

<p>1 Monday, 25 June 2012</p> <p>2 (10.00 am)</p> <p>3 LORD JUSTICE LEVESON: I wish to take the opportunity to</p> <p>4 deal with concerns that have been expressed in the press</p> <p>5 about my approach to aspects of the inquiry and, in</p> <p>6 particular, to concerns that I have sought to prevent</p> <p>7 debate on its subject matter.</p> <p>8 1. Shortly after 4.00 pm on Friday 15 June, Brendan</p> <p>9 Carlin of the Mail on Sunday contacted the Inquiry,</p> <p>10 outlining in broad terms a story that "an excellent</p> <p>11 source" had provided. It was made clear that the story</p> <p>12 would run (by implication irrespective of any response)</p> <p>13 but a number of questions were put. These were, and</p> <p>14 I quote:</p> <p>15 "Can you confirm that following comments made by</p> <p>16 Michael Gove on February 21 regarding the 'chilling</p> <p>17 effect' on press freedom of the Leveson Inquiry, Lord</p> <p>18 Leveson (sic) contacted Downing Street?</p> <p>19 "Can you confirm that he spoke to Cabinet Secretary</p> <p>20 Sir Jeremy Heywood?</p> <p>21 "Can you confirm that Lord Leveson expressed his</p> <p>22 concerns at the comments?</p> <p>23 "Can you confirm that he said that if ministers</p> <p>24 continued to comment publicly in this fashion he might</p> <p>25 have to consider his position?</p> <p style="text-align: center;">Page 1</p>	<p>1 4. The story was picked up and repeated in other</p> <p>2 papers. It was further amplified in the Daily Mail on</p> <p>3 18 June 2012, under the headline "Now MPs say that</p> <p>4 Leveson is stifling free speech" which repeated the</p> <p>5 thrust of the previous article and noted that Mr Gove</p> <p>6 had been "defended" by the Prime Minister on the day</p> <p>7 after his remarks. It also quoted two MPs: first,</p> <p>8 Mr Philip Davies MP as commenting that the intervention</p> <p>9 raised questions over my attitude to free speech and</p> <p>10 that if I was sensitive about criticism I ought to move</p> <p>11 aside for someone else, and, second, Mr Douglas Carswell</p> <p>12 MP as saying that my intervention "raises questions</p> <p>13 about the integrity of the Inquiry".</p> <p>14 5. At the heart of this story are two allegations,</p> <p>15 first that I sought to prevent Mr Gove from exercising</p> <p>16 his right to free speech, including by making a threat</p> <p>17 to resign and, secondly, that I misused the process of</p> <p>18 the inquiry to summon Mr Gove in order that I could</p> <p>19 challenge his behaviour.</p> <p>20 6. In the light of the story and the follow-up,</p> <p>21 I felt it appropriate to raise the matter in the Inquiry</p> <p>22 and, had I been sitting on 18 June 2012, I would have</p> <p>23 done so then. In the event, I was not sitting that week</p> <p>24 and I was conscious that section 17(3) of the Inquiries</p> <p>25 Act 2005 requires me when making any decision as to the</p> <p style="text-align: center;">Page 3</p>
<p>1 "Can you confirm that subsequent to Mr Gove's</p> <p>2 comments, he asked the education secretary to give</p> <p>3 evidence to his Inquiry?"</p> <p>4 2. I addressed the approach to these questions the</p> <p>5 next day (Saturday) and I authorised following</p> <p>6 statement, which I recognise was faithfully repeated in</p> <p>7 the subsequently article.</p> <p>8 "Lord Justice Leveson is conducting a judicial</p> <p>9 inquiry and in that capacity will not comment on</p> <p>10 prospective press stories outside the formal proceedings</p> <p>11 of the Inquiry."</p> <p>12 3. On 17 June 2012, under the very substantial</p> <p>13 front page headline "Leveson's 'threat to quit' over</p> <p>14 meddling minister" and the subheadline "Fury of press</p> <p>15 probe judge after education secretary claims the inquiry</p> <p>16 for 'chilling' effects on free speech", the Mail on</p> <p>17 Sunday asserts that because of a speech made by the</p> <p>18 Right Honourable Michael Gove MP to the House of Commons</p> <p>19 Press Gallery as long ago as 21 February 2012, I made</p> <p>20 "an angry call to the Cabinet secretary", "demanded that</p> <p>21 the Education Secretary should be gagged" and said that</p> <p>22 "if ministers were not silenced", the inquiry "would be</p> <p>23 rendered worthless". It went on to say that I "summoned</p> <p>24 Mr Gove to give evidence to the inquiry to explain</p> <p>25 himself".</p> <p style="text-align: center;">Page 2</p>	<p>1 procedure or conduct of the Inquiry to have regard</p> <p>2 (among other things) "to the need to avoid any</p> <p>3 unnecessary cost (whether to public funds or to</p> <p>4 witnesses or others)". In the circumstances, I decided</p> <p>5 to refer all core participants (who are entitled to</p> <p>6 raise any issues which concern them as and when they</p> <p>7 wish) to these articles and to invite submissions within</p> <p>8 48 hours.</p> <p>9 7. It has been suggested (in rather more colourful</p> <p>10 language) that my intention is to challenge the Mail on</p> <p>11 Sunday. In fact, my intention is and always was very</p> <p>12 different. The papers had, after all, felt it</p> <p>13 appropriate to make very serious allegations, expressly</p> <p>14 and inferentially to the effect that I had behaved</p> <p>15 improperly, challenging my position in the Inquiry.</p> <p>16 Usually, applications about the conduct of a judge in</p> <p>17 the exercise of his or her judicial functions (which, in</p> <p>18 view of their seriousness, are rare) are made in public</p> <p>19 to the tribunal against whom the allegation is made and</p> <p>20 backed by evidence; any decision can then be challenged</p> <p>21 on appeal. My purpose was simply to give</p> <p>22 Associated Newspapers Limited the opportunity to pursue</p> <p>23 the allegations they made on the front page of their</p> <p>24 newspaper before me; this obviously had to be done</p> <p>25 quickly and I should certainly have preferred it to have</p> <p style="text-align: center;">Page 4</p>

<p>1 been sooner than the week that has passed.</p> <p>2 8. In the event, to my surprise in view of the</p> <p>3 allegations that they had made, Associated Newspapers</p> <p>4 Limited, by their solicitors, asked for an indication of</p> <p>5 the specific issues upon which I would welcome</p> <p>6 assistance and any written submissions. It was</p> <p>7 indicated that core participants were offered the</p> <p>8 opportunity (without obligation) to offer any</p> <p>9 observations they had. Associated Newspapers Limited</p> <p>10 made no submission of any sort, and, more specifically,</p> <p>11 no application. Given the prominence that they had</p> <p>12 afforded this story, at the very least, I find that</p> <p>13 equally as surprising as their apparent failure to</p> <p>14 understand why I might have sought observations or</p> <p>15 submissions from them.</p> <p>16 9. Unlike others who have been approached by the</p> <p>17 press in this way, I have been the advantage of being</p> <p>18 able to deal with these allegations in my own time and</p> <p>19 in a way that does not allow for confusion. Given the</p> <p>20 open and transparent nature of the way in which I have</p> <p>21 conducted this inquiry, that is what I shall now do.</p> <p>22 10. When Mr Gove addressed the House of Commons</p> <p>23 Press Gallery, his remarks were widely reported and</p> <p>24 I asked for a transcript which was later made available.</p> <p>25 I do not need to set out what he said in detail but it</p> <p style="text-align: center;">Page 5</p>	<p>1 entirely supportive of their right to do so.</p> <p>2 12. Mr Gove, however, also occupies a position</p> <p>3 which has a critical further dimension. As he is</p> <p>4 a senior member of the Cabinet, a question arose in my</p> <p>5 mind at the time as to whether, in speaking as he did,</p> <p>6 he was speaking for the Government or reflecting the</p> <p>7 view (or the perception) of the Government that the very</p> <p>8 inquiry that it had established was no longer to be</p> <p>9 supported in its work. That concern was underlined</p> <p>10 when, the very next day 22 February 2012, during the</p> <p>11 course of Prime Minister's questions, there was the</p> <p>12 following exchange.</p> <p>13 "Q5. [95251] Tom Blenkinsop (Middlesborough South</p> <p>14 and East Cleveland) (Lab): On Tuesday the Education</p> <p>15 Secretary that the Prime Minister's decision to set up</p> <p>16 the Leveson Inquiry was having a "chilling" effect upon</p> <p>17 freedom of expression. Does the Education Secretary</p> <p>18 speak for the Government?"</p> <p>19 "The Prime Minister: The point I would make is</p> <p>20 this. It was right to set up the Leveson Inquiry, and</p> <p>21 that is a decision fully supported by the entire</p> <p>22 Government, but I think my right honourable friend is</p> <p>23 making an important point, which is this: even as this</p> <p>24 inquiry goes on, we want to have a vibrant press that</p> <p>25 feels it can call the powerful to account, and we do not</p> <p style="text-align: center;">Page 7</p>
<p>1 is important to underline that he went further than</p> <p>2 emphasising the importance of freedom of expression and</p> <p>3 gave as his opinion that there is a chilling atmosphere</p> <p>4 which emanates from the debate around the Inquiry. He</p> <p>5 spoke of the danger of the cure that is worse than the</p> <p>6 original disease and the danger that "judges,</p> <p>7 celebrities and the establishment, all of whom have an</p> <p>8 interest in taking over as arbiters of what a free press</p> <p>9 should be, imposing either soft or hard regulation" and</p> <p>10 that, effectively, it is sufficient if we vigorously</p> <p>11 uphold the laws and principles that are already in</p> <p>12 place while encouraging "the maximum of freedom of</p> <p>13 expression".</p> <p>14 11. On many occasions throughout the hearings,</p> <p>15 I have consistently and repeated emphasised the</p> <p>16 fundamental importance of free speak and a free press.</p> <p>17 Further, I have recognised that everyone is entitled to</p> <p>18 an opinion on a topic such as this which is of</p> <p>19 widespread public interest and the subject of vigorous</p> <p>20 public debate. All are entitled to express personal</p> <p>21 views that they hold in whatever way and whatever</p> <p>22 circumstances they consider fit and Mr Gove is no</p> <p>23 exception. It is worth pointing out that many others</p> <p>24 have spoken about the inquiry and about me, both inside</p> <p>25 and outside the formal proceedings, and I remain</p> <p style="text-align: center;">Page 6</p>	<p>1 want to see it chilled -- and although sometimes one may</p> <p>2 feel some advantage in having it chilled, that is not</p> <p>3 what we want.</p> <p>4 "13. It seemed to me at the time (as, indeed, the</p> <p>5 Daily Mail, on 18 June, has now sought to suggest by</p> <p>6 saying that the Prime Minister was "defending" Mr Gove)</p> <p>7 that the Prime Minister's response was open to the</p> <p>8 interpretation that he was, indeed, agreeing with</p> <p>9 Mr Gove's views. I also recognise that it was open to</p> <p>10 the interpretation that the Prime Minister was not</p> <p>11 saying that free speech was being chilled but only that</p> <p>12 "we do not want to see it chilled". Of greater concern</p> <p>13 to me was the question whether what he had said was or</p> <p>14 had become the government's position in relation not</p> <p>15 just to the effects of the Inquiry, intended or</p> <p>16 otherwise, but also that there there was a danger that</p> <p>17 I (as a judge) had an interest in taking over as arbiter</p> <p>18 of what a free press should be, imposing either soft or</p> <p>19 hard regulation, and that it was sufficient vigorously</p> <p>20 to uphold the laws and principles that are already in</p> <p>21 place while encouraging "the maximum of freedom of</p> <p>22 expression". What I did not appreciate at the time (but</p> <p>23 have been referred to in a submission by a core</p> <p>24 participant in response to these articles) is that</p> <p>25 Dr Martin Moore and Professor Brian Cathcart had similar</p> <p style="text-align: center;">Page 8</p>

<p>1 concerns. In an open letter to the Prime Minister 2 (published on the Hacked Off website at the time) 3 referring to Mr Gove's comments and Prime Minister's 4 questions, they sought an assurance from him that the 5 Government was still "fully committed to the inquiry and 6 its validity and need".</p> <p>7 14. From my perspective, the issue was 8 straightforward. Had the government reached a settled 9 view along the lines that Mr Gove had identified, it 10 would clearly have raised questions about the value of 11 the work that the Inquiry was undertaking (at 12 substantial cost). I recognised that the Prime Minister 13 had said that it was right to set up the inquiry, but 14 I wanted to find out whether Mr Gove was speaking for 15 the government, whether it was thought that the very 16 existence of the Inquiry was having a chilling effect on 17 healthy vibrant journalism and whether the government 18 had effectively reached a settled view on any potential 19 recommendations. Put shortly, I was concerned about the 20 perception that the Inquiry was being undermined while 21 it was taking place.</p> <p>22 15. Following Prime Minister's Questions, 23 I therefore considered it both necessary and appropriate 24 to make an enquiry to that effect of Sir Jeremy Heywood, 25 the Cabinet Secretary. I received the assurance that no</p> <p style="text-align: center;">Page 9</p>	<p>1 he was offering support and the place of such support in 2 his relationship with politicians was, in the judgment 3 of the Inquiry, highly relevant to the terms of 4 reference. The fact that for many years Mr Gove had 5 been a journalist employed at the Times, and therefore 6 was able to look at the relationship between politicians 7 and the press from both perspectives, further added to 8 his interest as a witness. The decision that Mr Gove 9 should be asked to give evidence was made before his 10 speech to the Press Lobby but there was obviously an 11 opportunity, after he had made it, to invite him to say 12 more about these views as well if he chose to, as indeed 13 he did.</p> <p>14 "17. One great value of the way in which the 15 Inquiry is being streamed on the website means that 16 everyone can see the extent to which I have consistently 17 and repeatedly emphasised the critical significance of 18 free speech and, in that very important context, can 19 watch the exchanges that I have with witnesses and reach 20 their own conclusions.</p> <p>21 18. It is absolutely correct that the press should 22 be able to hold this Inquiry, in general, and me, in 23 particular, to account; the Mail on Sunday, the 24 Daily Mail and those other newspapers that published the 25 story are and were entitled to do so with whatever</p> <p style="text-align: center;">Page 11</p>
<p>1 fixed view had been formed and that it was wrong to 2 infer from the Prime Minister's observations any 3 concerns or collective view. I fully accepted that 4 assurance and made my position clear in a session of the 5 Inquiry, when I said (27 February 2012, AM, page 4, 6 lines 9-17):</p> <p>7 "For the avoidance of all doubt, let me make it 8 clear that I have no wish to be the arbiter of what 9 a free press should be or should look like, and I have 10 no interest in doing so. Publicly to express concern 11 effectively about the existence of the Inquiry, when it 12 was doing no more than following its mandated terms of 13 reference, is itself somewhat troubling. For my part, 14 given the background, I do not believe the Inquiry was 15 or is premature and I tended to do neither more nor less 16 than was required of me."</p> <p>17 16. I turn to the decision to call Mr Gove to give 18 evidence. The background is very simple. There was 19 a considerable body of evidence to the effect that 20 Mr Rupert Murdoch had expressed an active interest in 21 education in this country and had involved himself in 22 discussions about academy schools, with a view, 23 potentially, to providing financial support for one or 24 more such schools. To that end, he had engaged with the 25 Secretary of State for Education. The extent to which</p> <p style="text-align: center;">Page 10</p>	<p>1 comment they considered appropriate. Having said that, 2 however, it is at least arguable that what has happened 3 is an example of an approach which seeks to convert any 4 attempt to question the conduct of the press as an 5 attack on free speech. For my part, I will not be 6 deterred from seeking to fulfil the terms of reference 7 that have been set for me.</p> <p>8 19. I add only this. I understand only too well 9 the natural anxieties of editors, journalists and others 10 of the dangers of a knee-jerk response to the events of 11 last July. Whilst I continue to state my belief in 12 a free press at every possible opportunity (and not 13 a single witness has sought to suggest that healthy and 14 vibrant journalism is not essential to our society) 15 I also understand that on every day of the Inquiry, 16 every exchange I have with a witness will be analysed 17 and considered in order to reveal a hidden agenda. 18 There is none. No recommendations have been formulated 19 or written; no conclusions have yet been reached. 20 Testing propositions is not any equivalent to the 21 expression of views concluded or others.</p> <p>22 Thank you.</p> <p>23 I now also hand down a decision which I shall not 24 read on the applications for core participant status for 25 module 4.</p> <p style="text-align: center;">Page 12</p>

<p>1 MR CAPLAN: May I say one thing. I am very grateful for 2 that, but I would like to apologise if it was felt we 3 hadn't responded to a specific issue that should have 4 been responded to.</p> <p>5 The position, very briefly, was that the editor of 6 the Mail on Sunday perceived that this was a story of 7 public interest and the perception that the Inquiry 8 might be undermined was a matter of public interest. 9 The editor of the Daily Mail did not know that story in 10 advance. Like other newspapers, they picked it up on 11 the Monday and made, I hope, proper inquiries of the 12 government and the Inquiry, and I apologise when 13 a request was made for any submissions to be made that 14 we didn't appreciate that there were other issues that 15 we might have assisted upon. But may I say I am very 16 grateful for the very full statement that you have made 17 and I don't think we can assist in any way except to 18 thank you for it.</p> <p>19 LORD JUSTICE LEVESON: As long as you have had the 20 opportunity to make an application about me, that is 21 what I wanted. Thank you.</p> <p>22 Yes, Mr Barr.</p> <p>23 MR BARR: Good morning, sir.</p> <p>24 Our first witness is the Right Honourable 25 Peter Riddell.</p> <p style="text-align: center;">Page 13</p>	<p>1 valuable because they provide a different window on the 2 problems that I have to address. I am very grateful to 3 you.</p> <p>4 A. Thank you.</p> <p>5 MR BARR: Your long career as a journalist has included 6 spells -- long spells, I should say -- both as 7 a political journalist and as a political commentator. 8 Could I ask you from that extent of experience to 9 assist the Inquiry with the difference between the two?</p> <p>10 A. I regard "political journalist" as covering both. 11 Essentially, from 1981 until late '88, I was political 12 editor of the Financial Times. In other words, I ran 13 the reporting team. That was doing political news, news 14 coverage. For a year, one of your assessors was one of 15 my colleagues on that team. Then, when I came back, 16 I had nearly three years in Washington as bureau chief 17 of FT and then I came back near the end of 1991 and 18 essentially, between 1991 and 2010, I was a commentator.</p> <p>19 The distinction between the two is in one, I was an 20 analyst, essentially, for the Times, of political 21 developments, interpreting them, their significance, and 22 also for a period wrote a political column on what is 23 known as the op-ed pages, which expressed my opinion. 24 But there is a wide range of things between -- well, 25 a commentator is someone who is all opinion and not much</p> <p style="text-align: center;">Page 15</p>
<p>1 LORD JUSTICE LEVESON: Thank you.</p> <p>2 MR PETER JOHN ROBERT RIDDELL (sworn)</p> <p>3 Questions by MR BARR</p> <p>4 MR BARR: Could you confirm your full name, please?</p> <p>5 A. Yes. My name is Peter John Robert Riddle.</p> <p>6 Q. Are the contents of your witness statement true and 7 correct to the best of your knowledge and belief?</p> <p>8 A. They are indeed.</p> <p>9 Q. You are currently director of the Institute for 10 Government, which is a non-partisan charity concerned 11 with improving the effectiveness of government?</p> <p>12 A. I am.</p> <p>13 Q. You have been active in the Hansard Society for about 14 two decades and you have chaired it for the last years?</p> <p>15 A. And since making the statement, I stepped down from 16 chairing it about two weeks ago.</p> <p>17 Q. I see. You are a Privy Councillor?</p> <p>18 A. Indeed. That was related to being on the Detainee 19 Inquiry.</p> <p>20 Q. And for nearly 40 years you were a journalist, first of 21 all between 1970 and 1991 for the Financial Times and 22 between 1991 and the middle of 2010 for the Times?</p> <p>23 A. Absolutely.</p> <p>24 LORD JUSTICE LEVESON: Mr Riddell, thank you very much for 25 your very helpful statement. All contributions are</p> <p style="text-align: center;">Page 14</p>	<p>1 fact within it, and I always regard myself more as the 2 analytical end of that.</p> <p>3 That was very distinct from doing news stories which 4 were fact-based. There are clear lines between the two, 5 but basically on the FT, I was a news reporter and on 6 the Times I was a commentator and analyst.</p> <p>7 Q. You have had some managerial responsibilities. While 8 working for the Times, you were responsible for signing 9 off expenses. Could I just pause there to ask you what 10 the culture was when you first assumed responsibility 11 for expenses?</p> <p>12 A. Well, that was -- I am trying to think. It would be the 13 kind of mid-1990s. By that time, it was very tight, 14 mainly because of what was then Inland Revenue, now 15 HMRC, which required full itemisation of bills. So all 16 expenses I signed off had to have specific bills, even 17 if you are talking about an editor of your newspaper 18 or -- there were problems identifying tube rides when 19 you got on to the Oyster card system. But it was very 20 specific because that was the Inland Revenue. 21 The Revenue would only allow those as legitimate 22 expenses of News International if they were itemised, so 23 they were very specific. It was, by that stage, very 24 tight.</p> <p>25 Now, certainly, when I first became a journalist in</p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

<p>1 1970 there was a culture which was much more lax than 2 that. They didn't have to be fully itemised. That was 3 less true on the FT. The FT was fairly more on the more 4 tightly managed proper end of the scale, as you may not 5 be surprised, but there was certainly a culture of 6 giving expenses out on a more generous scale. But that 7 had changed really by, I would say, the 1990s and whilst 8 I was signing of expenses, it was always pretty tight 9 and expenses were sent back if they weren't with an 10 individual docket. As I say, that is mainly because of 11 the Revenue.</p> <p>12 Q. You touch upon the question of opinion polling within 13 the context of budgetary responsibility. Can I ask you 14 to go a little further and tell us about the way in 15 which the Times approached opinion polls. When you had 16 commissioned an opinion poll, was it the usual practice 17 to report all of the result or to be selective in order 18 to advance an argument one way or the other?</p> <p>19 A. Well, what happened, I mean, we first worked with MORI, 20 what is now called MORI, and then Populace on polling. 21 There was a slight gap in between when we didn't do 22 polling for budgetary reasons, but effectively those two 23 firms. What happened is I would discuss with a senior 24 executive of the two firms what questions had been 25 asked -- some of the standard questions -- you would</p> <p style="text-align: center;">Page 17</p>	<p>1 ethics panel. We had to rule on what -- the use of one 2 poll. But in general, there were high standards about 3 how they could be presented, if you presented a sample 4 size, when it was done, all that. But they wouldn't all 5 be published, entirely for space reasons, but they were 6 accessible to readers.</p> <p>7 And the question -- what was very clear at that 8 time, for example -- and this isn't always true -- is 9 that people could see what the actual question being 10 asked was, because often that could be distorted quite 11 easily.</p> <p>12 Q. It is important, isn't it, that people can see the 13 question?</p> <p>14 A. Absolutely. On the internet, that makes it much easier. 15 What we do -- the very interesting thing also is there 16 are two websites which monitor all published polls. 17 There's something called betting.com(?), which is 18 actually a very good analyst, and then there's a UK 19 polling report. So every time a poll was published, 20 I would be held to account by the two guys running 21 those: Ashley Wells(?) and Mike Swiston(?). They would 22 hold me to account. I mean, I often had a dialogue with 23 them, saying, "Why do you ask that question?" Totally 24 healthy to want them holding the press to account.</p> <p>25 Q. Moving to the question of the Westminster press lobby,</p> <p style="text-align: center;">Page 19</p>
<p>1 always ask about voting intention and that involves 2 about six different questions to get a proper voting 3 intention, and some others were kind of regular ones. 4 Then we would add on questions and it would a dialogue 5 between myself and the person.</p> <p>6 Would we report all answers? Not necessarily, 7 mainly for space reasons. However, what we did do, 8 certainly in the latter period, is put all the answers 9 on the internet. What would is after the results were 10 published -- sometimes they would be published over two 11 or three days, mainly so we got maximum bang for our 12 buck on that. The person concerned, say when I was 13 working with Populace, would say, "Can we put it all on 14 the website?" So even if there were two or three 15 questions which weren't published, they would all be 16 there available to see. And the reason they weren't 17 published -- it was purely for space reasons. I mean, 18 I took a judgment on what the story was. There would 19 often be a dialogue with the news desk but also, 20 crucially, Populace and MORI were members of the British 21 Polling Council, which has very high standards about how 22 polls are represented, partly to do with phone-in polls, 23 phone-in things and things like that, but it has very 24 high standards for polling.</p> <p>25 I was actually, for a period, on their kind of</p> <p style="text-align: center;">Page 18</p>	<p>1 the Inquiry has heard conflicting opinions as to how 2 best to move forwards with the press lobby; do you have 3 any views one way or the other?</p> <p>4 A. It is a very, very long time since I was actively 5 involved at all. I mean, I seriously didn't have 6 a lobby ticket until two years as a commentator. 7 I wasn't involved in meetings at all --</p> <p>8 LORD JUSTICE LEVESON: Could I ask you to slow down a little 9 bit? This is all being transcribed and it might be your 10 speed is catching people a little bit --</p> <p>11 A. By surprise. I will absolutely respect that, for the 12 record.</p> <p>13 What was true, on the lobby -- when I started off 14 31 years ago, as a reporter, it was a closed system, 15 very male dominated, and it was -- there are three 16 things like blue and red mantle. It did have more than 17 explicit masonic links for some of the participants 18 involved, which I thought was rather ridiculous myself, 19 and it was a closed world.</p> <p>20 That broke down during the 80s when I was in the FT, 21 largely because of a new generation of political 22 reporters -- which believe it or not I was one then -- 23 and also because, at the end of the decade, 24 hours 24 news. So the lobby as a system -- people have a lobby 25 ticket which entitles them to have access to parts of</p> <p style="text-align: center;">Page 20</p>

1 the palace of Westminster, although it doesn't really
 2 matter very much any longer, and there are daily
 3 briefings -- there will be one in half an hour at
 4 11 o'clock -- by the Number 10 spokesman. But a lot of
 5 that now goes on the Internet. I regard the whole lobby
 6 system as a problem of 20, 30 years ago, rather than
 7 an issue of the present.

8 Because of 24-hour news, because of the internet, it
 9 is largely defunct.

10 MR BARR: Going forwards, do you think that the press
 11 spokesman for Number 10 ought to be a civil servant or
 12 a non-civil servant?

13 A. It is a bit horses for courses, that. I regard it as
 14 a very personal role in relation to the Prime Minister.
 15 What happens now when you have a civil servant spokesman
 16 and in fact a different person as director of
 17 communications, I think on the whole works quite well.
 18 You probably have to recognise that it will depend on
 19 the personality of the Prime Minister. Actually,
 20 I thought it worked quite well under Alastair Campbell
 21 in a way because that everyone knew where Alastair was
 22 coming from and who he was and what he was. But I think
 23 the current system of having a civil servant spokesman
 24 to deal with governmental matters as opposed to part
 25 matters, even though they get blurred in Number 10

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1 obviously, is quite a good idea. 10 Downing Street is
 2 inherently a political place, so one can't be too purist
 3 about it, but I think what they have now makes sense.

4 Q. You describe in paragraph 2 of your statement an
 5 inherent tension between politicians and political
 6 journalists. You describe it as "locked in an embrace
 7 of mutual dependence, the occasional friendship,
 8 frequent suspicion and barely hidden bitterness and
 9 scorn".

10 Is that a relationship that you see as inevitable
 11 and is going to endure?

12 A. Some of it is inevitable because there are different
 13 interests. Politicians want to get elected, they want
 14 to prosper in their political careers. Journalists want
 15 to find out what is going on. So there is going to be
 16 tension. But equally, there is a dependency. None of
 17 this is particularly new. If you go back historically,
 18 Palmerston used to go out riding with Delane, the great
 19 19th century editor of the Times and gave him exclusive
 20 stories which I would have loved to have had in my days
 21 as a political journalist, to treaties and everything.
 22 But equally the Times often had a go at the governments
 23 of the 1850s, as memorably recounted by Trollop.
 24 None of this is new so there is always going to be
 25 a tension there. The danger is when the tension gets

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1 too great or the mutual dependency gets too great.

2 Q. That is a danger to be guarded against?

3 A. Yes. But it is an inherent one. I don't think you can
 4 legislate or have rules against it.

5 Q. On the subject of Mr Delane and Trollop, you include in
 6 your witness statement at the top of page 2 an arresting
 7 quote from the book "The Warden" about a character who
 8 is a thinly disguised version of Delane, which reads:
 9 "He loved to listen to the loud chattering of the
 10 politicians and to think how they were all in his power,
 11 how he could smite the loudest of them were it worth his
 12 whole to raise his pen for such a purpose. He loved to
 13 watch the great men of whom he daily wrote and flatter
 14 himself that he was greater than any of them."

15 Moving from the mid-19th century to the early 21st
 16 century, that raises the question of the editor's power
 17 to launch a personal attack against a politician. Do
 18 you consider that that power still exists now?

19 A. Yes, it does. I mean, in a sense, if you compare it
 20 with the mid-19th century, the Times then had
 21 a semi-monopoly before the taxes on newspapers were cut.
 22 But now it is much more competitive. Yes, there remains
 23 that power to have campaigns against people, absolutely.
 24 You can see it in some newspapers. They have decided
 25 they are agin someone and they put the knife into them.

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1 I don't -- you don't have to read the papers too closely
 2 to realise the Sun and Daily Mail and Daily Express at
 3 present aren't total supports of Ken Clarke as justice
 4 secretary.

5 Q. In your experience as a political journalist, is this
 6 a manifestation of the editor's power which the
 7 politician fears most, being singled out for a personal
 8 attack?

9 A. I don't think it is the one they fear most. They fear
 10 it. The one they fear most is something about their
 11 personal lives. In my experience, politicians are most
 12 apprehensive about stories about their families, about
 13 infidelities or about their financial affairs. That is
 14 the one they really fear. On the whole, politicians
 15 certainly are more robust than people in business about
 16 attacks on what they do professionally, what they do in
 17 their professional life. In my experience, businessmen
 18 are very, very thin-skinned.

19 Q. You describe a recent trend of the media seeking to
 20 supplant politicians as the wielders of power whilst
 21 disavowing that they are doing that. Can you help us
 22 with how, in your opinion, the media has been trying to
 23 supplant politicians as wielders of power?

24 A. I would really go back to the two long periods of one
 25 party government we had, from 1979 to 1997 with the

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<p>1 Conservatives and 1997 to 2010 with Labour, when 2 certainly in the first two elections of those cycles of 3 one party rule, the opposition were never really 4 competitive. So in that sense, the opposition were not 5 seen as effective. Certainly some papers saw themselves 6 as the only mechanism to hold the government of the day 7 to account. They would regard themselves as having that 8 role. You heard it in 2001, really up to Iraq, exactly 9 the same in the mid-1980s.</p> <p>10 Q. You describe, further down page 2 of your witness 11 statement, your personal involvement in arranging 12 breakfast, lunches and dinners between politicians and 13 journalists and also you graphically describe the sorts 14 of dinners and receptions held at party conferences. In 15 fact, reading from close to the bottom hole punch, you 16 describe the latter in these terms: 17 "They could often be gruesome and embarrassing 18 events at which the often naive opinions and prejudices 19 of the newspaper executive were treated with awkward 20 politeness by the senior politician and fawning approval 21 by the other executives present." 22 Can you help us with an example, please?</p> <p>23 A. I didn't have to arrange these events. My colleague, 24 Phillip Webster, who you will be hearing from later this 25 morning, he had the luckless task of having to arrange</p> <p style="text-align: center;">Page 25</p>	<p>1 the reporters at Westminster, and the commercial 2 interests of News International. There was a complete 3 separation. This was the only occasion in my 19 years 4 when I saw that happen. The other occasions, if they 5 were talking about business, they would certainly not do 6 it within my earshot at all.</p> <p>7 LORD JUSTICE LEVESON: You are getting a bit speedy again. 8 A. I will slow down. I will look for the flag.</p> <p>9 LORD JUSTICE LEVESON: If you see steam coming out of the 10 shorthand writer.</p> <p>11 MR BARR: Are you aware of any deals between politicians and 12 newspapers about exchanging one benefit for another?</p> <p>13 A. None I observed at all. Because -- the reason I say 14 anything like that was kept very separate, that anything 15 the executives, who I didn't see much of anyway, of 16 News International, or indeed the successive editors 17 with whom I worked -- any discussions they would have 18 with senior politicians, they certainly wouldn't want to 19 involve the people of Westminster in that.</p> <p>20 Anyway, I think most of them were not at that level. 21 It wasn't a kind of formal tit for tat. They would 22 express their views. You have heard that from Rupert 23 Murdoch, you have heard it from various editor. They 24 would express their views and the politicians would 25 listen and things would carry on. Not to say the</p> <p style="text-align: center;">Page 27</p>
<p>1 them. I attended them. The worst example I can think 2 of was in October 2008, at the Labour conference, 3 when -- the only time I met James Murdoch. He came to 4 a dinner with Alastair Darling and it was pretty 5 gruesome for all concerned. He criticised Alastair 6 Darling over the earlier decision which Mr Darling had 7 taken as then trade and industry secretary, over the 8 requiring BskyB to sell its shares in ITV. This had 9 occurred some years before. It was a historic thing; it 10 wasn't anything to do with what has been the subject of 11 this inquiry.</p> <p>12 It was both socially inappropriate for what is 13 normally an exchange of political gossip and fairly 14 inappropriate otherwise. It was all just a bit 15 embarrassing. It was a classic English embarrassment 16 where no one knew quite to look. I don't think -- you 17 could ask Mr Darling what he thought. I don't think you 18 would regard it as him being under any pressure or 19 anything. It was just a bit gauche.</p> <p>20 Q. Have you any experience -- 21 A. Can I just emphasise: that was a total exception, 22 because in general the events I went to nobody would 23 behave like that, because there was a real separation -- 24 this is a very important point to make -- between my 25 activities as a commentator at Westminster, and indeed</p> <p style="text-align: center;">Page 26</p>	<p>1 politicians weren't well aware of the views, but the 2 idea of a formal deal I never observed, anyway.</p> <p>3 Q. Did you sense there was any less formal, more 4 sophisticated communication going on between politicians 5 and proprietors or editors which amounted to mutual 6 back-scratching?</p> <p>7 A. It was more -- what I observed was a kind of slightly, 8 as I say, jarring -- say parties, party conferences, 9 whatever -- of -- it was more social -- praising each 10 other and all that, rather than anything more specific, 11 which you would describe as a deal. It was more 12 feigning interest in their views, which I didn't feel 13 politicians seriously had. They felt they had to 14 indulge people. I mean, they had to indulge senior 15 editors and others, rather than necessarily taking their 16 views seriously. There were some important exceptions. 17 Obviously, on Europe and other issues, which I refer to 18 later in my evidence, they would pay attention.</p> <p>19 Q. You describe a recurring circle of initial closeness 20 between prime ministers and the media and later 21 disillusionment, not necessarily all happening whilst 22 they are prime minister but including their early 23 careers and you put John Major, Tony Blair and 24 Gordon Brown in this category and I suppose with David 25 Cameron the story is in play so we don't know the</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 outcome. You describe this as being unhealthy for the 2 public interest. Could you help us with what you think 3 would be in the public interest so far as relationship 4 at this very senior level should be?</p> <p>5 A. Well, what I would think is probably not country suppers 6 in the Cotswolds. A bit more professional -- yes, 7 they're bound to mix socially, and I certainly mixed 8 a lot socially with politicians, but as I think I say in 9 the evidence, you have to be -- you can't be too close 10 that you can't be robust in criticism of someone. They 11 have to accept your professional role is to analyse, 12 hold to account and sometimes be quite tough, and 13 I think it gets over-intimate. I would favour -- of 14 course people talk to each other, and that is inherent, 15 it is always going to happen -- but less a kind of 16 pretence of friendship.</p> <p>17 I think what one saw or has seen, really, in the 18 last two decades, has been an aspect that the newspaper 19 executive, sometimes the editor, and the senior 20 politician aspire to friendship. Well, those 21 friendships invariably go sour. You don't have to do 22 much political history to see that when people have 23 tried to be -- and often it is the wives as much as the 24 husband as Prime Minister -- pretend to friendship when 25 in fact is acquaintanceship and in fact it is</p> <p style="text-align: center;">Page 29</p>	<p>1 clearly as campaigning papers where the facts are 2 subsidiary to the opinions of the papers. You can flick 3 through the papers this morning and readily see 4 a blurring of fact. It is very difficult to define 5 "fact" absolutely. If you are writing 450, 500 words 6 you don't have the space to put in every nuance and 7 every subtlety. I don't believe you can be purist on 8 this because of space and also it is unfolding; any 9 journalist only knows part of what is going on, 10 normally.</p> <p>11 So you are looking at the tip of the iceberg -- I am 12 trying to avoid mixing too many metaphors here. I am 13 not sure you can have fast-moving icebergs. But you are 14 observing one thing at one time, observing only part of 15 it at best, let alone if you are working for a newspaper 16 which has a particular slant on it. So whilst I always 17 believed in trying to separate as far as possible, often 18 the space constraints make it quite difficult.</p> <p>19 When I was a commentator, it was quite clear I was 20 a commentator. I hoped to analyse and not be 21 over-opinionated. When I was a news reporter, I tried 22 to present the facts, but the selection of facts 23 inevitably is inevitably a subjective process. It is 24 not the same as delivering a judgment for a judge or 25 anything like that. So one has to recognise in</p> <p style="text-align: center;">Page 31</p>
<p>1 a professional relationship. My view has always been 2 that for editors, for proprietors, they should be 3 a little more distant and treat it more professionally. 4 Sure, they have lunches with them, sure they talk to 5 them, but not pretend to a kind of false friendship.</p> <p>6 Q. Would you agree with me that a healthy relationship 7 would be one in which the journalist is able robustly to 8 hold the politician to account?</p> <p>9 A. Absolutely. As I said -- absolutely.</p> <p>10 Q. And where the journalist reports in a way which enables 11 the reader to make an informed choice in his or her 12 democratic participation in society?</p> <p>13 A. Absolutely. I mean, I always regarded my job, both -- 14 going back to your earlier question -- as a political 15 reporter on the FT and a commentator on the Times, as 16 being interpreting and explaining what was happening in 17 the political world to readers. That is my absolute 18 function in that.</p> <p>19 Q. And to communicating important facts accurately?</p> <p>20 A. Absolutely. Accuracy is crucial to it.</p> <p>21 Q. Moving now to the question of fact and comments and 22 whether or not it is possible to separate the two. What 23 has been your experience?</p> <p>24 A. Well, obviously you can find bad examples where they 25 have been muddled and confused. I mean, some papers run</p> <p style="text-align: center;">Page 30</p>	<p>1 reality -- we know the extremes, but it is going to be 2 blurred.</p> <p>3 LORD JUSTICE LEVESON: It is inevitably the case, isn't it, 4 that if you are writing a piece and you have a view, 5 then you will put in those facts which you consider 6 appropriate, which won't necessarily give a balanced 7 account, whatever the position?</p> <p>8 A. Absolutely. Particularly given length. I mean, I point 9 I would stress here is length of stories and that is 10 quite an important point in that respect.</p> <p>11 MR BARR: If objective perfection is quite impossible to 12 achieve, is it reasonable to expect a journalist at 13 least to write in a way which makes as clear as possible 14 what is a fact and what is an opinion?</p> <p>15 A. I don't think you can semaphore these. I tended to work 16 at one end the trade and if you had people from here, 17 from the Sun, et cetera, the Mail or the Express, they 18 would regard me as hopefully high minded and a bit 19 elitist and a bit out of touch, which I probably am. So 20 one has to be careful on that.</p> <p>21 Q. I am asking because it is obviously a part of PCC code 22 of conduct that the two should be kept apart, the 23 distinction made clear --</p> <p>24 A. It is possibly like the Sermon on the Mount. Well, 25 perhaps the Sermon on the Mount is more read than</p> <p style="text-align: center;">Page 32</p>

<p>1 the PCC code of conduct.</p> <p>2 LORD JUSTICE LEVESON: I am not sure about that, based on</p> <p>3 the evidence I've heard.</p> <p>4 A. Well, in some of the aspects of it, certainly.</p> <p>5 MR BARR: Do you think that it's a helpful part of the code</p> <p>6 or do you think it really is impractical?</p> <p>7 A. What matters is what the culture of the news desk is,</p> <p>8 and the news room. That is what matters. The PCC code</p> <p>9 sounds absolutely fine, but in practice I practically</p> <p>10 never heard it invoked by anyone I worked for. It is</p> <p>11 the culture of the news desk dealing with reporters is</p> <p>12 what matters.</p> <p>13 Q. You talk in your witness statement about the danger of</p> <p>14 journalists being too politically identified with MPs or</p> <p>15 ministers; could you expand about that and tell us</p> <p>16 a little bit more about what you mean?</p> <p>17 A. There are two issues there. One is you can become too</p> <p>18 close. It is a danger. I, as a political journalist</p> <p>19 for a long time, got to know senior politicians very</p> <p>20 well, some socially. It has been referred to in some of</p> <p>21 your earlier evidence. I have been mentioned. You do</p> <p>22 get to know them very well, of all parties. People come</p> <p>23 to one's parties, I go to their parties and so on, and</p> <p>24 I believe that is an aspect of it. Again, you have to</p> <p>25 guard against it. Can you write about them in a way you</p> <p style="text-align: center;">Page 33</p>	<p>1 Q. In terms of keeping the relationship healthy, do we come</p> <p>2 back again simply to keeping a sufficient professional</p> <p>3 distance?</p> <p>4 A. Yes, and also something I mention is that if the</p> <p>5 relationship did get revealed, could you defend it?</p> <p>6 A point I make later on.</p> <p>7 Q. Yes, the Private Eye test, to which we shall come.</p> <p>8 A. Exactly.</p> <p>9 Q. Before we do that, can we look at the difference between</p> <p>10 politicians in government and politicians in opposition.</p> <p>11 You see no fundamental distinction, but if there is no</p> <p>12 fundamental distinction, there are some practical</p> <p>13 differences, aren't there? First of all, the politician</p> <p>14 in government is very much better resourced; isn't that</p> <p>15 right?</p> <p>16 A. Also, and also cocooned by the machine much more,</p> <p>17 particularly prime ministers. Once they are in</p> <p>18 Number 10, there is the whole superstructure of</p> <p>19 spokesmen, security and so on. Again, it goes back to</p> <p>20 my point about Westminster. The opposition politician</p> <p>21 is more accessible. You are going to bump into them</p> <p>22 much more around Westminster than you can senior</p> <p>23 ministers because senior ministers are busy at their</p> <p>24 departments and are constantly charging round. It is</p> <p>25 partly a matter of access. But you are right; there is</p> <p style="text-align: center;">Page 35</p>
<p>1 write about other people? It is a very difficult one</p> <p>2 because political journalists are unlike a lot of other</p> <p>3 journalists, partly because people do it for longer, on</p> <p>4 the whole, and also because of the very intimacy of</p> <p>5 Westminster. In most journalism, you make an</p> <p>6 appointment to see someone and you interview them; in</p> <p>7 political journalism, you are bumping into them all the</p> <p>8 time in Westminster and therefore you will have a casual</p> <p>9 conversation. For example -- I can't remember if I put</p> <p>10 it -- yes, I did give it in the evidence -- after the</p> <p>11 1983 election, I asked John Smith which Labour MPs</p> <p>12 I should get to know, and he said Gordon Brown and</p> <p>13 Tony Blair, of course, in that order at that time, and</p> <p>14 I did get to know them and it was hopefully interesting</p> <p>15 in the readers and well as me that I did over the</p> <p>16 period. You get to know them quite well, certainly in</p> <p>17 their rise, less so when they're at the top. And that</p> <p>18 is true of any political journalist doing their job, and</p> <p>19 you have to guard against that.</p> <p>20 The other one is the ideological call point.</p> <p>21 There's an ideological thing of -- perhaps I am</p> <p>22 naturally someone in the centre, in the middle, but some</p> <p>23 colleagues, perhaps increasingly so over my period as a</p> <p>24 political journalist, felt an ideological identification</p> <p>25 too.</p> <p style="text-align: center;">Page 34</p>	<p>1 a kind of panoply around them, but the basic</p> <p>2 relationship is the same. Indeed, the successful</p> <p>3 political journalist will cultivate people in</p> <p>4 opposition, thinking they are quite likely to be in</p> <p>5 government at some stage, even if sometimes the waiting</p> <p>6 period is rather a long one.</p> <p>7 Q. When the political journalist is dealing with the</p> <p>8 cocooned politician in office -- presumably that means</p> <p>9 dealing not directly but with spokesmen and advisers --</p> <p>10 are there any additional ethical issues for the</p> <p>11 political journalist to be aware of?</p> <p>12 A. Not really, no. None bar the basic ones.</p> <p>13 Q. There is another feature, isn't there, of the politician</p> <p>14 in government, in that he or she will have control of</p> <p>15 information which is of intense interest to the</p> <p>16 political journalist?</p> <p>17 A. Well, they like to think they have control. They have</p> <p>18 some control. They like to think they have control.</p> <p>19 I'm not sure some of the witnesses the Inquiry has heard</p> <p>20 from would regard themselves as having much control of</p> <p>21 information recently, partly because of the Internet,</p> <p>22 partly because -- partly because governments aren't</p> <p>23 monolithic. It is not just a coalition government,</p> <p>24 which is obviously true -- it is not monolithic; it is</p> <p>25 the opposite -- but of all governments, that you have</p> <p style="text-align: center;">Page 36</p>

1 competing ministers. So one minister is quite happy to
 2 brief against another and that is life.
 3 So one shouldn't assume -- unlike a company, say.
 4 A company tends to be much monolithic in structure and
 5 its presentation of its image. Governments are much
 6 less so.
 7 Q. If we take, for example, stories about new government
 8 initiatives or policies, have you ever sensed that
 9 politicians have tried to control their supply to the
 10 media, perhaps through selectively supplying them to
 11 certain favoured journalists in advance?
 12 A. Absolutely. I mean, some of that happens. But there is
 13 an awful lot of news around. It doesn't mean there is
 14 a dearth of news in other papers. It was true that
 15 certainly when the Times was supporting New Labour, the
 16 Times was -- and other brands -- the Sun was and other
 17 papers -- were favoured with some kind of stories, but
 18 it is only a small part of the stories the paper runs.
 19 Q. Are you able to help us as to why they were so favoured?
 20 A. They thought they would get sympathetic treatment --
 21 I mean, you can argue -- I wouldn't say tit for tat, but
 22 there was an implicit aspect to it. It was more they
 23 would get sympathetic treatment. The other factor is --
 24 and it's a very difficult one for a journalist -- that
 25 if you are told of a new initiative and obviously you

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1 know there is a motive behind it, they want to get the
 2 most favourable treatment they can, you are not going to
 3 say, "No, I am not going to listen to this, I am not
 4 going to take this story"; what you will do is you will
 5 say, "This is a very good story", but you will try to
 6 balance it with other information.
 7 Q. Is the selective or careful supply of government news
 8 stories to selected journalists something that was
 9 confined to a particular period in our political history
 10 or is it something that continues?
 11 A. Well, it is perennial.
 12 Q. Moving now to the question of the influence which
 13 newspapers have, you express a scepticism about the
 14 impact which the press have on the outcome of elections,
 15 but what you say in your opinion does matter is the tone
 16 and substance of press coverage between elections,
 17 rather than during campaigns. Perhaps an example of
 18 that is you think the Sun's earlier hostility to the
 19 Major government, rather than its final backing for
 20 Labour --
 21 A. Absolutely.
 22 Q. -- as the more important.
 23 A. No, I mean, as the Inquiry has already heard, the Sun's
 24 hostility to the Major government started pretty early
 25 on, and what was not said between Kelvin McKenzie and

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1 John Major. The gist of it was very clear; the coverage
 2 was very hostile. So when the Sun, on the eve of the
 3 election campaign came out in 1997, came out backing
 4 Tony Blair -- as much backing Tony Blair as Labour --
 5 all the opinion poll evidence showed quite clearly that
 6 the Sun's readers had switched away from the
 7 Conservatives and in favour of Labour a long time
 8 before.
 9 In fact, the net effect, which you could easily
 10 measure in the polls, of the Sun's declaration of
 11 support was non-existent, because the change had already
 12 happened. It had been the earlier coverage which had
 13 been more significant. Indeed, in many respects,
 14 newspapers follow their readers, rather than lead them.
 15 Q. We may explore that in a little more detail in a short
 16 while, but can I ask you this: some newspapers have
 17 pretty obvious and fixed political perspectives; others
 18 have been known to change their support from one
 19 election to the next. Is the latter type of publication
 20 perhaps the floating voter of the newspaper world? Do
 21 they have a particular hold and power over politicians
 22 who wish to court them?
 23 A. That is where it features in my point about being too
 24 close. I think that the politicians understandably --
 25 I mean, both Tony Blair and Alastair Campbell have been

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1 quite frank about it. They wanted at least to
 2 neutralise the Sun and were pleased obviously when the
 3 Sun supported them, naturally, because they would rather
 4 have them on-side rather than off-side and they did
 5 court them.
 6 But again, I think the key point there is it
 7 wasn't -- on the whole, the papers which switched sides
 8 switch to backing winners. Anyone who has studied the
 9 history of Rupert Murdoch around the world knows he
 10 likes backing winners. Perfectly reasonable thing to do
 11 commercially, perfectly sensible commercially.
 12 So it is not a kind of floating voter; it is much
 13 more seeing where power is going. Again, it is
 14 virtually all following a shift in public opinion which
 15 has already occurred.
 16 Q. Turning now to what you have to say at paragraph 6 of
 17 your witness statement about how journalists and
 18 politicians should interact. You described the Private
 19 Eye test; could you explain that to us, please?
 20 A. That goes back a long time to my period on the
 21 Financial Times when I was a financial journalist. This
 22 is way before the FSA and formal rules on that. The
 23 then editor of the Financial Times, called Freddie
 24 Fisher, remembers saying, "Just think what would happen
 25 if what you were doing and any contacts you had appeared

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<p>1 in Private Eye. Could you defend them?" Not that they 2 should appear, but if they did, could you defend them? 3 I always regard that as not a bad test for life, not 4 something should happen, but could you -- obviously, 5 when I was a financial journalist, I was a member of the 6 LEX column team, the financial team, and we didn't 7 actually have very much money at the time so there were 8 no temptations. But it was that if I was doing anything 9 financial -- the only financial thing I was doing was 10 a mortgage -- I should be able to defend it. 11 Now, of course, there are elaborate rules under the 12 FSA and all that. I regard that as a good test for 13 journalists -- well, anyone in public life, actually, 14 and I have found that even -- you know, in my relations 15 with politicians throughout my long period as a 16 journalist, I have tried to abide by that test. 17 Of course, I would have very private conversations 18 with them -- very private, often -- and I would meet 19 people socially. Not that it should become public but 20 if it did, could I say, "Well, that is okay. Why not?" 21 Q. Does it amount to an exhortation to check the moral and 22 professional compasses frequently? 23 A. I seldom thought explicitly in those terms. I think it 24 is more basic than that; does it feel right? 25 Q. If it comes down to very subjective questions like that,</p> <p style="text-align: center;">Page 41</p>	<p>1 more senior level, where there are contacts with editors 2 and corporate executives and ministers and civil 3 servants, there ought not be just recording meetings in 4 the way they are at present but going further; is that 5 right? 6 A. There are two aspects. The first aspect is I think it 7 is impractical to have every conversation between 8 a politician and a journalist recorded and if you put 9 down rules they would be evaded. So again, it comes 10 back to subsequent disclosure, shaming. 11 I think it is slightly different with news 12 executives because of the possible commercial aspects to 13 it. So I would be in favour of extending what the 14 current government has introduced, and all credit to 15 them for introducing it. I mean, I am in favour of 16 extending that, because again, there are quite a lot of 17 loopholes there, again as exposed in this inquiry. 18 Q. Do you have any particular ideas in mind, or is it just 19 a principal thought? 20 A. It is a principal thought. You could say that when 21 there is a social meeting that should be recorded. You 22 could extend the definitions and I would, on the whole, 23 be for a tighter definition, rather than the current 24 one, which is a bit narrowly based. 25 Q. You tell us a little bit about your perception of the</p> <p style="text-align: center;">Page 43</p>
<p>1 how does one imbue a culture where journalists follow 2 that rule? 3 A. I just hope more of my colleagues would follow it, 4 partly through sometimes when it is exposed and they are 5 embarrassed -- and we have had a few bits of 6 embarrassing evidence before this Inquiry, both for 7 politicians and for journalists, and that public 8 exposure is quite a corrective, actually. 9 Q. No doubt exposure and shaming can have a corrective 10 effect but does it require more than that? Does it 11 require leadership from the top? 12 A. It requires an ethos in any organisation about how 13 people should behave. I think that is the key, that it 14 is quite clear how things should be handled and that 15 ethos does affect how the staff on a newspaper should 16 behave. I am now a chief executive director of a group 17 of 35 people. I hope my behaviour influences that of my 18 colleagues. Leaving aside any formal rules we have 19 (inaudible) government, naturally people do follow what 20 the leadership does. 21 Q. Turning to the question of what meetings between 22 politicians and journalists should and should not be 23 recorded. The views you set out are that contacts 24 between ordinary journalists and, should I say, ordinary 25 politicians ought not to be recorded at all, but at the</p> <p style="text-align: center;">Page 42</p>	<p>1 modern media environment at the top of page 5 of your 2 witness statement and you say the tone of political 3 debate has become more heated and biased against 4 information and understanding in favour of the 5 expression of often angry opinion. Do you think this 6 has been good or bad for the public interest? 7 A. Can I preface that by one thing; that is very much 8 associated with the rights of the Internet. I am very 9 much in favour of the expression, freedom of expression 10 provided by the Internet and I think it is fantastic. 11 I think voters, citizens, are much better off than they 12 were 20 years ago. There is much greater access, a lot 13 of it is free access. It presents a lot of dilemmas for 14 newspaper groups but I think it is a good thing. 15 However, it has also freed the kind of ranter. So 16 I think there is now -- and it certainly applies to 17 newspapers as well as on the Internet -- a bias towards 18 vigorous expression of opinion, rather than necessarily 19 analysis. I mean, analysis and factual reporting are 20 expensive; ranting costs nothing. 21 Q. My question is whether -- 22 A. Sorry, it is a bad thing. 23 Q. -- it is a bad thing? 24 A. Yes. 25 Q. If it is a bad thing, is that something that can be</p> <p style="text-align: center;">Page 44</p>

1 remedied or is it simply past the point of no return?
 2 **A. I don't think it is actually past the point of no**
 3 **return. I think we are now, with the Internet, we are**
 4 **still in a massively evolving state, and certainly with**
 5 **newspapers and their response to the Internet. I think**
 6 **it is a matter of partly what consumers want and it is**
 7 **also a matter of partly a shaming process. I mean, I am**
 8 **very much in favour -- and I know you are hearing John**
 9 **Lloyd later on, who strongly takes this view as well --**
 10 **of rigorous self-criticism, that when papers produce**
 11 **things which are clearly biased in various ways, there**
 12 **ought to be people -- the Internet provides a perfect**
 13 **opportunity for that -- who take them to task. I am in**
 14 **favour -- previously, there has almost been a feeling of**
 15 **dog doesn't bite dog. Now I think I am in favour of**
 16 **saying if something is manifestly nonsense, if an**
 17 **allegation is made about something, there ought to be**
 18 **something else in the broader media firmament which**
 19 **takes it to task.**
 20 Q. Moving to the question of proprietors --
 21 LORD JUSTICE LEVESON: Just while you are talking about the
 22 internet, it is, of course, one of the great problems:
 23 that good, vibrant healthy journalism costs money,
 24 because your journalists have to investigate the stories
 25 and write them up, whereas the Internet has given

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1 everyone access, for free, to something which does
 2 actually cost money to produce. If you have any ideas
 3 in that area, I would be very interested to receive
 4 them.
 5 **A. A think a lot of other people would be very interested**
 6 **to receive them to. I think that the route taken by my**
 7 **former proprietor -- in fact, just at the time I was**
 8 **leaving the Times -- of charging -- you have to monetise**
 9 **it, to use a horrible bit of jargon. Ultimately,**
 10 **charging is the only route. There's no reason why**
 11 **journalism has to be provided freely, but when so much**
 12 **quality journalism is basically available free,**
 13 **obviously people take the free journalism.**
 14 **Ultimately, one has to move to a stage where people**
 15 **can make money out of the Internet. I believe**
 16 **absolutely that is going to happen, and whether the**
 17 **decision on the Times is the right time or not -- and it**
 18 **is different for the FT because that is a niche product**
 19 **and if they were to do it internationally, very**
 20 **successfully. But ultimately that direction is the**
 21 **right direction.**
 22 MR BARR: On the question of proprietors, on your long
 23 experience working for the FT and the Times, have you
 24 ever been pressured in any way whatsoever as to what you
 25 should write?

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1 **A. No. But that may be because of me. A friend of mine**
 2 **described me as a professor in the attic. I always have**
 3 **had a slightly detached role, which may be because**
 4 **I wasn't at the centre of the paper particularly,**
 5 **certainly on the Times, of writing my own commentaries,**
 6 **and I was never pressured op the opinion I expressed at**
 7 **all.**
 8 **Obviously, there is a discussion about the topic**
 9 **I raised. It is perfectly legitimate for editors to**
 10 **say, "Well, you know, we don't want you to writing about**
 11 **X subject for the fifth time in two weeks. Why don't**
 12 **you write about Y subject?" But the opinion I took was**
 13 **mine and the analysis I took -- and I was never under**
 14 **any pressure on that, and I might add, that made quite**
 15 **good commercial sense for the papers, at a far more**
 16 **elevated level than me.**
 17 **During the Iraq war, the Times, which was vigorously**
 18 **pro-war, had two of its most prominent columnists,**
 19 **Matthew Paris and Simon Jenkins, who were vigorously**
 20 **opposed to the war. I think that pluralism of opinion**
 21 **was actually a strong selling point for the Times and**
 22 **remains so too.**
 23 **In that respect, it is very different in the Sun or**
 24 **News of the World, and so on. But I was never under any**
 25 **pressure, certainly not in the FT and not in the Times.**

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1 **But that may be partly because of me.**
 2 Q. Moving to the question of spin. You describe the
 3 phenomenon and give an example at paragraph 10 of your
 4 witness statement. What I would like to ask you is: do
 5 you think spin is still going on?
 6 **A. "Spin" is a word invented and will always be associated**
 7 **with Alastair Campbell. Spin has always existed. As**
 8 **a story by background, if you look, there are some**
 9 **wonderful books about how Queen Elizabeth I and the**
 10 **Stuart monarchs conveyed their image. I am sure that is**
 11 **actually spin. Elizabeth I's great speeches were spin.**
 12 **Now, the technology has changed, certainly. We now**
 13 **have -- and all that. But political leaders have always**
 14 **tried to influence people and they have always tried to**
 15 **use the media as a the method of communication. So we**
 16 **get worked up about the word "spin". There is a whole**
 17 **industry of people who have written about spin doctors.**
 18 **They have very, very short historical memories.**
 19 **But what's happened, which is very important, is**
 20 **that the technology has changed and there is 24-hour**
 21 **news. 24-hour news demands the instant response.**
 22 **I mean, a number of times in the last few weeks,**
 23 **I watched the proceedings from this Inquiry and**
 24 **underneath, on either Sky or BBC News, it has "breaking**
 25 **news". That requires an instant response and that**

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<p>1 breaking news phenomenon is an important difference from 2 the past. 3 Q. On that very subject, you say the urgency of 24-hour 4 news can also force policy decisions or often gimmicky 5 initiatives; is there anything that can be done about 6 that? 7 A. Politicians can be a bit more robust. I would say the 8 sensible politicians are those that pause and think. It 9 is difficult to do. It is not easy to do. For all -- 10 their advisers are saying, "Look, something appeared in 11 the Today programme at 7.30. We have to have our 12 response in by 8.00, often, to hit the headlines at 13 8.00", or: "Something has happened mid-morning. We have 14 to get it right by lunchtime news." 15 I think an ability to say, "We need to think about 16 things", or -- the latest development isn't necessarily 17 the most significant development. That is easy for me 18 to preach; it's very hard to do in practice, very hard 19 indeed. 20 But the danger often is of instant initiatives which 21 are self-defeating, don't actually help the politician 22 in the long-term at all. But the long-term is 23 frequently a long time away when you have 24-hour news. 24 Q. You talk in your witness statement at the top of page 6 25 about the Euro-sceptic current in British newspapers and Page 49</p>	<p>1 speak for their readers. You say that sometimes they do 2 but on other occasions, the words you use are: 3 "Claims to speak for their readers are humbug." 4 Can you put some flesh on the bones of that 5 assertion, please? 6 A. When I read either a column or a leader in the paper 7 saying, "Our readers think this", I am very sceptical. 8 They either judge it by totally unscientific methods, 9 which is either volume of emails or, less often now, 10 letters. They don't actually analyse what their readers 11 think. Indeed, in most cases, most newspapers' opinions 12 are formed by half a dozen people. The leaders on 13 virtually every paper are written by half a dozen 14 people. Most of the staff aren't involved. I was 15 a leader writer for year on Times. I became very 16 cynical about the process. There are half a dozen of us 17 sitting round with our opinions. Most of the several 18 hundred staff involved at the time weren't involved at 19 all. It was editor and half a dozen people. 20 So when editors claim to speak for their readers, 21 they haven't analysed their readers' opinions. I would 22 qualify that in one way: that when there is an issue 23 coming up -- and some papers have done some really good 24 campaigning on this, at all ends of the spectrum -- that 25 often it is an issue of consumer complaint or whatever, Page 51</p>
<p>1 identify this, if I have understood you correctly, as 2 one area where the media really has had a significant 3 impact on government policy; is that right? 4 A. Yes, I think a very long-term -- it really goes back to 5 Baroness Thatcher's Bruges speech and that development. 6 It is also generational change too. Not to say that 7 hasn't reflected -- I mean, you have a chicken and egg 8 issue here. It hasn't reflected the views of readers. 9 I certainly do not believe that any kind of prevailing 10 Euro-sceptic current in British public opinion is the 11 creation of the Sun or the Mail or the Telegraph. That 12 is absurd. Britain's attitude to Europe has always been 13 different from that of many continental countries. But 14 it has been a reinforcing factor. It's not been not 15 a creating factor; it has been a generally reinforcing 16 factor over a considerable period of time. 17 Above all, the really important point, it's made the 18 politicians risk averse. If you look through the whole 19 Blair premiership, for better or worse -- in some 20 respects, you may regard it as better -- he was wary of 21 joining the euro because he realised it would be 22 a massive political battle because of the Euro-sceptic 23 press. It was another hurdle which would have to be 24 faced. 25 Q. That takes us on to the extent to which newspapers do Page 50</p>	<p>1 which does come from the readers through. But when they 2 claim to speak on the opinion of readers, that is where 3 I am sceptical. It is not the actual complaints raised 4 by readers about, say, some consumer thing -- the 5 controversy of a fare pack, for example, that type of 6 thing. I think they do reflect their readers' concerns 7 and some really good campaigns have been fought on that. 8 I don't denigrate that at all. I think a lot of really 9 good things have happened. But what I am sceptical of 10 is when they suddenly, in a rather Stentorian way, claim 11 to speak for their readers. 12 Q. On the question as to the impact the media has on public 13 appointments, both appointments and sackings, we are all 14 aware that there are lots of campaigns for members of 15 the government at various times to resign, and there is 16 no criticism of that taking place, but do you have any 17 observations about the way in which the media goes about 18 campaigns for the scalps of individual politicians? 19 A. Well, it is part of a broader issue, a blame culture, 20 that if something goes wrong there is a demand for 21 resignation. We see this in the debate about 22 ministerial code, that any breach of the code is 23 regarded as immediately a resignation matter and the 24 sense of -- in life, lots of things going wrong. I am 25 very struck with this now, working at the Institute for Page 52</p>

<p>1 Government, where we deal with government effectiveness.</p> <p>2 If you look at virtually any project, quite a large</p> <p>3 number of them in the private sector, let alone</p> <p>4 government, will go wrong. That's what happens in</p> <p>5 business. There seems to be no awareness of this in</p> <p>6 a lot of political debate and certainly a lot of media</p> <p>7 treatment of it, so when something goes wrong it is</p> <p>8 always treated as an immense scandal and therefore</p> <p>9 someone's head must roll, when in fact what most people</p> <p>10 want is it put right.</p> <p>11 You could argue, for example, about what's happened</p> <p>12 over the weekend, about what's happened with, NatWest</p> <p>13 and the bank accounts. What really matters to people</p> <p>14 who have accounts there is that they have access to</p> <p>15 them. There is a later matter to find out what happened</p> <p>16 but to immediately demand resignations, as I am sure is</p> <p>17 being demanded, is the wrong way to approach it. But</p> <p>18 the media coverage on a lot of appointments is: whenever</p> <p>19 anything goes wrong the person must resign. It is hard</p> <p>20 for the politician, in the context of 24-hour news, to</p> <p>21 stand up to that and say, "Hold on, I am going to see</p> <p>22 what the overall picture is."</p> <p>23 There were a number of instances during the Blair</p> <p>24 era when the demand for resignation almost became</p> <p>25 self-fulfilling very quickly, that the Prime Minister</p> <p style="text-align: center;">Page 53</p>	<p>1 time.</p> <p>2 I think some of the problems which have emerged in</p> <p>3 this inquiry are the result of insufficient induction</p> <p>4 and training. We are trying to do some stuff now at</p> <p>5 least with the Government on that. We are working quite</p> <p>6 intensively on that. We wish we could have done it</p> <p>7 a little bit earlier.</p> <p>8 Our involvement is much more on the effectiveness</p> <p>9 side than the ethical side, which is understandably what</p> <p>10 you are concerned with in the Inquiry, but the same</p> <p>11 principle applies, because unlike ministers, most of</p> <p>12 whom have been politicians for a long time -- and they</p> <p>13 have been around, the know ethical standards -- a lot of</p> <p>14 special advisers are 24-, 25-year-olds with minimal</p> <p>15 background in the political process. They're then put</p> <p>16 into positions of considerable influence and pressure on</p> <p>17 both sides.</p> <p>18 So I am strongly in favour of proper induction,</p> <p>19 proper training, if possible, whilst the party is still</p> <p>20 in opposition, although that is not always easy, but</p> <p>21 certainly when they come into government, and the way</p> <p>22 I read what David Cameron is saying, he is aware of that</p> <p>23 that but there is a long way to go. We are certainly,</p> <p>24 at the Institute of Government, doing some work at</p> <p>25 present with special advisers, and we're trying to do</p> <p style="text-align: center;">Page 55</p>
<p>1 felt they had to accede to the build up of pressure,</p> <p>2 throughout all the media, Parliament and so on, for</p> <p>3 a resignation, instead of saying, "This is not</p> <p>4 necessarily a resigning matter."</p> <p>5 Q. In your current work, is any thought being given to the</p> <p>6 work of special advisers, and what are your views about</p> <p>7 any guidance that should be given to them about working</p> <p>8 with the media?</p> <p>9 A. I was very struck in the last session with the</p> <p>10 Prime Minister, the exchange Sir Brian had on special</p> <p>11 advisers. We at the Institute of Government -- we have</p> <p>12 a strand on political leadership, on -- we work with</p> <p>13 ministers, we work with opposition politicians and we</p> <p>14 work with special advisers. It is quite clear that the</p> <p>15 weakest area for induction and preparation is special</p> <p>16 advisers. The ministers -- we at the Institute have</p> <p>17 been very active in that, both in opposition, providing</p> <p>18 help and advice to understand how government works -- it</p> <p>19 is all about machinery, not policy -- and we have done</p> <p>20 a programme with opposition politicians now. But with</p> <p>21 special advisers, the politicians -- the ministers and</p> <p>22 opposition leaders have been reluctant to involve social</p> <p>23 advisers in this, partly because they are not clear who</p> <p>24 is going to be in government as a special adviser, then</p> <p>25 they are quickly appointed in government and there is no</p> <p style="text-align: center;">Page 54</p>	<p>1 more, mainly on the effectiveness, how they operate.</p> <p>2 But there are clearly some big problems here.</p> <p>3 LORD JUSTICE LEVESON: Actually, I am not sure there is</p> <p>4 a distinction, because they can't be effective if they</p> <p>5 don't understand the parameters in which they have to</p> <p>6 work.</p> <p>7 A. I agree. The point being we're mainly concentrating on</p> <p>8 how -- I don't disagree with that, but our emphasis is</p> <p>9 more on understanding the government machine and so on.</p> <p>10 But I agree with you. Absolutely, it is vital they get</p> <p>11 the ethical dimension right. I am not disagreeing with</p> <p>12 that.</p> <p>13 LORD JUSTICE LEVESON: Have the Institute of Government yet</p> <p>14 put any proposals or formulated any proposals in that</p> <p>15 regard?</p> <p>16 A. One of my colleagues gave evidence to a current inquiry</p> <p>17 going into special advisers by the Public Administration</p> <p>18 Select Committee of the Commons. Bernard Jenkins,</p> <p>19 Committee of the Commons, is currently investigating</p> <p>20 special advisers, and the gist of our evidence, which</p> <p>21 I can certainly forward to the Inquiry -- and we have</p> <p>22 done a certain amount of work on this -- is all about</p> <p>23 induction and training and how that can be strengthened.</p> <p>24 Certainly, the ethical fits into the effectiveness and</p> <p>25 I can certainly let the inquiry have that.</p> <p style="text-align: center;">Page 56</p>

<p>1 LORD JUSTICE LEVESON: I would be grateful if you would.</p> <p>2 MR BARR: Final from me, Mr Riddell. Looking at the</p> <p>3 concluded thoughts section of your witness statement,</p> <p>4 you say:</p> <p>5 "In general, politicians and the media are bound to</p> <p>6 have a close relationship, but it needs to be less cosy,</p> <p>7 more open and more robust."</p> <p>8 Is there anything you wish to add to what you have</p> <p>9 said already as to how we can go about achieving that in</p> <p>10 the future?</p> <p>11 A. All I would say is it is behavioural rather than by</p> <p>12 rules. I think it is very, very difficult to have rules</p> <p>13 to do that. It has to be by behaviour, exposure. If</p> <p>14 I might describe the truth and reconciliation aspect of</p> <p>15 the current Inquiry, which is quite a big aspect of the</p> <p>16 Inquiry, by lifting up, forcing all kinds of people --</p> <p>17 from people like me to senior editors, politicians,</p> <p>18 proprietors to explain what they have done will itself</p> <p>19 have a valuable impact. Perhaps not forever, perhaps</p> <p>20 for a time. I think people will ask their internal</p> <p>21 clock, as a good clock will ask things. Essentially, it</p> <p>22 is about personal leadership, rather than rules.</p> <p>23 Q. Thank you.</p> <p>24 LORD JUSTICE LEVESON: Is there a space at all for rules?</p> <p>25 I understand entirely what you said and there is</p> <p style="text-align: center;">Page 57</p>	<p>1 Mr Riddell, thank you very much indeed.</p> <p>2 A. I am sorry I was a bit fast at the beginning. My</p> <p>3 natural enthusiasm.</p> <p>4 LORD JUSTICE LEVESON: I have no doubt.</p> <p>5 We will just take a few minutes, thank you.</p> <p>6 (11.25 am)</p> <p>7 (A short break)</p> <p>8 (11.32 am)</p> <p>9 MS PATRY-HOSKINS: Good morning, sir. The next witness is</p> <p>10 Mr Andrew Grice.</p> <p>11 LORD JUSTICE LEVESON: Good. Thank you very much.</p> <p>12 MR ANDREW JOHN GRICE (sworn)</p> <p>13 Questions by MS PATRY-HOSKINS</p> <p>14 MS PATRY-HOSKINS: Take a seat, Mr Grice, and make yourself</p> <p>15 comfortable. Would you please give your full name to</p> <p>16 the Inquiry.</p> <p>17 A. Andrew John Grice.</p> <p>18 Q. You provided a witness statement dated 19 April 2012;</p> <p>19 can you confirm that this is your formal evidence to the</p> <p>20 Inquiry?</p> <p>21 A. That's correct.</p> <p>22 LORD JUSTICE LEVESON: Mr Grice, you mentioned Liverpool</p> <p>23 Echo, where I believe you were the editor.</p> <p>24 A. The political editor.</p> <p>25 LORD JUSTICE LEVESON: The political editor.</p> <p style="text-align: center;">Page 59</p>
<p>1 a enormous amount of force in that observation, but is</p> <p>2 there a space for something else, and if so, what? If</p> <p>3 you don't want to answer, you certainly don't have to.</p> <p>4 A. I think there are some rules that could be clarified.</p> <p>5 We have just mentioned special advisers.</p> <p>6 LORD JUSTICE LEVESON: That is really an off-shoot to --</p> <p>7 A. I know. I am just thinking. For journalists, it is</p> <p>8 more the leadership given by news desks and so on, what</p> <p>9 is acceptable behaviour. When things have gone on</p> <p>10 I have observed, it has more been the ethos that has</p> <p>11 been wrong. No one refers to the PCC rules in extremis.</p> <p>12 It is partly -- for political journalist, those issues</p> <p>13 don't come up that often, actually. It is more the</p> <p>14 culture -- the classic is the story is too good to</p> <p>15 check, which I always -- infuriated me. It is</p> <p>16 a competitive environment. Young reporters want to get</p> <p>17 their stories in the paper. It is hard to get political</p> <p>18 stories in the paper, compared with a few years ago, so</p> <p>19 the story is too good to check. It is that kind of</p> <p>20 culture. That is why I say it is very much how news</p> <p>21 operations are run, what political editors do, leading</p> <p>22 teams that would make a change, rather than specific</p> <p>23 rules. I am just sceptical about what rules will</p> <p>24 actually do.</p> <p>25 LORD JUSTICE LEVESON: Well, I understand that scepticism.</p> <p style="text-align: center;">Page 58</p>	<p>1 A. Yes.</p> <p>2 LORD JUSTICE LEVESON: And therefore it is not impossible</p> <p>3 that over 25 years ago I acted for you and your paper in</p> <p>4 connection with issues that arose in court, in the local</p> <p>5 Crown Court. I make that clear to anybody who is</p> <p>6 interested in it. It is all a very long time ago.</p> <p>7 A. Indeed.</p> <p>8 LORD JUSTICE LEVESON: But I am right?</p> <p>9 A. Yes, sir.</p> <p>10 LORD JUSTICE LEVESON: Thank you.</p> <p>11 MS PATRY-HOSKINS: We have now touched on part of your</p> <p>12 career history. Let's go on to the rest of it, please.</p> <p>13 In the first paragraph of your statement, you explain</p> <p>14 that you have been the political editor of the</p> <p>15 Independent for the past 13 years. You were previously</p> <p>16 a political editor of the Sunday Times, where you worked</p> <p>17 for 10 years. You have been a member of the</p> <p>18 Parliamentary lobby based at Westminster for 30 years,</p> <p>19 and prior to that point, you worked on local newspapers,</p> <p>20 including the Slough Observer and the Coventry Evening</p> <p>21 Telegraph; is that correct?</p> <p>22 A. Correct.</p> <p>23 Q. I have quickly summarised your career. I'm going to ask</p> <p>24 you a number of questions arising from your evidence.</p> <p>25 Can I make clear right from the start that your witness</p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 statement doesn't have any page numbers or paragraph 2 numbers so for the sake of convenience, I think we will 3 just take it page by page so we don't get too lost in 4 what you say. 5 On that basis, can we start, please, with the 6 changing relationships between politicians and the media 7 over the years as you perceive it, in the last 30 plus 8 years you have been a journalist. 9 You explain in the first paragraph under your career 10 history paragraph that the relationship has changed 11 markedly during that time and for the worst; can you 12 expand on that a little for us and explain what you 13 mean? 14 A. Yes. I think that newspapers have been looking for 15 a different role during that period because of the 16 pressures of 24-hour television news, the Internet. It 17 has all become a much quicker process, the way that 18 news, political news is disseminated to the public -- 19 all news, not just politics -- and so newspapers have 20 had to seek out a new role to try and maintain their 21 circulations. Obviously the total circulation of 22 newspapers has been falling dramatically in the period 23 I have worked for newspapers and they look to provide 24 added value. They no longer want to be what you might 25 call a newspaper of record; they want to provide more Page 61</p>	<p>1 the way that the line between news and comment has 2 become blurred. I think it is a fact of life. 3 Q. As a matter of just sheer fact, can you tell us whether 4 journalists are aware that the code prohibits this 5 blurring? 6 A. I think some younger journalists might not be aware of 7 it and I think even if they were, it would be frankly 8 washed away in the day to day pressure of events of 9 producing a newspaper. I think unfortunately, while it 10 doesn't hurt to be reminded of such things in a code, it 11 is a good example perhaps of what you can put down on 12 paper and what is put down on paper and whether or not 13 that has any impact and effect. Some of these issues 14 are incredibly difficult to regulate and I think the 15 horse has bolted on this particular one. 16 Q. I will come on to ask you whether you think there should 17 be any changes made in a moment. Can we look again at 18 the practicalities. As a matter of sheer practice -- 19 obviously you have been at the Independent and the 20 Sunday Times and I am going to ask you about each of 21 those. At the Independent, are there ever discussions 22 along the lines of: "Are we being careful? Is that 23 article blurring the lines?" Is that something that 24 gets discussed or is it something that is just now -- 25 the horse has bolted so far out of the stable that those Page 63</p>
<p>1 analysis, more comment. They do not want to regurgitate 2 what their readers have already seen on the 10 o'clock 3 news bulletins the night before. So that has changed 4 the whole culture of newspapers and the character of the 5 product. 6 Q. You go on to say, just below that paragraph, that 7 although newspapers have always espoused a political 8 line in their editorial comment, they have now become 9 much more partisan in your view. You explain that the 10 dividing line between comment and news has become very 11 blurred; in some cases, almost invisible. 12 Can I ask you two related topics on that. The first 13 is the editors' code, PCC code, doesn't allow for this 14 blurring of comment and news, as you are probably aware. 15 Does that make any difference when considering this 16 issue? Do you think the fact the code says you 17 shouldn't be doing it makes any difference whatsoever? 18 A. In practice, it makes very little difference I'm afraid. 19 It is a process which has happened as a result of the 20 technological changes I have just mentioned and frankly, 21 whatever is written in a code, however important that is 22 in many ways to all working journalists, it has been 23 overtaken by events and pressures to produce a product, 24 to try and maintain readership, and I don't think it is 25 going to be possible or easy to turn the clock back in Page 62</p>	<p>1 discussions don't take place any more? 2 A. No, we do regularly have those discussions and we would 3 regularly discuss whether to run a particular piece with 4 a headline analysis, with a headline comment or just run 5 it as a straight news story. So we do, on an almost 6 daily basis, have those discussions on the Independent 7 because obviously the way you brand a piece, the way you 8 label it for the reader, does, at least if you are 9 running a comment piece on a news page -- there needs to 10 be a much clearer divide between the news pages and the 11 comment pages. A lot of newspapers, including my own, 12 now run pieces of analysis and comment on the news 13 pages. But it is at least a bit fairer and a bit more 14 honest for the readers if we headline a piece "analysis" 15 or "comment" when it appears on the news page, rather 16 than just have the traditional separation between: "This 17 page is a new page, that page is a comment page", which 18 was the traditional way. 19 Q. Can you give us the benefit of your experience at the 20 Sunday Times and whether or not those discussions 21 happened there? 22 A. That is going back quite a long way, so there was a much 23 clearer divide between what was a news page and what was 24 a comments page. That is going back 13 years. So 25 I think, even looking at today's Sunday Times, there is Page 64</p>

<p>1 actually a clearer distinction. It is just the way the 2 paper is structured. Daily newspapers like the 3 Independent have got into the practice of putting 4 analysis and comment pieces on news pages. The Sunday 5 Times on that has a slightly more traditional approach. 6 It has a comments section and a news section. 7 Q. I said I would come back to whether anything can be done 8 about this blurring that you have identified. I think 9 you preferred the opinion that actually you thought the 10 horse may well have bolted on this. Is there something 11 practical that could be done to try to get the horse 12 back into the stable, so to speak? 13 A. Well, I think the headlining, the branding that 14 I mentioned is something to build on. I think we could 15 sometimes be -- all newspapers could be clearer on 16 whether we are writing a news story based on fact or 17 whether we are just writing a news story that has got 18 a certain slant, a certain agenda. Again, in practice, 19 it is incredibly difficult to sort of impose some sort 20 of rule or regulation on that, but I don't think it 21 would be harmful for journalists to at least have the 22 issue in the front or even the back of their minds when 23 they are writing articles. As I say, we do, at the 24 Independent, regularly have debates about: "Is this a 25 news piece or should it have the word 'comment' at the Page 65</p>	<p>1 A. Well, all politicians want the best coverage in all 2 newspapers and they spend an increasing and, some would 3 say, inordinate amount of time trying to achieve that. 4 We, over the years, have regularly heard people involved 5 in politics say, "Oh, well, we are going to worry less 6 about the headlines", but in practice they don't worry 7 less about the headlines. They know that even if they 8 have written off a certain newspaper and know it is 9 never going to support them, they do worry about the 10 impact the newspapers have on setting the agenda for the 11 broadcasters. That is still very powerful. Even 12 newspapers with relatively low circulations are read and 13 discussed within the Westminster and the media village 14 and do have a lot of influence on what the broadcasters 15 pick up and run with on their own agenda. That is why 16 newspapers are still very important to politicians. 17 Q. From your own personal experience, have political 18 parties sought to influence you in order to influence 19 your coverage of politics in your newspaper? 20 A. Yes, on a daily basis. 21 Q. Is there a particular example you could give us? 22 A. Well, there is a constant dialogue between political 23 editors like myself and the officials, the spin doctors, 24 the press officers, working for opposition and governing 25 parties. It is literally a day to day dialogue where we Page 67</p>
<p>1 top, or is it a piece of analysis?" And you could argue 2 there is a pretty fine line between a comment piece and 3 an analysis piece, and that is a debate we have 4 regularly. 5 But I think it is difficult to see how newspapers 6 would ever go back to being what I would call a paper of 7 record, if you look at the content now compared to 20, 8 30 years ago, because so much news is already out there 9 in the public domain, through the Internet, through the 10 24-hour news channels. Newspapers have to provide a bit 11 of icing on the cake, a bit of something different. 12 They are not, in effect, going to publish yesterday's 13 news; they want to offer something that is more forward 14 looking or more analytical or more commentary. 15 Q. If you turn to the top of page 2 of your statement, you 16 say that you take the view, contrary to some witnesses, 17 that newspapers still matter to politicians, not least, 18 you say, because broadcasters often follow the paper's 19 agenda and follow up their stories and therefore 20 governments and political parties will devote increasing 21 amounts of time and energy "trying to influence the 22 coverage of politics in papers". 23 I would like, again, to have the benefit of your 24 personal experience on this. How does this seeking to 25 influence manifest itself? Page 66</p>	<p>1 are discussing stories. Sometimes I might pick up 2 a story and would put it to them for clarification, 3 further information. On other times, they may approach 4 me with a story to say that politician X is going to 5 make an important speech tomorrow and we are giving you 6 this bit of it in advance. That is the day to day terms 7 of trade with which we work. 8 Q. Just moving down page 2, please, you explain that you 9 take the view that most journalists have now sadly 10 crossed the line between scepticism about politicians, 11 which is healthy, you say, in a democracy, and cynicism, 12 which is not. Now, when you say "most newspapers", do 13 you include your own? 14 A. No, I think I would regard the Independent as healthily 15 sceptical. I would say the Guardian is healthily 16 sceptical. I would say that papers like the Daily Mail 17 and the Daily Telegraph have become a bit too cynical 18 about politics as a trade, as a profession. 19 Q. You go on to say that this has caused problems and you 20 say that in particular -- about halfway down that 21 paragraph, you say that politicians don't deserve the 22 deference of a bygone age but they do deserve a little 23 more respect than they get from many newspapers. You 24 say: 25 "I fear the way politics is covered today by most Page 68</p>

<p>1 newspapers will discourage some of the brightest and 2 best people from going into politics, notably from 3 business." 4 You go on to explain: 5 "This will accelerate the trend towards a political 6 class of advisers turned MPs turned ministers with 7 little experience of the outside world, which would not 8 serve the public well." 9 What is it about the coverage that people receive 10 that puts people off going into politics, in your view? 11 A. I think that a lot of people in the business world, for 12 example, now look at the newspapers and realise that if 13 they were to cross the line into politics that they 14 would be opening themselves and more importantly their 15 families to a level of intrusion that they do not want 16 to put their families through. In some cases, it might 17 be about their own personal circumstances. It could 18 even be about their financial affairs or past financial 19 affairs. But I do know MPs who -- backbench MPs who are 20 reluctant, for example, to become ministers, because 21 they do not want to open up their families to the level 22 of scrutiny, intrusion, that they fear would apply to 23 them in today's media. 24 Q. So that relates to the coverage of their personal life, 25 their financial affairs and so on. Does it also touch</p> <p style="text-align: center;">Page 69</p>	<p>1 I just clarify: here you are talking about political 2 players being the subject of such stings, rather than 3 the sort of Mazher Mahmood-type investigations; is that 4 right? 5 A. Yes, I was talking about politics. 6 Q. You go on to explain that some of these stings you would 7 consider as being in the public interest and some are 8 not. You give various examples. Let's explore one 9 example so that we might understand the contours of the 10 public interest in your view, and that is the 11 Daily Telegraph Vince Cable sting, if I can call it that 12 way. Why, in your view, was that not in the public 13 interest? You conclude it was not in the public 14 interest; why not? 15 A. I think there is a huge difference between that 16 particular story, where two journalists posed as an MP's 17 constituents and obtained information from him, famously 18 his statement that he had "declared war on Rupert 19 Murdoch", which obviously had some quite far-reaching 20 implications -- I think there is a difference between 21 that, which I would call an attempt to try and entrap 22 a politician into saying something newsworthy, to a kind 23 of undercover operation like the ones that have been 24 carried out by the Sunday Times and Dispatches programme 25 on lobbyists, like the one my own paper and the Bureau</p> <p style="text-align: center;">Page 71</p>
<p>1 upon the coverage of them as politicians? Is that 2 something that you think puts off people from going into 3 politics? 4 A. I think that would be a secondary factor for those 5 people. Obviously you go into politics -- it is, to use 6 the old cliché, a rough trade and you shouldn't go into 7 it with their eyes closed. I think most of them would 8 expect that the media has a role to play in scrutinising 9 them and holding them to account, which of course it 10 does. But I do fear that we are narrowing the base from 11 which tomorrow's politicians come. We already have what 12 some would describe as a political class, as I mentioned 13 in my witness statement, with not much experience 14 outside politics and I think that is a sad thing and 15 a bad thing for our democracy, in the sense that it 16 would benefit from people who had had more experience in 17 the outside world. 18 Q. You then go on to set out quite a large section on how 19 important the press is and the very good things that the 20 press have done over the years, which we don't need to 21 read out. You go on to say: 22 "However, new techniques which have been used by the 23 press do not always see the end justify the means." 24 You touch on one particular technique, which is the 25 technique of, you say, stings or agent provocateur. Can</p> <p style="text-align: center;">Page 70</p>	<p>1 of Investigative Journalism did to expose lobbyists, 2 like the recent story the Sunday Times obtained by 3 posing as a potential donor for the Conservative Party, 4 a story which became known as "cash for access" and 5 resulted in the immediate resignation of the 6 Conservative Party treasurer earlier this year. 7 The difference with the Vince Cable story is that in 8 my view, although it did produce a sensational story, it 9 was a fishing expedition designed to obtain what could 10 be anything from tittle-tattle to anything that would 11 embarrass him or his party or the coalition in which he 12 was a minister. 13 I think that particular one crossed a line. It was 14 criticised by the Press Complaints Commission, although 15 I am not sure how many people in the wider world are 16 aware of that, and I think PCC was right to criticise 17 it. 18 Q. So the difference, you would say, between the examples 19 you have given, is that you consider the Vince Cable 20 Telegraph situation to have been some story where they 21 didn't have a huge amount to go on but they decided to 22 do it in order to see if they could get a story, but in 23 the other cases, they thought there was a story, they 24 investigated it and yes, sure enough, the story was 25 there?</p> <p style="text-align: center;">Page 72</p>

<p>1 A. Yes, there was an element of subterfuge in the stories 2 about lobbyists and Conservative Party donations I just 3 mentioned, which I would justify because it was the only 4 way, frankly -- the only way to find out the bad 5 practices that were going on was to pose as a company 6 seeking the -- seeking an account, a contract with 7 a lobbyist, or as a potential donor offering money to 8 the Conservative Party and asking about how to meet 9 ministers or the Prime Minister.</p> <p>10 So I think that -- it is a difficult line to draw, 11 but I think it is possible to draw it.</p> <p>12 Q. All right. Because some might say, obviously, Mr Grice, 13 that what the Daily Telegraph did on that occasion was 14 uncover a series of views that it was in the public 15 interest to know about?</p> <p>16 A. Yes, they could argue that, and obviously that story had 17 huge implications, some of which you have discussed at 18 this Inquiry, and it was a very important part of that 19 story. But I think there is a difference between 20 exposing bad practices through, if you like, acting as 21 an agent provocateur, to posing as a constituent of 22 an MP in the hope of finding out something interesting.</p> <p>23 Q. All right. You then tell us about your personal 24 dealings with politicians in two respects. The first is 25 that you tell us that you met with politicians and</p> <p style="text-align: center;">Page 73</p>	<p>1 Commons and have a chat for a few minutes. So there is 2 a whole ring of different contacts. Obviously telephone 3 conversations as well, at the weekends, and an 4 occasional social contact as well.</p> <p>5 Q. Is there anything inappropriate about that contact in 6 your view? Not just your personal contact, but the day 7 to day working of the journalist.</p> <p>8 A. No, I think we need each other. It is, as has been 9 described, a relationship of mutual dependency. It is 10 not new. It has gone on for hundreds of years. 11 Hopefully it will go on for hundreds of years. I don't 12 see how that relationship can be easily regulated and 13 I don't see how it can be changed. I think it could be 14 made less chummy at the very high level, when you get to 15 proprietors and editors. I think that has caused 16 problems recently. But at my rather lower down the food 17 chain level, those day to day interactions are good for 18 the system, in that I regard my job as, frankly, trying 19 to find out what is going on, to inform the readers. 20 I don't regard myself as part of some cosy club at 21 Westminster where we all have fun and the media are, so 22 to speak, all in it together with the politicians. Our 23 job is to shine a light on some of the decisions that 24 politicians don't always want to talk about. Yes, most 25 of the time they are quite happy to discuss policies and</p> <p style="text-align: center;">Page 75</p>
<p>1 editors. That is obviously at quite a high level. What 2 are those meetings about? What is the purpose behind 3 them?</p> <p>4 A. The purpose was always, from the politician's point of 5 view, to get the most favourable coverage. I can't 6 recall any discussions that I was present at, either on 7 the Sunday Times or the Independent, that related to the 8 commercial business of the newspaper. Those 9 discussions, if they did take place, were at a higher 10 level, although I have no evidence that they did take 11 place. Obviously there were separate meetings involving 12 proprietors and politicians, many of which have now been 13 well documented.</p> <p>14 At my level, it was always about what the party's 15 policies were. They would be anxious, the politicians, 16 to, in effect, sell their wares, to try to win the 17 support of the editor, the newspaper, for a particular 18 policy stance.</p> <p>19 Q. What about your personal interaction with politicians? 20 How would you describe that?</p> <p>21 A. Again, it is a day to day process. I would regularly 22 meet politicians for lunch or dinner, or just a cup of 23 coffee or visit to their office. Occasionally it would 24 be an extremely casual meeting where I might bump into 25 a minister in a committee corridor in the House of</p> <p style="text-align: center;">Page 74</p>	<p>1 what they are up to, but an important part of the job of 2 political journalists is to find out what they don't 3 want to talk about and try and get to the bottom of it.</p> <p>4 Q. All right. Well, moving on from your day to day 5 interaction with politicians to a rather more high 6 level, perhaps, interaction. I want to ask you about 7 the last large paragraph on the third paragraph of your 8 statement, the one that starts:</p> <p>9 "What became an unhealthy relationships between 10 press and politicians in recent years was born for 11 a good reason."</p> <p>12 You say that the treatment meted out to Mr Kinnock 13 by the tabloids in the run up to the 1992 election was 14 personal and nasty and that Tony Blair and his 15 colleagues vowed: never again. Then, just slipping 16 a sentence or two, you say this:</p> <p>17 "Although I never witnessed such a discussion while 18 working on the Sunday Times, I suspect that there was an 19 understanding that Labour would not implement its 20 previous policy of curbing cross-media ownership, in 21 return for which Murdoch papers would not subject Labour 22 to the Kinnock treatment."</p> <p>23 I understand you say you never witnessed such 24 a discussion, but given your role at the Sunday Times at 25 that time, what was the basis for your suspicion?</p> <p style="text-align: center;">Page 76</p>

1 A. Well, there was a culture as the two sides got closer
 2 together and the background is quite important. There
 3 was a major industrial dispute at Wapping in 1986/87.
 4 During that period, officially at least, the Labour
 5 party was not even talking to the Murdoch papers and
 6 Murdoch paper journalists were banned from any briefings
 7 or press conferences that the Labour Party held. So the
 8 back cloth was not just difficult relations but no
 9 official relationships at all.

10 I joined the Sunday Times a year after that dispute
 11 ended. One of my jobs was to cover the Labour Party and
 12 the trade unions, and so I did witness the early stages
 13 of getting back to normal business, the normal sort of
 14 transactions and discussions that any newspaper would
 15 have with any political party, and after that, as you
 16 know, it ended with the Sun literally coming out for
 17 Labour in 1997. Not many people would have thought that
 18 likely when the industrial dispute ended.

19 The reason I say I suspect there was an
 20 understanding is that Labour did have a policy
 21 previously of restricting cross-media ownership, which
 22 would have affected the Murdoch empire. That policy was
 23 dropped, quietly forgotten, in the most part, and
 24 I suspect, although I have no direct evidence or was not
 25 party to any discussion of that -- I suspect there was

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1 an understanding, not a written down agreement or some
 2 grand bargain but an understanding in the "You scratch
 3 my back, I will scratch your back" culture that
 4 developed in the relationship between the Labour Party
 5 News International. It would have been very odd at
 6 a time when the Labour Party was trying to get back in
 7 the game, trying to win the support of newspapers and
 8 potentially saw the opportunity, certainly under
 9 Tony Blair's leadership, of winning the endorsement of
 10 the biggest selling daily paper -- it would have been
 11 very odd for them to, at the same time, pursue a policy
 12 which would have had a pretty big commercial impact on
 13 the Rupert Murdoch empire.

14 So at one level it was, if you like, a piece of
 15 common sense, that the Labour Party, at a time when it
 16 was trying to get more favourable treatment, more equal
 17 treatment -- the Labour Party was haunted by the
 18 treatment Neil Kinnock received as Labour leader and
 19 they were absolutely determined not to go through that
 20 again. They wanted a fair hearing. If they couldn't
 21 get the endorsement, they wanted a more level playing
 22 field; as you know, in the end they got the endorsement.

23 But it would be very strange from their point of
 24 view, at the same time as seeking that endorsement or
 25 level playing field from one or more you Murdoch papers,

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1 to have pursued -- to have retained a policy which would
 2 have had a big impact on the commercial operations of
 3 the same group.

4 Q. You have answered that question with a certain level of
 5 generality. Of course, you were at the Sunday Times in
 6 1997 and for a couple of years thereafter. How did this
 7 understanding manifest itself, if at all, at the Sunday
 8 Times?

9 A. I was much more concerned in the day-to-day,
 10 week-to-week coverage. There was no sort of tablet of
 11 stone handed down from on high. It's sometimes slightly
 12 misreported, in the sense of the whole Murdoch empire
 13 supported Blair in 1997. That is not actually true. It
 14 wasn't true of my own paper, the Sunday Times, but the
 15 one that obviously has had all the attention, for good
 16 reasons, is the decision of the Sun to switch sides.

17 So I wasn't told at all to be nice to the Labour
 18 Party or be positive about the Labour Party in terms of
 19 week to week reporting. Obviously there was a huge
 20 interest in what Tony Blair and the Labour Party might
 21 do if they were to win the election. They were very,
 22 very strong favourites to win the election, they were
 23 streets ahead in the opinion polls, and so there was
 24 a healthy interest in what the new government might do
 25 if Labour were to win power. But that was always about

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1 news values, news judgments, not about the political
 2 line. I was never told to be nice to the Labour Party.

3 Q. I was going to ask you that. My next question was there
 4 was never a conversation along the lines of: "Let's
 5 start being a bit nicer to Labour"; nothing like that?

6 A. No.

7 Q. All right. You then go on to tell us at the bottom of
 8 page 3 that the determination of New Labour to avoid the
 9 Kinnock treatment also saw the introduction of a more
 10 ruthless approach to news management. You say, at the
 11 top of page 4, that this was led by Peter Mandelson and
 12 Mr Campbell with the full blessing of Mr Blair and
 13 Gordon Brown. Now, why do you say, first of all, as
 14 a matter of interest, "with the full blessing of
 15 Mr Blair and Mr Brown"?

16 A. I knew Tony Blair and Gordon Brown when they were
 17 relatively junior members of the Labour front bench, and
 18 so I was fully aware of their attitude to the media. It
 19 goes back to what I said about the ghosts of the Kinnock
 20 era, really. They were determined that their generation
 21 was not going to be treated in the same way by the
 22 press, and so they were both, Gordon Brown particularly,
 23 as a former journalist, both fully aware of the way the
 24 media, the newspapers, operated and they were going to
 25 not take it lying down, frankly. They were going to

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<p>1 fight back. They were going to try and dictate terms to 2 the newspapers. They were going to have a much more 3 pro-active, aggressive stance with newspapers, rather 4 than let the newspapers treat them in the way that Neil 5 Kinnock was treated. 6 Q. You take the view that this new approach harmed the 7 public interest. Perhaps you don't put it that highly. 8 You say a more even-handed approach to all newspapers 9 would have served the public interest better. But you 10 also go on to say that the approach has been very much 11 copied by the Conservatives when David Cameron became 12 their leader. In fact, you go so far as saying that he 13 based his whole campaign to win the following general 14 election on the New Labour play book. 15 In your view, given that this whole approach doesn't 16 serve the public interest better, is there anything that 17 can be done about it realistically, now that it is here? 18 A. It is rather like the line between news and comment 19 being blurred. If anything, the pressures on the 20 parties and the politicians have got greater, because it 21 all happens much more quickly now, with Twitter, with 22 the blogs, with 24-hour news. So I fear the clock can't 23 be turned back. They are very proactive in monitoring 24 the media minute by minute now, not day by day, and if 25 they feel they are not getting fair treatment, they will Page 81</p>	<p>1 A. Well, I think the first point to make is that a lot of 2 changes have happened in my time at Westminster as 3 a member of the lobby. Frankly, when I joined it 4 30 years ago, it was a kind of extension of the 5 Westminster village that was much too close to the 6 politicians. A very old and respected veteran at the 7 time I joined, a lobby journalist, said to me: "You must 8 preserve the mystique." If I said that to one of the 9 younger generation of lobby members today, they would 10 laugh at me, and quite rightly so. 11 So a lot of changes have happened. It is now on the 12 record. It is not secretive Whitehall sources that 13 everyone in the loop knows is the Prime Minister's press 14 secretary. We now have twice daily on the record 15 meetings with the Prime Minister's official spokesman. 16 The summary of that is posted on the Downing Street 17 website and on lots of political websites. 18 So it has -- some of the caricatures of the lobby 19 are frankly out-of-date. It has reformed. I would 20 stress also it is not a secretive club that we in the 21 lobby hold the key to the door. We don't even decide 22 who are our own members. It is partly a matter of 23 having a security pass, which is totally a matter for 24 the House of Commons authorities. It is not a secret 25 society, as is often portrayed. Page 83</p>
<p>1 move very, very quickly to try and correct that, or at 2 least get their side of the argument over. 3 So in fact what was happening in the period of 4 Mr Blair and Mr Brown was a forerunner of something that 5 maybe would have happened with the 24-hour news with the 6 blogs, the tweets, the Internet age, where the people in 7 parties and the politicians have to respond or feel they 8 have to respond even more quickly and more aggressively. 9 Q. All right. Two final topics, Mr Grice. The first is 10 about the parliamentary lobby system, please, and then 11 I will come on to ask a few more questions about the 12 future of press regulation. You deal with the 13 parliamentary lobby system in a little detail. This is 14 the second paragraph on the fourth page of your 15 statement. You explain that: 16 "If you close down the Parliamentary lobby system in 17 Westminster, it would reinvent itself tomorrow." 18 You explain that you have also always argued and 19 voted for reform. 20 As you yourself say in your statement, the 21 Westminster lobby has been a target for critics. I 22 don't know if we need to describe it in any detail, but 23 is there anything, in your view, that could be changed 24 about the current system, any changes that you consider 25 to be needed at this stage? Page 82</p>	<p>1 Q. Mr Grice, I want to ask you a little about the future of 2 press regulation. This is the final page of your 3 statement. You give two very short paragraphs on this 4 and I want to give you the opportunity to say something 5 rather fuller if you would like to. You say: 6 "It is obvious that the current system of 7 self-regulation has failed. In my view, the public 8 interest would be served by a much tougher independent 9 watchdog with teeth, composed of people who are not on 10 the payroll of newspapers. Perhaps a system of 11 co-regulation should be considered, with self-regulation 12 underpinned and overseen by an independent body such as 13 Ofcom." 14 You recommend the advertising industry model which 15 have heard quite a lot about now. You then say that 16 statutory regulation would struggle. So you don't make 17 just an in principle objection to that; you also say it 18 would have a practical negative effect. 19 Is there anything else you would like to add to 20 those paragraphs? 21 A. Well, if you tried to regulate all of it on a statutory 22 basis, you would run the risk of repeating what I have 23 seen happen -- various communication acts of Parliament. 24 Even the people who put them through, the politicians 25 who put them through Parliament, would admit on Page 84</p>

<p>1 occasions they were fighting the last war or the last 2 battle. The world is changing so -- the media world, 3 the communications industry is changing so fast that it 4 is incredibly difficult to keep up with it, so any piece 5 of legislation would, I think, be very, very difficult. 6 Nobody had heard of Twitter a couple of years ago. 7 There will be something else that takes over from 8 Twitter that we can't even imagine today. And obviously 9 I know you have been debating ways of deciding what 10 would fall within the net, and what would fall outside 11 it. 12 But nobody in journalism thinks that the current 13 system is adequate and in my view strenuous and serious 14 and sincere efforts are being made to come up with some 15 sort of system of independent regulation which obviously 16 I know you are going to go on and look at in the next 17 phase of your inquiry in great depth. 18 From a journalist's perspective, there are, as you 19 know, real fears that investigative journalism, 20 legitimate investigative journalism, could be 21 unwittingly curbed, restricted, by whatever new system 22 we have, but I know that would be uppermost in your 23 minds when you produces your proposals, and there is 24 nobody that I know in my trade who thinks we can go on 25 as we are. The dramatic events of recent years and the</p> <p style="text-align: center;">Page 85</p>	<p>1 LORD JUSTICE LEVESON: Right, I will do that. 2 (12.15 pm) 3 (A short break) 4 (12.20 pm) 5 MR BARR: Sir, our next witness is Mr Webster. 6 MR PHILIP GEORGE WEBSTER (sworn) 7 Questions by MR BARR 8 MR BARR: Mr Webster, could you give the inquiry your full 9 name, please? 10 A. Phillip George Webster. 11 Q. Are the contents of your witness statement true and 12 correct to the best of your knowledge and belief? 13 A. They are. 14 LORD JUSTICE LEVESON: Mr Webster, thank you very much 15 indeed for the comprehensive way which you have dealt 16 with the questions I asked. Thank you. 17 MR BARR: You are currently the editor of the Times website 18 and you were previously the political editor of the 19 Times. You joined the Times as long ago now as 1973, 20 initially in the House of Commons Press Gallery, and 21 then you became a political reporter in 1981, chief 22 political correspondent in 1986 and political editor in 23 1993; is that right? 24 A. That's right, yes. 25 Q. Perhaps you could help us by distinguishing, having done</p> <p style="text-align: center;">Page 87</p>
<p>1 practices that have been exposed mean that a lot has to 2 change and I think most journalists accept that and we 3 are ready to embrace those changes. 4 MS PATRY-HOSKINS: Mr Grice, thank you very much. Is there 5 anything else you would like to add or you would like to 6 draw Lord Justice Leveson's attention to? 7 A. I would just make one final point about the lobby. I am 8 not an elected officer of the lobby. We do have, you 9 may be surprised to learn, elected officers and they 10 would welcome perhaps the opportunity to send a written 11 statement to the Inquiry explaining what we are and, 12 more importantly, what we are not, just to put on the 13 record some facts about the lobby, given some of the 14 comments that have been made in previous hearings. 15 LORD JUSTICE LEVESON: Well, if you pass back to the 16 relevant officers of the lobby that they are very 17 welcome to submit a statement. I shall, of course, 18 consider it. 19 A. Thank you, sir. 20 LORD JUSTICE LEVESON: Thank you. 21 MS PATRY-HOSKINS: Thank you very much, Mr Grice. 22 LORD JUSTICE LEVESON: Thank you very much. Thank you. 23 MS PATRY-HOSKINS: I think we might need just a few more 24 minutes, sir, because the next witness is outside. 25 Would you like to rise?</p> <p style="text-align: center;">Page 86</p>	<p>1 both jobs, the reporter in the gallery from the reporter 2 in the lobby? 3 A. Well, in those days there were more gallery reporters 4 than lobby reporters. The gallery reporter reported the 5 proceedings in the House of Commons, in the House of 6 Lords. Latterly, I also covered proceedings in the 7 European Parliament. But it was mainly the Lords and 8 Commons. And our job then was to do a pretty straight 9 report of what was said. You had to have very fast 10 shorthand to do it. In those days, there were no 11 handouts of speeches, no tapes allowed in the House of 12 Commons, so it was a very straight reporting job. 13 The lobby, in those days, was a smaller 14 organisation. As I say in the statement, it has taken 15 over as, I suppose, the more important or the bigger 16 body in the press gallery, and the lobby is more about 17 reporting what the government and opposition of the day 18 are up to, anticipating events, a little bit of 19 speculation here and there. 20 But the balance between the two has changed 21 completely over the years that I was in the House of 22 Commons. 23 Q. You have worked for no fewer than eight editors of the 24 Times. Perhaps, therefore, you can help us as to 25 whether you discerned any particular quality for which</p> <p style="text-align: center;">Page 88</p>

<p>1 they were selected?</p> <p>2 A. They were all very, very good editors. I would say</p> <p>3 that, I know, but they were all extremely good editors.</p> <p>4 They were different characters. There were people who</p> <p>5 were interested in policy than news, and there were</p> <p>6 people, for example, like Charles Wilson, who was about</p> <p>7 my fourth editor, who was a newsman to his boots.</p> <p>8 Different characters, all of them, and the list of</p> <p>9 them -- I think you would agree, they are very different</p> <p>10 people.</p> <p>11 Q. Did they all share a similar political worldview or were</p> <p>12 they different?</p> <p>13 A. No, I think they would have been people with whom --</p> <p>14 with whom Rupert Murdoch, the News Corporation, would</p> <p>15 have been comfortable, but they were all very different</p> <p>16 people. I don't recall all of them expressing political</p> <p>17 views. Again, Mr Wilson, particularly, I don't remember</p> <p>18 him expressing strong political views on different</p> <p>19 matters. Simon Jenkins, a completely different</p> <p>20 character to James Harding, for example, who you have</p> <p>21 already had before the Inquiry.</p> <p>22 Q. You describe as a mutual dependency between the</p> <p>23 politician and the reporter, the politician wanting to</p> <p>24 spread or his or her message and the reporter wanting</p> <p>25 a story to report. You say that during your career, you</p> <p style="text-align: center;">Page 89</p>	<p>1 giving news briefings or by a political appointee?</p> <p>2 A. I think this current system where you have a civil</p> <p>3 servant briefing is probably the best one. All leaders,</p> <p>4 all prime ministers, need people who speak for them on</p> <p>5 their sort of political stance, their political</p> <p>6 interest. They have people to do that. They have</p> <p>7 directors of communication. I think it should be</p> <p>8 a civil servant because he is speaking for the</p> <p>9 government of the day and he is telling the world out</p> <p>10 there what the government of the day is doing. I think</p> <p>11 it has worked in the last two governments for that to</p> <p>12 happen.</p> <p>13 Q. Moving to the question of unattributable utterances by</p> <p>14 politicians to journalists, you say that that is often</p> <p>15 the way to get hold of the deeper insights from the</p> <p>16 politician; can you help us with an example, please?</p> <p>17 A. Well, you will get more out of a politician off the</p> <p>18 record than you will on, and that is always going to be</p> <p>19 the case. Thinking back in my career, I would have done</p> <p>20 a story 10 years ago that Tony Blair was likely to move</p> <p>21 towards a referendum on the European constitution.</p> <p>22 I got that from a very senior source on the government,</p> <p>23 but I can assure you he would not have told me on the</p> <p>24 record at the time; it was such a sensitive subject.</p> <p>25 It's that -- people will tell you more off the record</p> <p style="text-align: center;">Page 91</p>
<p>1 have seen an increase in confrontation between reporter</p> <p>2 and politician and a decrease in the deference evidence</p> <p>3 paid by the reporter to the politician.</p> <p>4 You also mention, later in your statement, a decline</p> <p>5 in the respect which has been shown by the reporter to</p> <p>6 the politician, and I gather that that is something</p> <p>7 which, on occasions, has concerned you; could you</p> <p>8 explain, please?</p> <p>9 A. Well, there were occasions I think where the treatment</p> <p>10 of certain leaders got a little bit -- was over the top,</p> <p>11 I think. I recall newspaper treatment of Neil Kinnock,</p> <p>12 John Major, latterly of Gordon Brown, where it got too</p> <p>13 personal and in a sense I felt that was going a little</p> <p>14 bit too far. But I don't regret the passing of the age</p> <p>15 of deference at all. I remember in the late 1960s, when</p> <p>16 I joined the Times, there was a much more deferential</p> <p>17 attitude of reporters towards politicians. I am rather</p> <p>18 glad that is all gone.</p> <p>19 It is just in some cases I think the treatment has</p> <p>20 been just a little bit too personal at times.</p> <p>21 Q. You draw a clear distinction between deference on the</p> <p>22 one hand and the respect on the other?</p> <p>23 A. Yes.</p> <p>24 Q. Thinking of the lobby, do you think for the future the</p> <p>25 public interest is best served by having a civil servant</p> <p style="text-align: center;">Page 90</p>	<p>1 than on. A young reporter coming back into my office</p> <p>2 will often say, "He said this, he said that", and</p> <p>3 I would often say to him: "What did he say off the</p> <p>4 record?" I would often be more interested in what the</p> <p>5 politician had to say off the record than on.</p> <p>6 Q. By "off the record", do you mean material which can be</p> <p>7 published but just not with attribution?</p> <p>8 A. That's right. Material that can be used.</p> <p>9 Q. Is it incumbent on the journalist to be particularly</p> <p>10 careful about checking such stories or is the reality</p> <p>11 that it is just not possible --</p> <p>12 A. Oh no, you have to be sure about what you are writing</p> <p>13 and the biggest certainty there is that you would never</p> <p>14 use that source again if that source gave you a piece of</p> <p>15 information that turned out to be totally wrong. That</p> <p>16 was always the discipline that I would apply. I don't</p> <p>17 think I was ever badly misled, but you certainly</p> <p>18 wouldn't use the source again if he or she told you</p> <p>19 something which turned out to be wrong.</p> <p>20 Q. You describe, rather like Mr Riddell, a cycle whereby</p> <p>21 recent prime ministers -- and you name John Major and</p> <p>22 Tony Blair -- initially have very good relations with</p> <p>23 the press but eventually become disillusioned; would you</p> <p>24 add to Gordon Brown to that list?</p> <p>25 A. Yes, I would, yes. I think in all cases they began with</p> <p style="text-align: center;">Page 92</p>

23 (Pages 89 to 92)

<p>1 good relations. John Major built good relations with 2 the press on his way to Downing Street, but he became 3 very quickly disillusioned with the press afterwards. 4 Q. At paragraph 9 of your witness statement, you relate to 5 us the decrease of reporting from the parliamentary 6 chamber and so that source of factual information about 7 politics has obviously withered away. But can I ask 8 you about the volume of factual political reporting 9 itself; has that declined or increased over the years? 10 A. I would say it has increased considerably over the 11 years. The space -- certainly at the Times, we once 12 had -- we always had, in my early days, a full page of 13 the Times, eight columns, without an advert, devoted to 14 gallery reporting. All of that space and more has been 15 taken by political stories. News desks and newspapers 16 are voracious in their appetite for political stories. 17 It is more personality based than it was in those days 18 gone by, but newspapers believe political stories sell. 19 Q. If there has been an overall increase in factual 20 information published about politics and a decrease in 21 straight parliamentary reporting, where is all this 22 factual information coming from? 23 A. It comes from all the people we would call sources 24 around the place: civil servants, advisers, MPs, 25 ministers. All of those people are our sources of Page 93</p>	<p>1 that can happen. I think it does happen now and I think 2 it should continue to happen. 3 Q. From your knowledge of the newspaper industry, would you 4 like to make any comments about whether or not your 5 competitors have been able to do the same thing? 6 A. Well, the Times is an independent paper. It switches 7 between parties. It has switched between parties in 8 recent years. But I would say that papers like the Mail 9 and the Telegraph, which are associated with the 10 Conservative Party, make a very strong job of reporting 11 factually what is going on. Just occasionally, the 12 headlines might be much more comment than the stories 13 that appear under them. You sometimes feel with 14 a headline that it is reflecting the view of the paper, 15 whereas the story underneath that headline is perfectly 16 factual. That is the only thing I would say there. 17 I think most papers, whether they have a concern -- if 18 a paper has a Conservative bias, that does not mean that 19 its readers are all Conservative and the readers 20 wouldn't like it if they felt the information was being 21 stuffed down their throats. 22 Q. Can I take it with your answers that you are entirely 23 comfortable with the PCC code which contains a clause 24 requiring separation -- 25 A. I am happy with it, yes. I am perfectly happy with that Page 95</p>
<p>1 information, as well as government departments. 2 Q. You also tell us about the development of a class which 3 you term the "commentariat". Can I take it there has 4 been an increase not only in factual political reporting 5 but also in political commentary? 6 A. Yes, when I talk about the commentariat, I am talking 7 about those people who appear on the op-ed pages of the 8 Times, the piece set aside for commentary. 9 Most reporting now of political stories will have 10 a commentary alongside it, and your previous witness, 11 Peter Riddell, wrote the commentaries in the Times. But 12 it was very clearly delineated on the page that this was 13 commentary and not straight reporting. So it would say 14 "Peter Riddell's political briefing" but it might be 15 alongside a story by me about whatever, and Peter would 16 be commenting on it. 17 So there was a separation and as I regarded my job 18 as the news gatherer in chief and I was very, very 19 careful to make sure that my stories didn't contain any 20 views or anybody else's views; they merely presented 21 what was going on. 22 Q. So do you think it is possible, going forwards, for 23 newspapers conscientiously to distinguish facts from 24 comment? 25 A. I think the Times is a living example of the fact that Page 94</p>	<p>1 code, yes. 2 Q. In paragraph 13 on page 4 of your witness statement, you 3 tell us a little bit about the cash for access story and 4 the Sunday Times' use of subterfuge to obtain that 5 story. Obviously, you don't work for the Sunday Times 6 and were not directly involved in that, but can I ask 7 you: so far as the use of subterfuge by the electronic 8 Times is concerned, what do you think are the necessary 9 precursors to a decision to use subterfuge? 10 A. You would have to go into it in considerable detail. 11 I am sure the Sunday Times did in that case. In our 12 series that began last week of exclusives -- the 13 disclosures about the tax system and tax avoidance -- we 14 too used an undercover reporter to become involved in 15 that. I know there was a huge amount of discussion 16 within the Times office about the way we went about our 17 investigation, and I think provided -- you know, 18 provided what you are after is in the public interest -- 19 you have to believe that what you are doing is in the 20 public interest -- such techniques are perfectly okay, 21 and it is my hope that in the follow-up to the hacking 22 scandal that these kinds of methods, although unusual, 23 can still be used in the future, because clearly there 24 is a place for them if the public interest serves that 25 need. Page 96</p>

<p>1 Q. But with prior thought, great care and --</p> <p>2 A. Huge care. I mean, I know that we had several weeks of</p> <p>3 discussion about how to carry out that investigation at</p> <p>4 the Times and it is bearing fruit now and it has</p> <p>5 produced, I think, stories that are very much in the</p> <p>6 public interest.</p> <p>7 LORD JUSTICE LEVESON: Mr Webster, do you think that it is</p> <p>8 possible to distinguish between taking steps such as you</p> <p>9 have just outlined for stories in the public interest</p> <p>10 and being able to restrain yourself from doing similar</p> <p>11 things for stories which do not necessarily have</p> <p>12 a public interest?</p> <p>13 A. I think it is, and I think you are on to an issue that</p> <p>14 we discussed in the Times office over recent weeks. We</p> <p>15 did not want to go on a fishing expedition, which</p> <p>16 I think is what you may be referring to. We found from</p> <p>17 our own sources certain pieces of information. We</p> <p>18 needed to check it out. The only way we could do it was</p> <p>19 to use an undercover reporter in that situation, but we</p> <p>20 didn't just send him out there and say, "Go and on talk</p> <p>21 to these -- go and pretend that you are something else</p> <p>22 in this situation."</p> <p>23 It was very carefully planned, the whole operation.</p> <p>24 So I would say yes, it is. I imagine the Sunday</p> <p>25 Times -- I had no involvement in the Sunday Times</p> <p style="text-align: center;">Page 97</p>	<p>1 for a moment, because doesn't that create a real risk --</p> <p>2 because you will never disclose your sources, and I am</p> <p>3 not asking you to disclose a source. Wouldn't there</p> <p>4 then be a risk that every single time somebody had</p> <p>5 undertaken what, in truth, was a fishing expedition for</p> <p>6 something comparatively trivial, the answer would be:</p> <p>7 "Oh well, we had a source we are not prepared to name</p> <p>8 who told us A, B and C and that justified doing what we</p> <p>9 did. The fact we didn't get it was fine, but we did get</p> <p>10 something, and once we got it, then we were entitled to</p> <p>11 report it." It is almost impossible to challenge it,</p> <p>12 isn't it? Do you see the point I am making?</p> <p>13 A. I can see the point. I think in the wake of what has</p> <p>14 happened over the last year and more, newspapers would</p> <p>15 have to take a totally responsible approach to such</p> <p>16 investigations and there would have to be an audit trail</p> <p>17 from the start of the investigation to show that it</p> <p>18 wasn't just, as you call it, a fishing expedition and it</p> <p>19 was based on information that you had received and that</p> <p>20 you wanted to prove to the reading public.</p> <p>21 LORD JUSTICE LEVESON: I understand that, but my concern is</p> <p>22 that it isn't difficult, is it, to say, "I had a very</p> <p>23 good source. I have used him 26 times before. He has</p> <p>24 been right 26 times out of 26, and this provided me with</p> <p>25 a tremendously good potential line. Don't ask me who it</p> <p style="text-align: center;">Page 99</p>
<p>1 investigation, but I imagine that is possible.</p> <p>2 LORD JUSTICE LEVESON: Now, I appreciate that considerable</p> <p>3 thought, particularly in the present circumstances and</p> <p>4 with everything going on as it is, would be obviously</p> <p>5 given to that sort of story, but is there any reason, in</p> <p>6 your long professional experience, why proper</p> <p>7 investigative journalism should be chilled, if you</p> <p>8 like -- that is the word that is frequently used -- if</p> <p>9 there are mechanisms -- and I am not suggesting what</p> <p>10 they would be, and whether they would be in place --</p> <p>11 that actually criticised the use of such techniques</p> <p>12 where there was no public interest?</p> <p>13 A. No. I don't know what is going to come out of this</p> <p>14 inquiry or the joint committee's inquiry, but if there</p> <p>15 is a strong public interest defence, which of course is</p> <p>16 not available at the moment in law -- the stronger the</p> <p>17 public interest defence written into law, the better.</p> <p>18 I can't see any reason why comments of that kind should</p> <p>19 stop future investigative journalism.</p> <p>20 LORD JUSTICE LEVESON: I am not sure it needs to be written</p> <p>21 into law, because it is there already. You do it</p> <p>22 already, don't you?</p> <p>23 A. I mean, we do it, but I think we would like a firm</p> <p>24 defence of public interest journalism.</p> <p>25 LORD JUSTICE LEVESON: Now, let me just test that with you</p> <p style="text-align: center;">Page 98</p>	<p>1 is; I wouldn't dream of telling." So therefore although</p> <p>2 on paper you have set up a perfectly sensible audit</p> <p>3 trail, actually, there was nothing there at all and you</p> <p>4 would never be able to get behind that. Any</p> <p>5 investigator wouldn't be able to get behind the fact</p> <p>6 that you wouldn't name your source for understandable</p> <p>7 reasons, and for good important investigative reasons.</p> <p>8 I recognise that entirely.</p> <p>9 A. I see your point. All I would say is that I just hope</p> <p>10 that in today's climate -- and I hope it continues to be</p> <p>11 the climate -- newspapers would not do that in a</p> <p>12 misleading way. That is my hope.</p> <p>13 LORD JUSTICE LEVESON: Well, all right.</p> <p>14 MR BARR: Looking at that from a slightly different</p> <p>15 perspective, under the present system, where there is no</p> <p>16 explicit public interest defence, public interest still</p> <p>17 comes into the equation. The prosecutor has to decide</p> <p>18 that is in the public interest to mount the prosecution,</p> <p>19 the judge can stop a prosecution, and the jury are also</p> <p>20 the ultimate arbiters. So there are three layers of</p> <p>21 defence, as it were, to the properly conducted public</p> <p>22 interest story already built into the system.</p> <p>23 A. Yes, I can see that.</p> <p>24 Q. Do you sense that that current arrangement is not</p> <p>25 working, or is your belief that it is working properly?</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

1 **A. No, I think --**
 2 Q. I think we have had a recent example, haven't we?
 3 **A. I think it is working. It is just my view that if there**
 4 **are going to be changes in the whole set-up, the whole**
 5 **relationship, as a result of this inquiry and others,**
 6 **this may be the opportunity to solidify that in law.**
 7 LORD JUSTICE LEVESON: You understand the problem, that it
 8 depends entirely on the aspirations of the people who
 9 have lived through this inquiry and are concerned about
 10 what has happened in the past.
 11 **A. Yes.**
 12 LORD JUSTICE LEVESON: It may not remain so for very long.
 13 It may not, may do.
 14 MR BARR: Moving to what you tell us about meetings between
 15 politicians and journalists, you describe the two
 16 meeting for mutual benefit and journalists hoping for
 17 a tip or a line of enquiry or a straightforward drop
 18 when meeting politicians.
 19 In your experience, are politicians selective about
 20 who they choose to meet and supply stories and tips to?
 21 **A. Oh, I think so. But journalists are also very selective**
 22 **about who they invite to lunch, I think. You would**
 23 **invite to lunch people you felt were in a position to**
 24 **perhaps tell you information, to pass on tips.**
 25 **I personally was quite demanding and if I didn't get**
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1 anything out of the lunch it was very unlikely the
 2 politician would get another invite.
 3 **But they too I think were careful about who they**
 4 **would lunch with. I was fortunate enough to work for**
 5 **the Times. Not many people turned the Times down, I am**
 6 **glad to say.**
 7 Q. Do you see that as a satisfactory system going forwards
 8 or is it one that might be criticised for a lack of
 9 transparency?
 10 **A. I think it is common to all forms of journalism.**
 11 **I think wherever you are, whichever branch of journalism**
 12 **you are in, whether you are a medical journalist, an**
 13 **education journalist, a legal correspondent, you will**
 14 **meet, dine and have lunch with people in your world, you**
 15 **will speak to them on a non-attributable basis and**
 16 **stories will come out of it. I think the only**
 17 **difference about the political lobby is that it is based**
 18 **in a small space where we all have access to each other.**
 19 **We are in the same building for a lot of the time. But**
 20 **otherwise, all forms of journalism have their lobbies.**
 21 **Even the famous bloggers that are out there at the**
 22 **moment -- Guido Fawkes, he has his lobby. He has people**
 23 **who go to him with stories. He would never dream of**
 24 **revealing who they are. He would cut off his supply if**
 25 **he did.**
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1 Q. Turning to the question of party conferences and the
 2 meals, which I think you had a hand in organising, at
 3 some of which very senior News Corp and
 4 News International executives were present, can you help
 5 us by painting a picture of the atmosphere and the
 6 nature of the conversation and what the upshot of these
 7 events --
 8 **A. We would have the meals in the evening after a hard**
 9 **day's work at the coal front. Very convivial and this**
 10 **would be the opportunity for members of the office who**
 11 **did not work in the lobby or House of Commons to meet**
 12 **politicians and for politicians to meet senior figures**
 13 **in the office. I found them slightly frustrating**
 14 **because exponentially the chances of getting material**
 15 **out of politicians fell the larger the group of people.**
 16 **But they were meant to be social occasions.**
 17 Q. News International receptions -- you tell us it was high
 18 quality champagne and late night bacon sandwiches?
 19 **A. Mm-hm.**
 20 Q. Can you tell us a bit about who was invited to these
 21 receptions and why?
 22 **A. Well, if it was the governing party, every member of the**
 23 **Cabinet would be invited, almost certainly most of their**
 24 **special advisers, senior MPs, MPs who had particular**
 25 **influence, chairmen of select committees. I would**
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1 always be sent a list of the names that they intended to
 2 invite just to see if there was anyone I felt should be
 3 added to the list -- a contact of mine, a contact of
 4 somebody else -- that we felt should be there.
 5 **But it was across the spectrum and at Labour**
 6 **Party -- when Labour was in opposition, it would be very**
 7 **similar. You would have the shadow Cabinet, you would**
 8 **have their special advisers, you would have the MPs who**
 9 **mattered, and you would invite people from other**
 10 **newspapers as well, because they tended to invite you to**
 11 **their parties.**
 12 Q. Were there any deliberate omissions?
 13 **A. I am not aware of any blacklist of people we wouldn't**
 14 **have at a party, no, no.**
 15 Q. From your experiences of working for a newspaper owned
 16 by Rupert Murdoch -- one, indeed, with a very special
 17 arrangement -- did you ever come under any pressure,
 18 directly or indirectly, to write in a particular
 19 political direction?
 20 **A. No, I didn't at all. As I said to you earlier,**
 21 **I regarded myself as the news gatherer in chief. The**
 22 **Times readership, I know a few years ago, split about**
 23 **40/30/30 between the parties, so the readers of the**
 24 **Times expected the Times political editor to have to be**
 25 **impartial, fair, accurate and to tell the story as he**
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<p>1 saw it. Obviously I knew in some cases the leader line 2 being taken by the paper, although I never did attend -- 3 during all those years, I never attended the leader 4 conferences that were held at the Times and every 5 newspaper every morning to decide on an editorial line. 6 But I would be aware.</p> <p>7 Sometimes my stories would sit happily alongside the 8 leader line, but very, very often they went completely 9 against the leader line. That was not a factor in my 10 consideration and I was never told how to write a story 11 with any particular slant. I would often have 12 a discussion with the news desk about whether I had 13 chosen the top line of the story correctly, but that 14 wouldn't be whether it was on a particular political 15 line; that might be whether there was a line that I had 16 buried somewhere in the story that they wanted to lift 17 out.</p> <p>18 Q. You describe having a number of politicians as friends, 19 I think, largely through your sporting endeavours over 20 the years. There is, of course, nothing wrong with 21 having a politician as a friend if you are a political 22 journalist, but can I ask you: how do you, in those 23 circumstances, maintain the necessary professional 24 distance?</p> <p>25 A. Well, there are a handful of people that you get to know</p> <p style="text-align: center;">Page 105</p>	<p>1 I think there were some stories that were being put out 2 that time about cracking down on benefits, those kind of 3 stories. There were law and order stories around at the 4 time as well. But it was that nature of story that -- 5 I think governments of all colours have tended to go 6 back to their natural home when the going has got 7 a little bit tough, and for the government a few weeks 8 ago, it was getting quite a lot of problems from its own 9 supporters in the press.</p> <p>10 So this was only my assumption. I am not there 11 anymore, but this is how it felt to me reading it.</p> <p>12 Q. Going to ground where you have actual knowledge, as 13 opposed to a very well-informed intuition, you tell us 14 that there was a time when you and your colleagues were 15 getting selective stories from the government in the 16 early days of the New Labour administration; can you 17 tell us a little bit more about how that worked?</p> <p>18 A. Well, I felt -- the New Labour operation was a very 19 professional press operation. I think they had a market 20 for stories. There were certain stories that they 21 thought would sit well in the Times, certain stories 22 that would sit well in the Sun. I can't pretend that in 23 those early days there were not some stories that did 24 not come by me a lot more easily than others. The great 25 pleasure came from getting the stories that nobody</p> <p style="text-align: center;">Page 107</p>
<p>1 so well that certainly in my case I would consider them 2 friends first, politicians second. But because they are 3 friends, they would know that in any awkward situation 4 where they were in some kind of trouble, you would have 5 to report that as fairly and faithfully as you would, as 6 if it was somebody you didn't even know. That was -- 7 part of the relationship was that they totally 8 understood that you would have to -- in the world of 9 Westminster, friendships are known about. So there 10 would be absolutely no point in you trying to go easy on 11 somebody who happened to be a friend. That just didn't 12 happen and I don't think that would happen with anybody.</p> <p>13 Q. On the topic of selectivity, which you deal with at 14 paragraphs 25 and 26 of your witness statement, you say 15 you watch from afar now but it is quite obvious that in 16 recent weeks -- and of course, we are talking about when 17 you wrote your statement back in April -- as the 18 government has taken a knock to the polls, 19 Downing Street or individual ministers have floated 20 a number of stories with their traditional supporters at 21 the Mail and Telegraph. Can you give any examples of 22 that?</p> <p>23 A. Certainly, as you say, that was written some time ago, 24 but I think there were stories about welfare, about -- 25 which, again, has come up again this weekend, but</p> <p style="text-align: center;">Page 106</p>	<p>1 wanted you to have.</p> <p>2 But I wouldn't say that the New Labour operation 3 handed stories solely to newspapers that were at the 4 time friendly. They were very professional at making 5 sure that the Mail, for example, the Express, got the 6 law and order stories at that time. There was a market 7 for them, and I think the New Labour operation at that 8 time was about spreading their support as wide as they 9 possibly could go into the Mail, Express, Sun 10 readerships.</p> <p>11 Q. When you received these stories, did you always report 12 them in the way that New Labour would have wished?</p> <p>13 A. No. There were several classic examples of what -- of 14 stories that were sent my way that ended up completely 15 the opposite of what was intended. I remember being 16 leaked an IMF report in the early days of the 17 Labour Government which in its early chapter appeared to 18 be extremely laudatory about the handling of the economy 19 by Gordon Brown at the time he was chancellor. I know 20 this was also leaked to the Guardian at the time. We 21 both took it away, my colleague from the Guardian and I. 22 When we read the report in full, in fact in the latter 23 chapters it was deeply critical of the government and we 24 both wrote splash stories in our newspaper which were 25 the opposite, I think, of what the leakers intended. We</p> <p style="text-align: center;">Page 108</p>

27 (Pages 105 to 108)

<p>1 both spent the evening getting a lot of angry phone 2 calls. But we didn't move an inch. 3 Q. Having done that, did you still receive a favourable 4 supply of stories? 5 A. They certainly didn't stop talking to us. I think it 6 was a lesson for them. I think it was a lesson for them 7 that they realised then that these things are not going 8 to appear exactly as you want them. 9 Q. Paragraph 35 of your statement, you describe your own 10 reaction to the friendships which party leaders have 11 felt obliged to make with newspaper chiefs, saying that 12 you find it rather demeaning. In what circumstances do 13 you think that a party leader will no longer feel that 14 he and she needs to make friends with senior newspaper 15 chiefs? 16 A. Well, I think we are probably getting pretty close to 17 that point now, after what we have seen in the last 18 year, after the evidence that has been given to this 19 Inquiry. The Inquiry has heard from a number of 20 politicians who have lamented the fact that they 21 possibly did get too close to proprietors. My own view 22 is that it was totally unnecessary. I don't think it 23 was necessary for Tony Blair to chase after (inaudible) 24 in whenever it was, in 1995. There was absolutely no 25 doubt at that time that support for the Page 109</p>	<p>1 Inquiry, we would prefer that to happen without 2 a statutory backdrop. But the ideas that have emerged 3 in recent days seem to be a start along the way to 4 getting a system of regulation of behaviour and 5 standards in dealing with complaints. Whether it can be 6 done without statute is a matter for 7 Lord Justice Leveson, of course. 8 Q. Do you see, and it is very much, obviously, an important 9 debate, but an important feature of that is finding 10 a mechanism which will ensure that everyone who ought to 11 fall under the regulatory umbrella does so. 12 Do you see anything objectionable in principle to 13 having a statutory underpinning to the system to ensure 14 that everyone is included and to confer necessary powers 15 while the actual body itself remains independent of both 16 the press and the government? 17 A. Well, I know there has been a division on that among the 18 politicians, the senior politicians, you have had before 19 the Inquiry. I personally would much prefer this to 20 happen without a statutory backdrop, if that is at all 21 possible, and if it were felt a contractual 22 relationship, backed up by the courts, obviously, would 23 hold. 24 Clearly the newspaper industry has been trying in 25 its recent submissions to show that that could happen. Page 111</p>
<p>1 Conservative Government was going and that certainly the 2 Sun would end up supporting New Labour. 3 We, as reporters, had watched this, we would see 4 this happening. We would shake our heads and we would 5 wonder why they were bothering, because it normally 6 always ended in tears, and we have seen that in the most 7 recent case, we have seen it with Gordon Brown and his 8 angry speech to the House of Commons. I mentioned 9 John Major earlier, and Tony Blair, who courted the 10 press, ended up calling us feral beasts. So it did all 11 end in tears, I think. 12 Q. Moving to the question of future regulation, you talk 13 about the need to avoid statutory regulation; do you 14 mean there the statutory regulation of content? 15 A. Yes, I would be certainly against the statutory 16 regulation of content. 17 Q. In terms of the regulation of standards, professional 18 standards, as opposed to newspaper content you plainly 19 think that there should be a new independent regulator 20 with powers to investigate and punish wrongdoing? 21 A. Yes, I mean, the Times, from the outset, has called for 22 an end to -- I think my editor called it "marking our 23 own homework". We accept that there is a need for 24 a stronger independent regulation. Like everyone else 25 from the newspaper world who has been before this Page 110</p>	<p>1 There are a lot of questions immediately raised by the 2 most recent ones that have come into the Inquiry. But 3 they do appear to be the newspaper industry really 4 trying very hard to come up with a solution that does 5 involve much tighter regulation than we have had before, 6 more independent regulation, but possibly not enough 7 yet, but not going down the statutory route. 8 Q. It might be said that one of the disadvantages of 9 a contractual system is that a party might elect not to 10 join the contractual scheme in the first place or might 11 choose after the fixed term expires not to renew the 12 contractual obligation; can you offer any other 13 mechanism short of some statutory underpinning which 14 will guarantee the participation of all those who should 15 fall within the scheme? 16 A. Well, without sounding like somebody asking for one 17 final drink in the last-chance saloon, there could be, 18 without putting it into a statute, an agreement of some 19 kind, I presume, that, were this to happen, were one of 20 the newspaper groups to pull out at any stage in the 21 future, there would have to be a fallback at that stage 22 to require them to take part. So you wouldn't legislate 23 at this stage for it, but there would have to be an 24 understanding at the end of this whole, long process 25 that that would be the final resort should a group pull Page 112</p>

<p>1 out.</p> <p>2 Q. So very much on the basis the way the Calcutt</p> <p>3 recommendations were made 20 years ago?</p> <p>4 A. Mm-hm.</p> <p>5 Q. Sir, I have between five and 10 minutes left.</p> <p>6 LORD JUSTICE LEVESON: Let's carry on.</p> <p>7 Do you really think the political way would be there</p> <p>8 in five years' time without some enormous great</p> <p>9 disaster?</p> <p>10 A. That is very hard to tell, and you have several times --</p> <p>11 I have heard you hope that there could be consensus</p> <p>12 emerging among the parties over the reforms that you</p> <p>13 come to recommend.</p> <p>14 LORD JUSTICE LEVESON: Yes. The reason for that is very</p> <p>15 simple: that if everybody, that is the industry itself</p> <p>16 and those who are concerned, the public who are</p> <p>17 concerned, can find a route that actually satisfies them</p> <p>18 all, then that is the best, undeniably. The risk, of</p> <p>19 course, is that it shouldn't just be the press who think</p> <p>20 "Let's try this", whereas those who have complained</p> <p>21 about the press say "Actually, we don't think that even</p> <p>22 starts to be enough". I am not saying I am there, I am</p> <p>23 merely identifying the point. But you are well aware of</p> <p>24 that.</p> <p>25 A. Yes, I am aware. I am also aware of all the</p> <p style="text-align: center;">Page 113</p>	<p>1 A. No, I can see the dilemma. There is also the dilemma</p> <p>2 between, and you have seen it here, that you want</p> <p>3 a consensus, but there already is not a consensus on</p> <p>4 this question of whether there should be a statutory</p> <p>5 regulation. Some of those who have come before you</p> <p>6 think there should and some don't. Do you go for what</p> <p>7 you think is the very best possible solution, or do you</p> <p>8 go for the solution that you think will get through the</p> <p>9 House of Commons. So yes, there is a dilemma.</p> <p>10 LORD JUSTICE LEVESON: Thank you very much.</p> <p>11 Yes, Mr Barr.</p> <p>12 MR BARR: Thank you, sir.</p> <p>13 In the last paragraph of your witness statement you</p> <p>14 talk about some of the sources you have for gaining</p> <p>15 information about forthcoming appointments. One of the</p> <p>16 thing you say is that Civil Service mandarins are one</p> <p>17 source of such information. You describe them as being</p> <p>18 far more indiscreet than is generally recognised and</p> <p>19 that they would let slip the names of ministers they</p> <p>20 felt were performing badly or well.</p> <p>21 A. Yes.</p> <p>22 Q. How common is that sort of information from civil</p> <p>23 servants?</p> <p>24 A. I wouldn't say it is uncommon, but in all these -- the</p> <p>25 books get written about ministers briefing against each</p> <p style="text-align: center;">Page 115</p>
<p>1 solutions -- you have seen Lord Hunt's and the</p> <p>2 Lord Black one you saw last week. One disadvantage of</p> <p>3 them from your point of view and the politicians' point</p> <p>4 of view, it is the press solution to this problem and it</p> <p>5 may well be that public opinion demands that it is not</p> <p>6 solely a press solution to this problem.</p> <p>7 LORD JUSTICE LEVESON: I don't mind it being a press</p> <p>8 solution to the problem, provided I am satisfied that it</p> <p>9 ultimately, if I make to make a recommendation, that it</p> <p>10 deals with the concerns that the public have raised.</p> <p>11 That, to my mind, is absolutely critical. I would have</p> <p>12 thought it was critical for the press as well.</p> <p>13 A. Yes.</p> <p>14 LORD JUSTICE LEVESON: Because if all those who have</p> <p>15 complained about press behaviour and all the editors who</p> <p>16 have spoken accept the legitimacy of many of the</p> <p>17 complaints that have been made -- not all of them, but</p> <p>18 many of them -- but if those who have complained say</p> <p>19 that is a complete nonsense, then actually I am not sure</p> <p>20 the press would have achieved very much.</p> <p>21 A. Mm-hm.</p> <p>22 LORD JUSTICE LEVESON: Do you see the point?</p> <p>23 A. I do.</p> <p>24 LORD JUSTICE LEVESON: Do you agree with that? Do you think</p> <p>25 I am right or wrong, or what? I am interested.</p> <p style="text-align: center;">Page 114</p>	<p>1 other at reshuffle time. It is absolutely true that</p> <p>2 when we came to write stories about who was going to be</p> <p>3 in the Cabinet our sources would be other ministers and</p> <p>4 our sources would be the whips who knew whether a young</p> <p>5 junior minister was doing well or not. They would keep</p> <p>6 a record of how well they were doing.</p> <p>7 But the way existing ministers were performing in</p> <p>8 their departments would be commented upon privately by</p> <p>9 senior civil servants, in a gossipy kind of way, but in</p> <p>10 a way that put out into the ether that a certain</p> <p>11 minister wasn't doing a great job or a certain minister</p> <p>12 was absolutely brilliantly on top of his brief.</p> <p>13 Sometimes I don't think it has been recognised that</p> <p>14 that is another part of the political world that has an</p> <p>15 interest in telling us how people are doing.</p> <p>16 Q. The final topic I would like to ask you about is arising</p> <p>17 from your experiences in your current position as the</p> <p>18 editor of the electronic version of the Times. First of</p> <p>19 all, the Times used a pay wall; can you tell us a little</p> <p>20 bit about what you see as the advantages of the pay wall</p> <p>21 and whether or not it is working?</p> <p>22 A. Well, I was put in charge of the Times website after</p> <p>23 ending my stint as political editor and at the same time</p> <p>24 as we decided to charge for digital content. So within</p> <p>25 days of taking that job I have seen the number of hits</p> <p style="text-align: center;">Page 116</p>

1 on the Times website fall by literally millions. But in
 2 the two years we have built up 131,000 people who
 3 subscribe to the Times digital products. That is the
 4 website, the iPad, the iPhone.

5 LORD JUSTICE LEVESON: In addition to those who get access
 6 because they take the paper.

7 **A. That's right. There are 170,000 of those. So you could**
 8 **say that there are 300,000 people who have access to our**
 9 **digital products, and then you have all the people who**
 10 **buy the paper as well. So it has helped the Times in**
 11 **terms of revenue. We have reached a point where the**
 12 **revenue from our advertising and subscriptions now**
 13 **exceeds the revenue that we got from advertising only**
 14 **when the sites were free.**

15 **One of the advantages of the pay wall, and reading**
 16 **the evidence that you have received from other digital**
 17 **editors, is that we do know our readers. We have their**
 18 **details. So those 131,000 plus the other 170,000, we do**
 19 **know their names. They are our subscribers, they pay**
 20 **money for the product. So we can pre-moderate -- one of**
 21 **the big things that is happening in online journalism**
 22 **now is the growth of comments on stories. We**
 23 **pre-moderate those comments because we know who they**
 24 **are. We see also -- because our circulation is much**
 25 **lower than the Mail, for example, we have enough staff**

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1 to read those comments before they go out.

2 **I think that is a great advantage but it depends**
 3 **which way newspapers will go. I think the future of**
 4 **newspapers, from my two years, is clearly going to be**
 5 **digital, and one of the big things here is that much of**
 6 **the internet world is going to be outside the control of**
 7 **any PCC -- any new PCC. We, in the digital website, are**
 8 **already at a competitive disadvantage with all those**
 9 **websites -- English-speaking websites in America,**
 10 **Australia, whatever, who can publish things that British**
 11 **readers can read that we are not allowed to put in the**
 12 **newspaper and we are not allowed to put on our website.**
 13 **All those things I know you have been discussing, but**
 14 **that is quite a big thing to be thinking about.**

15 Q. Would you nevertheless expect the electronic version of
 16 the Times to come under the regulation of the successor
 17 to the PCC?

18 **A. Without any doubt, yes. As will all the other**
 19 **newspapers that are part of the PCC's successor.**

20 Q. Would you expect to see any UK-based, commercially
 21 operated electronic news service also falling within
 22 that same regulatory system?

23 **A. It is possible. I think the Huffington Post editor when**
 24 **she came before you, suggested she would sign up. I am**
 25 **not madly impressed by that because it does not mean**

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1 that their US operation is under similar control, so
 2 readers, if they wanted to see material that was not on
 3 the UK base, they could certainly go to the US and read
 4 it there.

5 **Quite how many of these will sign up to the new PCC**
 6 **must be in huge doubt. There will be some who think**
 7 **that it is a kite mark of quality to be signed up to the**
 8 **new PCC but there will be others who regard it as**
 9 **a badge of honour not to be signed up to it, and they**
 10 **will call it a badge of freedom or something like that,**
 11 **I'm sure. So -- I think Guido Fawkes has already said**
 12 **they will not sign up to any successor body. So there**
 13 **is a huge issue here that will have to be covered.**

14 Q. And if you were trying to reply to the body that won't
 15 sign up, if there is a choice, would you say to them
 16 that what you are submitting to is not a regulation of
 17 content but a regulation of professional standards?

18 **A. That would be the line I would certainly take. I mean,**
 19 **I cannot see -- a regulation of content, there would be**
 20 **no chance of them signing up to that in any case. But**
 21 **if they did sign up to the behavioural side of things on**
 22 **the basis that they would be considered akin to**
 23 **a British newspaper, that may be the way to approach it.**
 24 **But I have my doubts as to how many of them will**
 25 **voluntarily do it, I really do.**

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1 MR BARR: Thank you. Those are all my questions.

2 LORD JUSTICE LEVESON: Thank you very much indeed. Thank
 3 you. 2.10 pm. Thank you.

4 (1.10 pm)

5 (The short adjournment)

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