3, there's evidence of an 14 email Mr Michel sends to Mr James Murdoch on 9 November 15 2010 relating to a meeting he, Mr Michel, had with 16 Rupert Harrison, who of course is one of your two 17 special advisers; is that correct?</p> <p>18 <b>A. There are four special advisers. But he was one of 19 them, yes.</b></p> <p>20 Q. In terms of division of responsibilities between your 21 special advisers, what, if anything, is he responsible 22 for?</p> <p>23 <b>A. He is principally responsible for economic policy. He 24 has a PhD in economics and he provides me with policy 25 advice.</b></p> <p style="text-align: center;">Page 36</p>

<p>1 Q. The relevant email is under tab 9. In the PROP file, 2 it's page 01665. Do you have it to hand, Mr Osborne? 3 <b>A. I will do in a minute. Yes.</b> 4 Q. It's dated, as I said, 9 November. You've had 5 a conversation with Mr Harrison, is that correct, about 6 what we see in this email? Can you tell us which part 7 he agrees or does not agree? 8 <b>A. Obviously the first either I saw of this email or indeed 9 he saw of this email was when it was brought to the 10 attention of this Inquiry, because it's an internal 11 email.</b> 12 <b>He says -- and I believe him -- that there was 13 a general discussion that was not focused on the BSKyB 14 bid. There is a reference in the email to making the 15 case to BIS. He's checked and there is no contact that 16 he's been able to see, and also the civil servants have 17 been able to see, between the Treasury -- between 18 Mr Harrison and the business department. So that 19 certainly was not -- if it was raised, was not followed 20 up.</b> 21 <b>He makes the point to me that he wouldn't have known 22 whether Dr Cable had read the legal advice or not, 23 because he wouldn't have had a conversation with 24 Dr Cable, and as I say, indeed, if I can -- I don't know 25 whether you're coming onto it, but if you look at also</b> Page 37</p>	<p>1 "Alex Salmond's desire to support us"? 2 <b>A. No, I can't, I'm afraid.</b> 3 Q. Could Mr Harrison? 4 <b>A. As I say, Mr Harrison didn't recognise -- when he looked 5 at this email, said it didn't, he felt, reflect what was 6 a pretty general conversation and when the bid came up, 7 Mr Harrison made clear that it was subject to the 8 quasi-judicial process that we weren't involved, and 9 indeed, I think in Mr Michel's evidence to you, he talks 10 about the meeting that this email purports to represent 11 as being a general conversation.</b> 12 Q. You refer, Mr Osborne, to some text messages. Indeed, 13 there are a few, and we're going to look at four or five 14 of them. They're under tab 15 in this bundle. The 15 first one starts at page 13517 on 9 November. It says: 16 "Rupert, [that's Mr Harrison] just spoke with James. 17 It would be helpful if George were to send a letter to 18 Vince on our Sky merger and its economic importance, 19 separate from the Ofcom process. Do you think it's 20 a possibility? I can, of course, help with the content. 21 Best, Fred." 22 And then the reply back: 23 "Will have to discuss with G [that's you, of course] 24 when he's back from China." 25 Do you remember whether there was any discussion Page 39</p>
<p>1 <b>the text exchanges between Mr Harrison and Mr Michel, 2 I would say it's obvious that he is trying generally, in 3 an implied way, to brush Mr Michel off with his various 4 requests for interventions of various kinds.</b> 5 <b>So for example, Mr Michel asks that I send a letter 6 to Dr Cable. That was never done, never raised with me. 7 If you look at the general tone of the text exchanges, 8 they tend to be: "Well, I'll bring that up", or: "Sorry, 9 I'm on paternity leave", or whatever. There's nowhere 10 where he says, "Good idea, I will action that point", 11 and Mr Harrison, I think, was doing his job of meeting 12 people in -- representing important businesses but he 13 was very careful not to promise things that we wouldn't 14 have wanted to deliver.</b> 15 Q. The reference to an ongoing dialogue in weeks to come, 16 that's something which, aside from a few text messages, 17 didn't occur; is that right? 18 <b>A. As I say, we've done a search of the email system and of 19 correspondence between the Treasury and BIS and there 20 are no -- and indeed between the special advisers, and 21 there is no evidence of such an ongoing dialogue and 22 Mr Harrison's told me that no such ongoing dialogue 23 happened.</b> 24 Q. Are you able to help us at all with a reference to "the 25 commitment" -- that's of News Corp to Scotland -- and Page 38</p>	<p>1 and, more importantly, whether there was any letter 2 along the lines -- 3 <b>A. There was certainly no letter and I have no memory of 4 any discussion. I don't think a discussion took place. 5 As I say, this is Mr Harrison exercising his diplomatic 6 skills.</b> 7 LORD JUSTICE LEVESON: One might ask Mr Harrison -- and I'm 8 not suggesting it's necessary -- why on earth he didn't 9 say, "This is a judicial process. We're not 10 interfering. Be off with you." 11 <b>A. Well, he was being diplomatic, Lord Justice Leveson.</b> 12 LORD JUSTICE LEVESON: All right. 13 <b>A. I think if you take the tone of all these exchanges, 14 he's always -- you know, Mr Harrison is saying, "Okay, 15 I hear what you say, but ..." you know. He was not 16 acting on any of these things, and truly the proof would 17 be if there was any communication between him and the 18 business department, which there wasn't, and indeed the 19 only thing we've been able to come across in the 20 department -- and after all, the correspondence between 21 BIS and the Treasury is pretty voluminous. The only 22 thing we've been able to come up with is a letter from 23 all the people who were against the bid to the chief 24 secretary, Danny Alexander, and I think what's 25 instructive here is that the internal Treasury Page 40</b></p>

10 (Pages 37 to 40)

<p>1 <b>regulation team which would handle media regulation</b>  2 <b>says, "This is a nil response. The issue is solely for</b>  3 <b>the DCMS Secretary of State and the relevant competition</b>  4 <b>authorities."</b>  5 <b>In other words, the only internal evidence we have</b>  6 <b>from the Treasury is when it's very clearly said that</b>  7 <b>this is not an issue for the Treasury.</b>  8 LORD JUSTICE LEVESON: My question was only to express  9 slight surprise that everybody didn't understand what  10 was going on here and that actually by doing this,  11 either way, for or against, actually creates its own  12 problems.  13 <b>A. As I say, there were lots of people at the time saying</b>  14 <b>either the bid should go ahead or the bid shouldn't go</b>  15 <b>ahead, and people were transmitting that to us at drinks</b>  16 <b>parties and encounters of various kinds and we were just</b>  17 <b>politely absorbing that but not doing anything about it,</b>  18 <b>or in the case of myself with Mr Murdoch, making very</b>  19 <b>clear it was a quasi-judicial process, in the case of</b>  20 <b>Mr Harrison in his actual meeting with Mr Michel, making</b>  21 <b>clear it was not a process we were involved in.</b>  22 MR JAY: Is this the accepted technique of dealing with  23 pushy lobbyists?  24 <b>A. On a bad day.</b>  25 Q. In other words, effectively to fob them off rather than</p> <p style="text-align: center;">Page 41</p>	<p>1 particular, the various emails -- or text messages,  2 rather -- we have relating to that. I think they're  3 under tab 20 of the bundle, our page 08159. We see here  4 three text messages within a 50-minute period between  5 you and Mr Hunt. Are you with me, Mr Osborne?  6 <b>A. Yes.</b>  7 Q. Can we try and establish the chronology? First of all,  8 approximately when were you first aware of Dr Cable's  9 comments, which had been, as we know, tape-recorded?  10 <b>A. I think about 3 o'clock. I mean, I discovered, like,</b>  11 <b>I expect, the rest of Westminster, from Robert Peston's</b>  12 <b>blog, I think it was, where he had put up that he had</b>  13 <b>information that had not been published by the Telegraph</b>  14 <b>that morning about what Dr Cable had said about the</b>  15 <b>Murdochs.</b>  16 Q. Did you have any discussion with anyone from  17 News International or News Corp about it on that day?  18 <b>A. No.</b>  19 Q. Did you have discussions with Downing Street about this  20 issue on that day?  21 <b>A. By "Downing Street", I take you to mean the</b>  22 <b>Prime Minister. The answer is yes. Every day, at</b>  23 <b>4 o'clock, there is a Prime Ministerial meeting to</b>  24 <b>review what's going on that day and look ahead, and</b>  25 <b>I attend that meeting when I'm in London and my diary</b></p> <p style="text-align: center;">Page 43</p>
<p>1 to tell them --  2 <b>A. When you're doing a job like mine or you're working as</b>  3 <b>a special adviser for someone like myself, you get asked</b>  4 <b>about a whole range of things the whole time. People</b>  5 <b>are often trying to make the case for their company or</b>  6 <b>their particular campaign or whatever. It happens on</b>  7 <b>a daily basis. Obviously, you could go around being</b>  8 <b>rather abrupt with everyone, but in this case, I think</b>  9 <b>what Mr Harrison was doing is simply absorbing</b>  10 <b>Mr Michel's texts, in this case, but the key thing is he</b>  11 <b>doesn't raise it with me, he doesn't ask me to send</b>  12 <b>a letter to Dr Cable and I don't send a letter to</b>  13 <b>Dr Cable. So surely, I would argue, that's the material</b>  14 <b>point.</b>  15 Q. Is there any sense here at all of not wishing to  16 antagonise Mr Michel, given who he represents?  17 <b>A. I don't think it's a questions of antagonising or not.</b>  18 <b>I think it's just -- he's sending these texts -- the</b>  19 <b>question for me, since Mr Harrison's my special adviser,</b>  20 <b>is: did Mr Harrison act properly? Did he, in any way,</b>  21 <b>try to interfere with the bid process? Did he</b>  22 <b>improperly make requests of me? The answer is no to all</b>  23 <b>those things. He behaved, as far as I'm concerned,</b>  24 <b>completely properly.</b>  25 Q. May we move forward in time to 21 December 2010, in</p> <p style="text-align: center;">Page 42</p>	<p>1 <b>allows me to do so. So I was going over to Downing</b>  2 <b>Street anyway. The meeting had, in effect, been</b>  3 <b>cancelled and the meeting had become a discussion of</b>  4 <b>what to do about Dr Cable's remarks, and I was part of</b>  5 <b>that discussion, with the Prime Minister, his most</b>  6 <b>senior civil servant and his political advisers.</b>  7 <b>Would you like me to give an account of that</b>  8 <b>meeting?</b>  9 Q. Yes, but first of all, who else was there? Have you  10 covered the personnel?  11 <b>A. I can't remember the exact cast list, and I don't have</b>  12 <b>the 10 Downing Street records of the meeting, but the --</b>  13 <b>my recollection is it was the Prime Minister, it was the</b>  14 <b>Permanent Secretary at Number 10, Jeremy Heywood, and</b>  15 <b>the Prime Minister's close political team and indeed the</b>  16 <b>Prime Minister's private secretary as well.</b>  17 Q. Could you tell us, please, the gist of what was  18 discussed?  19 <b>A. The principal concern in the meeting -- and certainly my</b>  20 <b>principal concern, what I was seeking to say in the</b>  21 <b>meeting -- was that this was not something which should</b>  22 <b>lead to the resignation of Dr Cable. I thought what</b>  23 <b>Dr Cable had said was wrong but I didn't think it</b>  24 <b>merited his resignation, and frankly I also had concerns</b>  25 <b>about the impact of such a resignation on the Coalition</b></p> <p style="text-align: center;">Page 44</p>

<p>1 and the unity of the government.</p> <p>2 So I was looking for a solution, as indeed were</p> <p>3 other people in the room, that did not involve someone</p> <p>4 else becoming the Secretary of State for Business and</p> <p>5 Dr Cable leaving the government or indeed Dr Cable</p> <p>6 moving to another portfolio, because that would trigger</p> <p>7 a wider Cabinet reshuffle which was not something we</p> <p>8 felt, just before Christmas, with, as I say, the</p> <p>9 Coalition in its first year, something we wanted to see,</p> <p>10 and indeed we thought Dr Cable was doing a good job as</p> <p>11 business secretary, other than on this particular issue</p> <p>12 of what he'd said about the Murdochs.</p> <p>13 So we were looking for solutions that did not</p> <p>14 involve Dr Cable resigning or moving from business</p> <p>15 secretary, and Jeremy Heywood suggested the solution of</p> <p>16 moving the responsibility for media plurality to the</p> <p>17 department for culture, media and sport. So it was, in</p> <p>18 a way, a structural solution within Whitehall to the</p> <p>19 problem, and my recollection is once Mr Heywood had</p> <p>20 proposed that, we thought that was a good solution and</p> <p>21 would help keep Dr Cable in government whilst removing</p> <p>22 from him the responsibility for media plurality, and it,</p> <p>23 I think, also struck us all as rather commonsensical</p> <p>24 that it would move to the department that was, after</p> <p>25 all, called the department for media and already had</p> <p style="text-align: center;">Page 45</p>	<p>1 A. Yes.</p> <p>2 Q. So the decision in principle had been reached by then --</p> <p>3 A. Yes. I think his department had already been contacted</p> <p>4 at that point, certainly not by me but by the</p> <p>5 Prime Minister's private office, so that they were</p> <p>6 looking at this as a potential solution to the problems</p> <p>7 that Dr Cable's comments had caused.</p> <p>8 Q. Did the two earlier texts arrive during the course of</p> <p>9 the meeting you were having with the Prime Minister?</p> <p>10 A. According to the evidence submitted to your Inquiry, but</p> <p>11 I'm not certain that I saw them before I sent the reply.</p> <p>12 I suspect -- I mean, I didn't sit in the meeting looking</p> <p>13 agent my mobile phone, and I suspect when I got out of</p> <p>14 the meeting -- and I have a memory of it lasting about</p> <p>15 an hour -- that I would have looked at my mobile phone</p> <p>16 coming out of the meeting and seen those texts and sent</p> <p>17 my reply.</p> <p>18 Q. Did anybody at the meeting express any concerns about</p> <p>19 the impartiality of Mr Hunt?</p> <p>20 A. There was an issue about whether, because Mr Hunt had</p> <p>21 publicly expressed his support for or sympathy with the</p> <p>22 bid -- although he had said also in public, I think,</p> <p>23 that it was a non-issue for him, he wasn't involved in</p> <p>24 the process. I think the Prime Minister's view and the</p> <p>25 view of the civil servants was that they should seek</p> <p style="text-align: center;">Page 47</p>
<p>1 responsibilities for media regulation.</p> <p>2 Q. Was it Jeremy Heywood's ideas that it should go to DCMS,</p> <p>3 or was that someone else's idea?</p> <p>4 A. My recollection is it was Jeremy Heywood's idea.</p> <p>5 Q. It was certainly his idea, on your evidence, that the</p> <p>6 responsibilities be moved elsewhere, but I think the</p> <p>7 question is more focused on exactly where. Can you be</p> <p>8 sure about that?</p> <p>9 A. I'm pretty sure. My recollection of the event was that</p> <p>10 he thought it was sensible to just remove responsibility</p> <p>11 for media plurality from BIS to DCMS. I've noted also</p> <p>12 what I think Gus O'Donnell has said in evidence to</p> <p>13 you -- he was, of course, the cabinet secretary at the</p> <p>14 time -- that, surprise, surprise, I think as he puts it,</p> <p>15 the media department was the obvious place to look when</p> <p>16 it came to a reallocation for responsibilities for media</p> <p>17 policy within government.</p> <p>18 Q. How long did it take to agree to on that solution in</p> <p>19 principle?</p> <p>20 A. Less than an hour, I would have thought.</p> <p>21 Q. So when you texted Mr Hunt back at 16.58: "I hope you</p> <p>22 like the solution", that's obviously the solution we've</p> <p>23 just been discussing --</p> <p>24 A. Yes.</p> <p>25 Q. -- over the last five minutes; is that correct?</p> <p style="text-align: center;">Page 46</p>	<p>1 legal advice about whether that was an impediment, but</p> <p>2 I was not involved in that seeking of legal advice and</p> <p>3 you would have to direct your questions to either</p> <p>4 the Cabinet Secretary or, I guess, the Prime Minister</p> <p>5 later this week.</p> <p>6 Q. The legal advice we know was obtained after 16.58, which</p> <p>7 was the time of your text: "I hope you like the</p> <p>8 solution". Does that match with your recollection? You</p> <p>9 didn't have the legal advice in your hand, as it were,</p> <p>10 before the decision in principle was taken?</p> <p>11 A. My recollection was that the decision had been taken in</p> <p>12 principle, subject to any problems the legal advice</p> <p>13 might throw up, that there was no expectation that it</p> <p>14 would throw up those problems but it was thought best to</p> <p>15 check.</p> <p>16 Q. What did you mean by "I hope you like the solution"?</p> <p>17 A. First of all, I thought he would like the fact that he</p> <p>18 was taking on additional responsibilities, and second,</p> <p>19 the "solution" refers to the fact that he was -- the</p> <p>20 "solution" refers to the problem we had with Dr Cable's</p> <p>21 remarks and that that had obviously caused a political</p> <p>22 storm that day. And again, my recollection is there was</p> <p>23 breathless coverage on the 24-hour news that this was</p> <p>24 a crisis for the improvement and I think the opposition</p> <p>25 at the time were calling for Dr Cable to resign. So my</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 reference here is to the solution of that particular                  2 problem: Dr Cable's remarks.                  3 Q. When reference was made to Mr Hunt's public expression                  4 of views, which were likely touched on in this meeting                  5 with the Prime Minister, were you surprised to hear                  6 those views?                  7 <b>A. I don't recollect being particularly surprised.</b>                  8 Q. It wouldn't really have been a matter of surprise to                  9 you, would it, if Mr Hunt was generally well disposed to                  10 the bid?                  11 <b>A. I think they had been reported in the press, I think.</b>                  12 Q. But to be frank, weren't those views shared by all the                  13 politicians present, all three of you, the same                  14 community of opinion which is generally favourable to                  15 the bid?                  16 <b>A. As I say, our focus, and indeed the exclusive</b>                  17 <b>conversation, was how to solve this problem, that a very</b>                  18 <b>senior Liberal Democrat, who was important to the unity</b>                  19 <b>of the government, had said remarks which some people,</b>                  20 <b>including the Labour opposition, said merited his</b>                  21 <b>resignation and we wanted to find a solution to that</b>                  22 <b>political problem and that's what took up the time in</b>                  23 <b>the discussion. And as I say, quite appropriately, the</b>                  24 <b>senior Civil Service provided a neat Whitehall solution.</b>                  25 Q. Why were you present at this meeting at all? Was it</p> <p style="text-align: center;">Page 49</p>	<p>1 appointment of Andy Coulson, but I would just say this:                  2 in a modern political party and for a government, you                  3 have to be on the news management cycle. That doesn't                  4 mean you have to try and control every headline. You                  5 can be more relaxed about the ebb and flow of the news                  6 than some of my predecessors have been, but it's quite                  7 difficult when you have a situation where a Cabinet                  8 Minister has said something which makes it pretty clear                  9 to all concerned that he can't continue with those                  10 responsibilities and you have to provide the public and                  11 Parliament with an answer to what your solution to that                  12 problem is.                  13 Q. Was there any sense at the meeting that you were moving                  14 from one difficulty, potentially, to another? You had                  15 an appearance of bias from Dr Cable but you had the                  16 equal and opposite problem with Mr Hunt. Was that ever                  17 considered?                  18 <b>A. Not to my recollection, no.</b>                  19 Q. Do you feel that it should have been?                  20 <b>A. Well, we received, I thought later, good legal advice</b>                  21 <b>that it wasn't an impediment, and I would say there is</b>                  22 <b>a difference between someone who is acting in</b>                  23 <b>a quasi-judicial fashion and saying, in very colourful</b>                  24 <b>terms, "I'm going to go to war with the Murdoch", or</b>                  25 <b>whatever exactly he said, but the gist was that, and the</b></p> <p style="text-align: center;">Page 51</p>
<p>1 simply that you are one of Mr Cameron's leading advisers                  2 in government?                  3 <b>A. Well, I'm a regular attendee at the 4 o'clock meeting</b>                  4 <b>that's held, and I'm a senior member of the government</b>                  5 <b>and senior Conservative.</b>                  6 Q. These 4 o'clock meetings, we don't have to know who's                  7 present on every indication, but are you present on                  8 every occasion?                  9 <b>A. When I'm in London and there's not some other pressing</b>                  10 <b>event.</b>                  11 Q. Why was there such a rush to get this sorted, in                  12 principle, at least, in less than one hour?                  13 <b>A. I think that -- on the day, I remember the pressure was</b>                  14 <b>enormous to do something about the political crisis that</b>                  15 <b>had been unleashed on the government out of the blue at</b>                  16 <b>3 o'clock in the afternoon. Obviously, we had no idea</b>                  17 <b>that Dr Cable had said these things. They weren't in</b>                  18 <b>the Telegraph's report of the story that morning, which</b>                  19 <b>had itself caused some problems, and we had to deal</b>                  20 <b>with -- I mean, the pressure in government, in modern</b>                  21 <b>government, is to -- is you have to make sure you have</b>                  22 <b>answers to some the tough questions that the media are</b>                  23 <b>throwing at you, even if it comes in the middle of the</b>                  24 <b>afternoon, just as you're doing other things.</b>                  25 <b>We're going to come on, I suspect, to discussing the</b></p> <p style="text-align: center;">Page 50</p>	<p>1 way Mr Hunt then sought to conduct himself, which was to                  2 take independent advice and follow that independent                  3 advice.                  4 I mean, if I can make a broader point, Mr Jay. The                  5 claim is, principally by our political opponents but                  6 also others, that there is some vast conspiracy where                  7 the Conservative Party knows before the General Election                  8 that News International wants to bid for more of Sky,                  9 that we sign up to some deal in return for their support                  10 as expressed through the endorsement of the Sun and                  11 then, when we get into office, we hand over BSkyB. That                  12 is what the previous person at this Inquiry has alleged                  13 this morning. It is complete nonsense, and the facts                  14 simply don't bear it out. We had no idea that they                  15 wanted to bid for Sky before the General Election. When                  16 the General Election had happened, Dr Vincent Cable,                  17 a Liberal Democrat, is put in charge, and you have to be                  18 a real fantasist to believe that come these events, we                  19 had knowingly allowed Vince Cable to be secretly                  20 recorded, we knowingly allowed the Telegraph not to                  21 publish that information. That information then emerges                  22 in the middle of the afternoon and we then, all as part                  23 of this cunning plan, put Mr Hunt in charge. It doesn't                  24 stack up. We were following proper process and I think                  25 Mr Hunt followed proper process as Secretary of State.</p> <p style="text-align: center;">Page 52</p>

1 Q. I've been asked to put these two questions to you: are  
 2 you aware of any communications in relation to the BSKyB  
 3 bid between your special adviser, Mr Harrison, and  
 4 Mr Graham McWilliam, who is the head of corporate  
 5 affairs at BSKyB?  
 6 **A. I'm not aware of any such communication.**  
 7 Q. And any communications between Mr Harrison and Matthew  
 8 Anderson, who is Mr Murdoch's adviser?  
 9 **A. I'm not aware of any.**  
 10 MR JAY: I'm going to move on now to another topic.  
 11 LORD JUSTICE LEVESON: We have a break, Mr Osborne, just for  
 12 the shorthand writer, who works quite hard as well.  
 13 Just a few minutes. Thank you.  
 14 (3.18 pm)  
 15 (A short break)  
 16 (3.28 pm)  
 17 MR JAY: Mr Osborne, may we move back to paragraph 7 of your  
 18 first witness statement, please. This is page 04092.  
 19 We're dealing now with the recruitment of Mr Coulson.  
 20 Are you with me?  
 21 First of all, you tell us in paragraph 7.1 that you  
 22 discussed with David Cameron who the potential  
 23 candidates might be, and then, a bit later, one name you  
 24 suggested worth considering was Andy Coulson; is that  
 25 right?

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1 **A. That's right.**  
 2 Q. It's going to be invidious to identify the other  
 3 potential candidates for obvious reasons. Can you give  
 4 us an idea, please, however, of how many there were?  
 5 **A. There were probably, from memory, three or four that we**  
 6 **had identified, one of whom, I think, has been**  
 7 **identified or identified himself, Guto Harri, who**  
 8 **subsequently worked for the Mayor of London. There were**  
 9 **a couple of other people we considered, one of whom we**  
 10 **met and talked to. This other person did not work for**  
 11 **News International, to my knowledge never has worked for**  
 12 **News International, and they are still working in the**  
 13 **press and I don't think it would be fair to identify**  
 14 **them. But we were considering a number of candidates**  
 15 **and I thought Andy Coulson, as recently resigned editor**  
 16 **of News of the World, would be a very strong candidate.**  
 17 Q. What in particular were the qualities he possessed which  
 18 attracted him to you?  
 19 **A. I thought it was a couple of things. First of all, he**  
 20 **had been the editor of a major national newspaper, so he**  
 21 **had an enormous amount of professional experience, and**  
 22 **what we needed was someone who was going to be able to**  
 23 **handle the communications of a large organisation, the**  
 24 **Conservative Party, and develop a media strategy, but**  
 25 **also be able to handle, on an hour by hour basis, the**

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1 **problems that were thrown at us.**  
 2 **As I was saying earlier, in politics -- I'd like to**  
 3 **say modern politics, although I suspect there have been**  
 4 **features of this which have been common to political**  
 5 **systems for thousands of years, but things can be thrown**  
 6 **at you very quickly and you need to be able to react**  
 7 **very quickly. A story can break late at night. It can**  
 8 **involve an individual, it can involve a policy. I would**  
 9 **suggest that if -- I suggest the way actually sometimes**  
 10 **evidence from this Inquiry has suddenly been picked up**  
 11 **and within 20 minutes, the government has to have an**  
 12 **answer or at least a holding answer, you know, shows**  
 13 **I think everyone involved in this Inquiry how quickly**  
 14 **things can move, how quickly the government has to be**  
 15 **able to react and indeed an opposition has to be able to**  
 16 **react, and I thought that Andy Coulson had that**  
 17 **experience, as someone who had run a large newsroom, was**  
 18 **used to the pressure of dealing with fast-changing**  
 19 **stories.**  
 20 **I thought, secondly -- it wasn't just that he was**  
 21 **experienced. I had met him a few times, although never**  
 22 **one-on-one, and he had struck me as someone who had**  
 23 **Conservative views, had shared my Conservative values,**  
 24 **and I thought would bring that as well to the party.**  
 25 **So I thought there were a number of reasons why**

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1 **I thought he was potentially a very good person to do**  
 2 **the job.**  
 3 Q. Are you saying that his associations with or contacts  
 4 with News International were not relevant factors at  
 5 all?  
 6 **A. They were not relevant as far as I was concerned, or**  
 7 **certainly, as far as I'm aware, David Cameron was**  
 8 **concerned. The fact that he had edited a big newspaper**  
 9 **was the relevant fact, and as I say, the other**  
 10 **candidates we considered were not people who were**  
 11 **working for News International. I think if Mr Coulson**  
 12 **had, for example, been editing the Mail on Sunday, then**  
 13 **we would have also hired him. So I think it wasn't**  
 14 **relevant that he was a News International ex-employee.**  
 15 LORD JUSTICE LEVESON: But relevant that he was very  
 16 experienced in the ways of the press?  
 17 **A. That was the relevance, sir. I mean, I have seen people**  
 18 **suggest that the reason we hired him was because of his**  
 19 **connections with the Murdochs or Rebekah Brooks or his**  
 20 **knowledge of the internal workings of**  
 21 **News International. I can tell you that was not**  
 22 **a consideration. What we were interested in hiring is**  
 23 **someone who was going to do the job going forward. I**  
 24 **think if you had just hired someone, or only hired**  
 25 **someone, or this was a key consideration, because of the**

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<p>1 connections he had, I think we would have been making 2 a mistake. We were hiring an individual to do a very 3 important job for us and we hired him because we thought 4 he had the experience and the personality to do that 5 job, and I would suggest to you that everything that's 6 happened since -- no one has ever mounted a serious 7 complaint about the way he was the Director of 8 Communications for the Conservative Party or 9 subsequently for the government. There have been lots 10 of arguments about his time at editor of News of the 11 World, but no complaints about the way he handled 12 himself in the job of Communications Director, which is, 13 frankly, one of the most controversial jobs in Britain.</p> <p>14 LORD JUSTICE LEVESON: Well, is it more that actually he 15 brought skills which you'd seen evidenced by New Labour 16 in Mr Campbell?</p> <p>17 A. I think it is undoubtedly the case that Tony Blair had 18 seen that hiring someone from the media would bring an 19 added dimension to the communications effort, and the 20 Conservative Party had, in opposition, hired a number of 21 people subsequently who had been journalists, indeed one 22 person who had been an editor of the paper.</p> <p>23 So that was true, but I don't think that Mr Coulson 24 and Mr Campbell are cut from the same cloth, I would 25 suggest. Alastair Campbell was a political editor.</p> <p style="text-align: center;">Page 57</p>	<p>1 working for a broadcaster previously.</p> <p>2 Q. Were you aware that he was close friends with 3 Mrs Brooks?</p> <p>4 A. Well, I certainly was aware that he was friendly with 5 Mrs Brooks and obviously knew the owners of the News of 6 the World.</p> <p>7 Q. You must have assessed that this was not likely to be 8 a hindrance in the future. Is that fair?</p> <p>9 A. If anything, of course, we knew it was going to be 10 controversial hiring somebody who had resigned from 11 being editor of the News of the World. We, so certainly 12 had to consider that issue, as I've set out in my 13 written evidence. But as I say, if he'd been the editor 14 of the Mail on Sunday or some other newspaper, then we 15 would have hired him. I use the Mail on Sunday just 16 because it's a Sunday mid-market page with 17 a Conservative leaning.</p> <p>18 So as I say, it was not a consideration: let's hire 19 the ex-News International man. It was: let's hire this 20 very experience ex-newspaper editor. It's not like 21 there were a load of other ex-newspaper editors ready to 22 be employed and I thought he had a particular talent and 23 ability that I had detected in my dealings with him and 24 my conversations with him as Shadow Chancellor.</p> <p>25 So -- of course, that was not my decision to hire</p> <p style="text-align: center;">Page 59</p>
<p>1 I thought Andy Coulson brought a broader experience, as 2 an editor of a paper, so managing a large newsroom, and 3 as I say, I think subsequently the way he did the job 4 shows that he was very well qualified to do that job.</p> <p>5 MR JAY: I suppose he might be said to have been attuned to 6 a particular brand of Conservative thinking, which you 7 and Mr Cameron did not wholly exemplify; is that fair?</p> <p>8 A. Well, I think he brought a whole range of experiences 9 and values to the job. If you're referring to the fact 10 that I think he started his career on a Basildon 11 newspaper, Basildon beats close to the heart of the 12 Conservative Party.</p> <p>13 Q. Out of interest, was he of any use to you subsequently 14 in terms of his contacts with News International and 15 Mrs Brooks?</p> <p>16 A. I don't think they were particularly of value. We 17 already had some of these contacts; it's not like we had 18 to establish contact for the first time with these 19 people. So I don't think he -- as I say, there was 20 a particular thing he brought to the party. He was and 21 remains a very experienced individual, understanding 22 different aspects of the media, and actually one of 23 things he transformed for us was our interaction with 24 broadcast media, which had been, I think, quite weak 25 until that point. So he hadn't, to my knowledge, been</p> <p style="text-align: center;">Page 58</p>	<p>1 him. I suggested that -- and Mr Cameron had met him, as 2 editor of the News of the World, and Mr Cameron spoke to 3 him, as did a number of other Conservatives before he 4 was hired.</p> <p>5 Q. Okay. You met him, as you tell us in paragraph 7.4, for 6 a drink on 15 March 2007. Mr Coulson's evidence was to 7 like effect, and at paragraph 7.6 you also told us you 8 asked him whether he was a Conservative supporter and he 9 confirmed that he was; is that right?</p> <p>10 A. Yes, that's right. I mean, obviously, I suspected he 11 was and one of the things that you develop in my job is 12 you have a reasonable sense, not always accurate, about 13 how people might vote, but of course his paper had 14 actually supported the Labour Party in the previous 15 election, so it was worth asking him the question, 16 because, as I say, he had, as the editor, supported the 17 Labour Party at the previous election.</p> <p>18 Q. Can you remember the precise terms of the question you 19 asked him about phone hacking? You deal with it towards 20 the end of paragraph 7.6.</p> <p>21 A. The way I've put it here is to the best of my 22 recollection. This was not an interrogation. This was 23 a drink where I was sounding him out to see if he was 24 interested. I wasn't offering him the job. I was just 25 finding out whether he was interested. Until that</p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 point, we had no idea whether he was interested, what 2 other things he had on offer or whether he had already 3 accepted some other job.</p> <p>4 So I asked him, in a general sense, as you might do 5 in a social encounter, whether there was more in the 6 phone hacking story that was going to come out that was 7 not already public that we needed to know about and he 8 said no. And of course, the phone hacking story had 9 been the Mulcaire/Goodman court case and subsequent 10 convictions.</p> <p>11 Q. Why do you think you asked that question?</p> <p>12 A. Well, because obviously it was an issue, that he had 13 resigned because of what had happened at the News of the 14 World. Certainly I was aware -- and we'd discussed it 15 beforehand internally before approaching him -- that 16 hiring him would attract come controversy because of the 17 circumstances of his resignation. On the other hand, if 18 he hadn't resigned, he wouldn't have been available for 19 the job, I suspect.</p> <p>20 As I say, I asked it in this -- in the way that 21 I have put down here, to the best of my recollection, 22 and you know, I think it's also worth noting that the 23 Press Complaints Commission subsequently, before we 24 formally appointed him, said there was no evidence of 25 anyone else at the News of the World involved. The</p> <p style="text-align: center;">Page 61</p>	<p>1 subject to his expressing an interest; is that --</p> <p>2 A. I was very impressed by him, and it had confirmed my 3 instinct that I thought he would be a very good 4 candidate for the job. Also, I had discovered that he 5 was at least prepared to consider the job, although 6 I stress that on that occasion, he simply said he would 7 think about it, he hadn't thought about it. He was 8 somewhat surprised, by the way, that I'd turned up and 9 asked him.</p> <p>10 So I knew we had a good person for our shortlist. 11 I wouldn't say that we had made a decision there and 12 then to hire him, but we had someone who we could put on 13 a shortlist.</p> <p>14 Q. I think you told us that you knew that this would be 15 a controversial appointment, particularly if it was 16 going to be him; is that right?</p> <p>17 A. Yes.</p> <p>18 Q. Why did you run that risk?</p> <p>19 A. Because I thought in the end, the balance was that it 20 was worth hiring someone with real talent and ability 21 and weathering the adverse publicity that appointing 22 someone who had had to resign from the News of the World 23 would bring.</p> <p>24 I guess what I had thought was -- and I'd been 25 involved from a very junior level in Conservative</p> <p style="text-align: center;">Page 63</p>
<p>1 former Prime Minister, in his evidence to this Inquiry, 2 has said that he believed Mr Coulson when he was the 3 first politician, as I understand it, to phone 4 Mr Coulson after his resignation, and I guess I also had 5 assumed that because there had been a criminal court 6 case in a court and all these things had been 7 investigated by the police, that there was nothing else. 8 But I asked him.</p> <p>9 Q. So you you asked him to exclude the possibility that 10 there might be something else; is that it?</p> <p>11 A. I asked him because I wanted to find out from him 12 whether there was some as yet undisclosed part of his 13 involvement in the Goodman/Mulcaire case that we were 14 not aware of, and he said no.</p> <p>15 Q. And then in paragraph 8.1, after Mr Coulson, a few days 16 later, confirmed that he was interested in the job, you 17 had a conversation with Mr Cameron about it; is that 18 correct?</p> <p>19 A. Yes. I think I spoke to him pretty soon, actually, 20 David Cameron. My recollection is that I probably spoke 21 to him on the way back from the drink I'd had with 22 Mr Coulson on the telephone.</p> <p>23 Q. So by that point, you were presumably already quite 24 impressed with him, or maybe more than quite impressed. 25 He, from your perspective, was the man for the job,</p> <p style="text-align: center;">Page 62</p>	<p>1 politics since 2004 -- sorry, 1994. You know, over 2 a long period, I'd seen oppositions try and hire people 3 just because of who they were and maybe the connections 4 they brought and so on, and I -- and this had sometimes 5 gone wrong. Not always, but sometimes gone wrong, and 6 it was better to hire someone which you thought was 7 going to be good for the job in hand, rather than 8 because of where they came from.</p> <p>9 So if you were going on simply a -- hiring someone 10 that was not going to attract any publicity, you 11 wouldn't have hired Mr Coulson, but we hired Mr Coulson 12 because -- certainly my assessment was he was the best 13 candidate for the job.</p> <p>14 Q. Can you remember when you spoke to Mrs Brooks to get her 15 professional opinion about him, as you put it?</p> <p>16 A. Well, I spoke to her after I'd seen Mr Coulson and after 17 we'd been considering it for a couple of weeks, and 18 I don't recollect the precise day or anything like that, 19 but I remember a conversation where I asked her: "Tell 20 me about Andy Coulson. Tell me, is he a good person? 21 Is he a good person to work with? What do you think of 22 him?" It was never a question about: "Is he going to 23 bring his News International connections?" or: "Tell me 24 more about the circumstances of Andy's resignation." 25 I was just simply asking her opinion of him as</p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)



1 a professional.

2 Q. Did she express any surprise that you were interested in

3 hiring him?

4 A. Not particularly because I think she knew -- I think

5 Mr Coulson had himself told her that we were interested.

6 I mean, I don't want to overstate the importance of

7 this -- I've just put it in here for completeness. It

8 was a pretty brief conversation, as I remember. There

9 was no formal meeting with her or anything like that.

10 Q. I suppose it would be difficult to take references in

11 this sort of situation and this was the best you could

12 do; is that right?

13 A. Well, yes. One of the problems we had -- and indeed we

14 had appointing his successor -- is that it's such a high

15 profile appointment and there's such a lot of interest

16 in who you're going to appoint that it's quite difficult

17 to do this without attracting a lot of media attention.

18 So we had to tread carefully and you're right that we

19 couldn't formally request references or anything like

20 that.

21 Q. I think subsequently you passed out of the picture, as

22 it were, since we know that Mr Cameron then had

23 a conversation with Mr Coulson and the job was offered,

24 but in terms of his subsequent work for the Conservative

25 Party, to what extent was he helpful in the overall

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1 process of bringing the Sun newspaper on side?

2 A. Well, he was helpful because he was the director of

3 communications, but I think the endorsement of the Sun

4 has been elevated to almost mythical status. It was

5 just one of a whole range of things we felt we had to

6 get right in the run-up to a General Election, and

7 ultimately, if we had not had the endorsement of the Sun

8 I think we still would have gone on and done well in the

9 General Election.

10 I remember also that it was significant we had the

11 endorsement of the Financial Times and the Economist,

12 both publications I think previously at various points

13 had supported the Labour Party. They don't have mass

14 readerships, but they bring a different kind of cache.

15 So I think in all this process, and I think maybe it

16 stems back to the 1992 election and some of the

17 mythology around that -- there is this feeling that the

18 Sun endorsement is all you need to win a general

19 election, and I would say it is far from that, and

20 I certainly think you could win an election without the

21 endorsement of the Sun.

22 Q. But was Mr Coulson able to give advice as to how best to

23 obtain the Sun's support, even if, as you say, it was

24 far less important than many commentators have claimed?

25 A. Well, I think his advice was how to handle our

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1 communications effort. Yes, how to talk to proprietors

2 and editors and so on, but you would have to ask the --

3 indeed you have -- the editor of the Sun and

4 Rebekah Brooks and the Murdochs. But in the end, they

5 supported the Conservative Party I think for the same

6 reasons that many other previously Labour-supporting

7 people and organisations and newspapers switched their

8 support, which is they felt the Labour government had

9 run out of steam and we wanted a new government.

10 So I didn't -- as I was saying before the break,

11 I don't think there was some kind of conspiracy that

12 fused the endorsement of the Sun with the commercial

13 interests of News International and that this was ever

14 discussed or even hinted at or that there was some

15 silent understanding. It's just complete nonsense. We

16 were trying to make the merits of the Conservative case

17 clear to all, including those who edited the Sun but

18 above all those who read the Sun.

19 Q. If you put the term "conspiracy" to one side for one

20 moment -- I understand why you do that -- and instead

21 use the term "strategy", a far more neutral term.

22 Surely you had a strategy -- Mr Cameron, Mr Coulson, you

23 yourself may well have been involved in it -- as to how

24 to win over the Sun? It would be unthinkable that you

25 didn't approach an important issue without having

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1 a strategy. Are we agreed?

2 A. I don't think it was a particular strategy for the Sun

3 newspaper. It was a strategy for the newspapers. We

4 wanted the full throttled support of

5 Conservative-leaning papers like the Telegraph and the

6 Mail. We wanted to win over some of those more neutral

7 broadsheets like the Times and the FT. We didn't have

8 much hope of the Mirror and the Guardian, and obviously

9 we wanted to win the support of the Sun. But it was

10 a general media strategy and it mainly consisted of

11 setting out our argument about why the Labour government

12 had forfeited the right to remain in office and why we

13 thought a Conservative government would be better for

14 Britain.

15 So we were making in private exactly the same

16 arguments that we were making in public.

17 Q. But for the papers in the News International stable, did

18 you not have some sort of strategy as to how

19 specifically to win them over, aside from the overall

20 strategy to do the best you can to win support from

21 everywhere you might choose to look?

22 A. I don't remember. I'm certain there was not some

23 specific Sun strategy. As I say, we were certainly

24 aware that the endorsement of the Sun was important

25 because of the role it's played in British politics or

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<p>1 <b>the role people think it plays in British politics, but</b>  2 <b>our own personal view was it was not going to be</b>  3 <b>anything like a deciding factor or even a hugely</b>  4 <b>significant factor. It was important but it was just</b>  5 <b>one of a whole range of things we had he to do to try</b>  6 <b>and win a General Election.</b></p> <p>7 Q. You also say in your statement that over time you became  8 a personal friend of Mr Coulson; is that right?</p> <p>9 <b>A. Yes, and remain a friend of his, although sadly I've not</b>  10 <b>been able to speak to him for a year.</b></p> <p>11 Q. Okay. May I ask you now about something else? Are you  12 also a friend of Mr Daniel Finklestein of the Times?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Does he act for you as a sort of unpaid adviser and/or  15 speech writer?</p> <p>16 <b>A. No, he's just a very good friend. I've known him for</b>  17 <b>many years. We worked together when he was the director</b>  18 <b>of research at the Conservative Party. We stood for</b>  19 <b>Parliament in the same General Election, but he was</b>  20 <b>unsuccessful. He and his wife Nicky are very good</b>  21 <b>friends of my wife and I.</b></p> <p>22 Q. Has he ever assisted you in the drafting of your  23 statements and speeches?</p> <p>24 <b>A. Well, he -- I talk to him about politics, like I do my</b>  25 <b>other friends, and he occasionally provides good</b></p> <p style="text-align: center;">Page 69</p>	<p>1 to have social relationships with whosoever they want.  2 The question is: is there a line, and if there is, how  3 you define it. You may be right that you can set it  4 out, but ultimately you depend upon the people who were  5 exercising responsibility and power to use sensible  6 judgment.</p> <p>7 <b>A. I would agree with that. In the end, there's the</b>  8 <b>judgment of the editor of the newspaper, there's the</b>  9 <b>judgment of the public about whether they buy that</b>  10 <b>newspaper and there's the judgment of the electorate</b>  11 <b>about whether they elect someone to office.</b></p> <p>12 MR JAY: There's one further meeting I have been asked to  13 raise with you. It's on 5 April 2011. It's referenced  14 in your annex, which remains under tab 2 at page 04085.  15 A dinner with Rebekah Brooks, Will Lewis and James  16 Murdoch, which I think was the night of the press  17 awards. Do you remember that one, Mr Osborne?</p> <p>18 <b>A. I do remember it, though not in great detail.</b></p> <p>19 Q. Two issues I've been asked to raise with you. First,  20 were Mr Michel and Matthew Anderson present on that  21 occasion?</p> <p>22 <b>A. I don't think so, no. Well -- no.</b></p> <p>23 Q. So the names listed here represent the only relevant  24 individuals from News International/News Corp who were  25 there; is that correct?</p> <p style="text-align: center;">Page 71</p>
<p>1 <b>one-lines and jokes. It is a function -- those who know</b>  2 <b>Mr Finklestein know he's been performing this function</b>  3 <b>for about 20 years for a whole succession of</b>  4 <b>Conservative politicians.</b></p> <p>5 Q. As a form of quid pro quo, do you assist him in any way  6 with providing material information for his stories in  7 the Times?</p> <p>8 <b>A. Well, we -- no, is the -- if you're suggesting there's</b>  9 <b>something improper in that. We have political</b>  10 <b>conversations. I have other very good personal friends</b>  11 <b>who are journalists and involved in the media and</b>  12 <b>obviously we talk about politics, but part of the job of</b>  13 <b>a columnist -- and I don't think, by the way, anyone who</b>  14 <b>reads Mr Finklestein's excellent columns would be under</b>  15 <b>no illusion that he's a Conservative, because he quite</b>  16 <b>often references the fact that he worked in the</b>  17 <b>Conservative central office and was a Parliamentary</b>  18 <b>candidate. You know, he is seeking to explain the</b>  19 <b>thinking of the Conservative Party and no doubt he's</b>  20 <b>informed by the conversations he has with me and many</b>  21 <b>other senior Conservatives.</b></p> <p>22 <b>I would also point out he is friends with many, many</b>  23 <b>senior Conservatives, not just myself.</b></p> <p>24 LORD JUSTICE LEVESON: Actually, you make the very point  25 that I was making to before, that people have to be able</p> <p style="text-align: center;">Page 70</p>	<p>1 <b>A. To the best of my recollection. If I've got that wrong,</b>  2 <b>I will certainly write to correct it but I don't</b>  3 <b>remember anyone else being there.</b></p> <p>4 Q. The second question is: was the BSKyB bid raised on that  5 occasion?</p> <p>6 <b>A. I don't think it was, no.</b></p> <p>7 Q. Can you remember what was discussed in general terms on  8 that occasion?</p> <p>9 <b>A. I think, again, it was a general discussion about the</b>  10 <b>political situation and what the government was up to at</b>  11 <b>the time.</b></p> <p>12 Q. Okay. I move on then to issues of media regulation,  13 Mr Osborne.</p> <p>14 <b>A. Yes.</b></p> <p>15 Q. A number of issues. The balance between freedom of the  16 press, free speech, and responsibility and the rights of  17 others. How do you see the issue of individual harm and  18 collective harm and how heavily do they way in the  19 balance against the important rights of freedom of  20 speech?</p> <p>21 <b>A. My instinct is to err on the side of freedom of speech,</b>  22 <b>just because I think when you try and construct some</b>  23 <b>test of some other public interest, you are at risk of</b>  24 <b>muzzling free comment in a democratic society, and there</b>  25 <b>are plenty of occasions in our history when newspapers</b></p> <p style="text-align: center;">Page 72</p>

18 (Pages 69 to 72)

<p>1 stood out against the general consensus, would have been 2 accused of harming the public good, and yet were proved 3 right by events afterwards, and I think if you try and 4 construct some public interest test that you sit 5 alongside freedom of speech, you are in quite difficult 6 territory.</p> <p>7 That doesn't mean that there aren't rights of 8 individuals, and I would certainly -- maybe we're going 9 to come on to this. I would certainly agree that the 10 PCC needs a complete overhaul and changing, and I think 11 there needs to be a better right of redress for 12 individuals who are harmed in some way by the press in 13 an unfair way, but I think if you try and construct some 14 test of general harm, then you are in difficult 15 territory because a powerful politician will always 16 invoke the national security or economic national 17 interest as some defence why an inconvenient story 18 shouldn't be published.</p> <p>19 Q. If we focused on the individual harm rather than general 20 harm. I'm not sure anybody's going so far as to suggest 21 general harm. Why does the same concern arrive in the 22 context of the correct desire to continue to foster free 23 speech in a democratic society?</p> <p>24 A. I think -- this is more the territory of yourself and 25 Lord Justice Leveson, but I think the courts and the</p> <p style="text-align: center;">Page 73</p>	<p>1 works but I think it's generally the view that when the 2 remedies are arrived at, they tend to be much -- the 3 apology or the correction is tiny compared to the size 4 of the original story, and for ordinary citizens whose 5 lives can be harmed in this way, there is not an obvious 6 route to go down.</p> <p>7 So I would hope that perhaps coming out of this will 8 be some recommendations about how you can help those 9 ordinary citizens, which, after all, was -- the origins 10 of this entire Inquiry was the harm visited on ordinary 11 citizens, not on politicians or celebrities. If you can 12 find a cheaper, more effective, more straightforward 13 remedy for those people, I think that would be 14 fantastic, but I think in doing so you have to be 15 careful not to stray into -- my personal view -- issues 16 like the blurring between comment and fact, which has 17 featured in these enquiries, because I think that is 18 a broader issue where -- personally speaking, again -- 19 I think you'll find it impossible to find some remedy, 20 and if you do empower some independent body with some 21 investigative rights in this area, you could be crossing 22 over a line which ends up with a restriction on free 23 speech which would be damaging to democracy.</p> <p>24 LORD JUSTICE LEVESON: We have to break that down a bit. If 25 one takes the first bit, the PCC does require separation</p> <p style="text-align: center;">Page 75</p>
<p>1 defamation laws don't really provide much of a remedy 2 for most citizens in this country if they are in some 3 way libeled. It's too expensive to take a libel action 4 and whilst the Press Complaints Commission has done some 5 good -- and I've used it on occasion myself -- it has 6 lacked teeth, it has lacked independence, and I think -- 7 but I've only reflected on this because of this 8 Inquiry -- I think it is also too reactive to individual 9 complaints rather than trying to foster a broader set of 10 standards and an ethos which I think would benefit the 11 whole process.</p> <p>12 Q. That sounds as if you favour a strengthened body which 13 would be able to assess damage to individual rights and 14 therefore there isn't an objection to those matters 15 being properly addressed, even in a democratic society 16 where we all believe in free speech. Is that not 17 correct?</p> <p>18 A. I think if there's an individual who is not a prominent 19 politician or a celebrity who's actively courted the 20 media -- if there's an individual who has a gross 21 intrusion of their privacy by the press that is 22 unjustified -- and I'll many come on to say how you make 23 that determination -- but I don't think at the moment 24 they have very many options available to them. They can 25 go to the Press Complaints Commission and sometimes that</p> <p style="text-align: center;">Page 74</p>	<p>1 of fact and comment and if you have an appropriate 2 mechanism at least to be able to review that where it's 3 gone horribly wrong -- and I'm not talking about 4 political issues which I see in a different light; 5 I understand the point that you're making there -- that 6 may help.</p> <p>7 The second bit is investigative rights, and again, 8 it depends what sort of investigation you permit and 9 who's doing it. The trouble is that there's a risk, it 10 seems to me -- but I'd be interested in your comment -- 11 in defaulting to the position: "Well, the police are 12 there, they should do it", because the police have their 13 own priorities and their own problems and one would hope 14 that the press in some way should be able to cope with 15 issues that are so outwith a reasonable response that 16 somebody ought to say something about it.</p> <p>17 That's really what we're grappling with; is that not 18 fair?</p> <p>19 A. Well, sir, I think from what I've heard you say about 20 trying to get a more independent body that is also 21 independent of the government, that provides an easier 22 means of redress for -- I put it like this -- ordinary 23 citizens, and I think that is all very well and good and 24 all power to your elbow. I just would question -- when 25 I hear the discussion stray into a complaint about</p> <p style="text-align: center;">Page 76</p>

1 sometimes the virulence of the press or the anger of the  
 2 press, that is part of the colour of a free press in our  
 3 society and it actually makes our press, I think, more  
 4 effective at holding politicians to account than the  
 5 media in some other countries, and you know -- I've  
 6 heard, for example, what Alastair Campbell suggest  
 7 league tables for accuracy and there's been some talk of  
 8 kite marks.

9 I would just be quite sceptical of getting into that  
 10 territory. One person's fact is are another's opinion,  
 11 certainly in the political world. So maybe there are  
 12 other worlds where there needs to be a clearer line, but  
 13 I think in politics you'll find it very difficult to  
 14 find that line, but you yourself acknowledged it.

15 LORD JUSTICE LEVESON: I understand the point entirely, but  
 16 let me just share with you another group -- I'd be  
 17 interested in your comments, and these are now  
 18 voluntary, these questions, so you're perfectly entitled  
 19 to say, "Thank you very much, I'll pass on that."

20 I've heard evidence from groups that feel very, very  
 21 disadvantaged by the way they're continually portrayed  
 22 in the press, and of course the PCC requires an  
 23 individual complaint, but if the material is about  
 24 a group of people -- and there have been submissions  
 25 from disabled groups, immigrant groups, transgender

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1 group, from women's groups -- they fall into a slightly  
 2 different category from the politicians, who, of course,  
 3 have different dynamics within which they have to  
 4 operate. Would you agree?

5 **A. Well, up to a point (inaudible), I think is my answer to**  
 6 **that. I think, yes, of course you have to respect the**  
 7 **dignity of people and particularly -- you know, there**  
 8 **are laws to prevent racial discrimination or sexual**  
 9 **discrimination or sexual orientation discrimination.**  
 10 **You mentioned immigrant groups and they are obviously**  
 11 **sometimes the most vulnerable people in our society.**  
 12 **Equally, there is a huge concern out there amongst the**  
 13 **public about immigration controls, not about particular**  
 14 **immigrants, and if that is not allowed to be aired, then**  
 15 **I think you stifle public debate and actually, since**  
 16 **you've got me on the subject here, I think it's one of**  
 17 **the issues for our national broadcasters as well.**

18 I think -- let's take the issue which is very hot at  
 19 the moment, the European issue and the euro zone.  
 20 I remember a decade ago it was regarded as faintly  
 21 eccentric to be against Britain's membership of the euro  
 22 and the campaign launched by the Daily Mail and the Sun  
 23 and the Daily Telegraph to keep Britain out of the euro  
 24 was regarded a faintly marginal by the establishment and  
 25 the government at the time, and the CBI and the TC and

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1 everyone else.

2 Now, actually, they found -- that Eurosceptic  
 3 movement found its voice through those newspaper  
 4 campaigns and they didn't get much help, may I add, from  
 5 the BBC at the time, although I think the BBC has  
 6 acknowledged now it made a mistake, and yet we can now  
 7 see, with hindsight, particularly today of all days,  
 8 that that was one of the most important economic and  
 9 political decisions this country has ever faced.

10 LORD JUSTICE LEVESON: Yes.

11 **A. So I would just be -- yes, by all means respect the**  
 12 **right and dignity of individual groups, but if that**  
 13 **prevents you airing issues that large numbers of people**  
 14 **in this country have quite strong views about, then**  
 15 **I think you are in difficult territory.**

16 LORD JUSTICE LEVESON: I don't find it personally difficult  
 17 to draw the line between what you've just said justifies  
 18 protection and what you have equally said absolutely  
 19 must be open in a free democratic society for free  
 20 speech.

21 **A. But if you, for example, cut to the budget, the**  
 22 **government funding to perhaps one of the groups that you**  
 23 **mentioned, that can be represented as an attack on that**  
 24 **group and you never hear on the Today programme a person**  
 25 **saying, "By the way, I'm a taxpayer. It's not that I'm**

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1 particularly against that group; it's just that this  
 2 country is spending too much."

3 I'm just saying that if you elevate certain groups  
 4 as having particular status that need particular  
 5 protection, you are starting to make judgments about  
 6 what's in the public interest and I think that is quite  
 7 a slippery slope. We have very good laws, which you  
 8 would know better than me, sir, to protect the abuse  
 9 against individuals and discrimination against  
 10 individuals, but once you start going beyond those laws  
 11 with some kind of code for newspapers, then I think you  
 12 are straying into the territory of determining what's in  
 13 the national interest and I would personally stay away  
 14 from that territory.

15 LORD JUSTICE LEVESON: You certainly need to stray away from  
 16 determining what's in the public interest. That's  
 17 ultimately going to be a decision for the press.

18 **A. And the public.**

19 LORD JUSTICE LEVESON: And the public. The question is  
 20 where, in relation to any specific example, the balance  
 21 lies.

22 **A. Yes. I would say from having followed your proceedings**  
 23 **that the work that you are asking people's opinions on,**  
 24 **to create a more independent replacement to the PCC that**  
 25 **is independent of government but more independent of the**

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<p>1 newspapers, that it should have teeth, that it should be 2 more than just reactive to complaints, it should try and 3 set broader standards, I think those are all very good 4 things.</p> <p>5 One final point I'd make and I've not had a chance 6 to make yet is of course all of this has to be 7 future-proof. What we don't want to come up with is 8 a system for the production of illuminated manuscripts. 9 We have to have something that is relevant for the 10 Internet age. I have a 10 year old and an 8 year old 11 child. I doubt they will ever buy a paper newspaper in 12 their lives. They will consume news, they do consume 13 news, but they consume news in different ways to the way 14 that I've done over my life, and if we come up with 15 something that just targets on one particular part of 16 the media, then I'm afraid we'll all have been wasting 17 our time.</p> <p>18 LORD JUSTICE LEVESON: You could equally have added the 19 concern about economics of print journalism as well.</p> <p>20 I understand the point. That's not to say I know the 21 answer, but I understand the point.</p> <p>22 MR JAY: Well, thank you very much, Mr Osborne.</p> <p>23 LORD JUSTICE LEVESON: Mr Osborne, thank you very much.</p> <p>24 <b>A. Thank you.</b></p> <p>25 LORD JUSTICE LEVESON: There's nothing else for me to deal</p> <p style="text-align: center;">Page 81</p>	
<p>1 with? Right, tomorrow morning, 10 o'clock. 2 (4.10 pm) 3 (The hearing adjourned until 10 o'clock the following day) 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 82</p>	

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