

<p>1 Monday, 28 May 2012</p> <p>2</p> <p>3 (The luncheon adjournment)</p> <p>4 (2.00 pm)</p> <p>5 LORD JUSTICE LEVESON: Both the Inquiry and HCTMS, which is</p> <p>6 responsible for security in this building, take the</p> <p>7 incident this morning extremely seriously. Considerable</p> <p>8 effort has been put into ensuring that all witnesses can</p> <p>9 give their evidence in a safe and secure environment and</p> <p>10 I very much regret what has happened. An investigation</p> <p>11 is being undertaken, and I will be giving consideration</p> <p>12 to the steps that can be taken and should be taken</p> <p>13 against this particular intruder. Efforts will be</p> <p>14 redoubled to ensure that incidents of this nature do not</p> <p>15 recur. I repeat my apologies to Mr Blair, and indeed to</p> <p>16 everyone else who was involved in or following the</p> <p>17 Inquiry.</p> <p>18 Yes, Mr Jay.</p> <p>19 MR JAY: Mr Blair, may I move forward in time to 2009. Were</p> <p>20 you aware, from your personal interactions with</p> <p>21 Mrs Brooks, of the shift of support from Labour, in the</p> <p>22 personification of Mr Brown, to the Conservatives, in</p> <p>23 the personification of Mr Cameron?</p> <p>24 <b>A. I don't think I was actually aware that the actual shift</b></p> <p>25 <b>was going to occur until it occurred. Obviously there</b></p> <p style="text-align: center;">Page 1</p>	<p>1 Q. Do you share Lord Mandelson's view that there is</p> <p>2 evidence of a deal being done between the Conservative</p> <p>3 Party and Mr Murdoch?</p> <p>4 <b>A. I have absolutely no knowledge of any -- anything like</b></p> <p>5 <b>that, so I can't really comment on it.</b></p> <p>6 <b>And also, by the way, in the years since I left</b></p> <p>7 <b>office, obviously I've had a lot of responsibilities in</b></p> <p>8 <b>the Quartet, I have a lot of work that I do in Africa</b></p> <p>9 <b>and in different parts of the world, so I wasn't --</b></p> <p>10 <b>I really wouldn't be in a position to know.</b></p> <p>11 Q. Even though, to offer a comment, if it's clear from what</p> <p>12 you're saying that Mr Murdoch didn't do deals with you,</p> <p>13 it might be said it flows from that that it's unlikely</p> <p>14 that he would be doing deals with anybody else, or would</p> <p>15 you not go that far?</p> <p>16 <b>A. I know of absolutely nothing to support that, but I</b></p> <p>17 <b>don't -- I'm simply saying there's things I can comment</b></p> <p>18 <b>on and things I can't, from knowledge. All I can say is</b></p> <p>19 <b>that he never made such an approach to me, so ...</b></p> <p>20 Q. Do you feel that the Sun overstepped the mark with its</p> <p>21 personal attacks on Mr Brown, particularly in relation</p> <p>22 to the letter he wrote to the mother of the soldier</p> <p>23 killed in Afghanistan?</p> <p>24 <b>A. Yes, I do. I think that was out of order, actually, and</b></p> <p>25 <b>I said that at the time.</b></p> <p style="text-align: center;">Page 3</p>
<p>1 <b>was a debate going on and obviously I hoped that</b></p> <p>2 <b>News International would carry on supporting the Labour</b></p> <p>3 <b>government, but I don't think I actually knew of the</b></p> <p>4 <b>decision, as it were, before they took it.</b></p> <p>5 Q. So there was no discussion between you and Mrs Brooks</p> <p>6 which, as it were, gave you a prior indication that it</p> <p>7 might occur; is that it?</p> <p>8 <b>A. There was -- certainly it was pretty obvious that there</b></p> <p>9 <b>was a strong debate going on within the organisation as</b></p> <p>10 <b>to what they were going to do, and as I say, my position</b></p> <p>11 <b>was clear and clear throughout that I wanted them to</b></p> <p>12 <b>carry on supporting the Labour government.</b></p> <p>13 Q. Were there any discussions as to the reasons for the</p> <p>14 shift or not?</p> <p>15 <b>A. I think it was to do with basic policy questions, and</b></p> <p>16 <b>you know, this was a conversation that was pretty active</b></p> <p>17 <b>within political circles as well, frankly. So there was</b></p> <p>18 <b>no -- I can't recall any specific issue being mentioned.</b></p> <p>19 Q. We heard from Mr Murdoch of a telephone conversation he</p> <p>20 says he had with Mr Brown, the upshot of which Mr Brown</p> <p>21 said that he would or was declaring war on</p> <p>22 News International. Do you have any direct evidence you</p> <p>23 can give us as to whether such a conversation occurred</p> <p>24 or not?</p> <p>25 <b>A. No.</b></p> <p style="text-align: center;">Page 2</p>	<p>1 Q. Did you discuss that with Mrs Brooks or not?</p> <p>2 <b>A. I think I did, actually, but I think as well, to be</b></p> <p>3 <b>fair, I think even within the organisation it was</b></p> <p>4 <b>acknowledged that that was not -- not right, really.</b></p> <p>5 <b>And I think -- one of the things I think is important in</b></p> <p>6 <b>this is that, you know, if -- because newspapers will</b></p> <p>7 <b>change their support from time to time, by the way. Not</b></p> <p>8 <b>all of them do, but they will, but I think what I think</b></p> <p>9 <b>is very important, you know, when we're talking about</b></p> <p>10 <b>the culture, is that if you switch support, it doesn't</b></p> <p>11 <b>mean the person you disagree with is a bad person; it</b></p> <p>12 <b>simply means you disagree with them.</b></p> <p>13 <b>I think one of the ugliest aspects of modern</b></p> <p>14 <b>politics -- and maybe it's always been like this but</b></p> <p>15 <b>I think even more so today -- is that people don't seem</b></p> <p>16 <b>to feel they can have a disagreement with people. They</b></p> <p>17 <b>disagree with them -- they might disagree with them</b></p> <p>18 <b>about an aspect of policy or so on. You might think</b></p> <p>19 <b>they have the wrong policies for the country. It</b></p> <p>20 <b>doesn't mean they're a bad person; it just means you</b></p> <p>21 <b>disagree with them.</b></p> <p>22 LORD JUSTICE LEVESON: We have that in the judiciary all the</p> <p>23 time.</p> <p>24 <b>A. So I remember, from my days at the bar. But I think,</b></p> <p>25 <b>you know, this is the -- this is one aspect of it, and</b></p> <p style="text-align: center;">Page 4</p>

<p>1 <b>I think and hope -- actually, subsequent to that</b>                  2 <b>particular incident, things were a little calmer, but</b>                  3 <b>there was no need to do that, and I think, actually,</b>                  4 <b>I think that's probably accepted within that</b>                  5 <b>organisation too.</b>                  6 LORD JUSTICE LEVESON: Do you think it's just become                  7 a little bit more personal? This is really the                  8 inference from a fair bit of what you've been saying,                  9 that ...                  10 <b>A. The thing is, the world in which we live today,</b>                  11 <b>especially -- this is where social media has not had the</b>                  12 <b>impact some of us thought it would have when it first</b>                  13 <b>came along. So what I thought at the beginning of</b>                  14 <b>this -- because this obviously was developing during my</b>                  15 <b>time as Prime Minister -- was that the social media</b>                  16 <b>would operate, if you like, as a kind of discipline or</b>                  17 <b>-- "discipline" is the wrong word, but an alternative</b>                  18 <b>source that might be more independent, more objective,</b>                  19 <b>actually than the mainstream or conventional media.</b>                  20 <b>It's not how it is.</b>                  21 <b>If you read a lot of what people say -- you know, we</b>                  22 <b>had an example of that this morning with the guy</b>                  23 <b>bursting into the room. People just -- they can't --</b>                  24 <b>you know, the way a lot of debate is conducted is highly</b>                  25 <b>personalised, very aggressive, and it always -- you</b></p> <p style="text-align: center;">Page 5</p>	<p>1 <b>A. (Nods head)</b>                  2 Q. Flowing out of his statement, really. It's under tab 19                  3 in your bundle you'll find his witness statement, 05557.                  4 A couple of points he makes. He says at the bottom of                  5 the page that he understands that you were in receipt of                  6 emails from Rebekah Brooks at the time -- this is the                  7 time of his resignation in 2006 -- that will demonstrate                  8 that it was her intention to exact retribution for the                  9 resignation.                  10 We know you didn't in fact have a personal email,                  11 but apart from that obvious point, is there any other                  12 comment you can make on what he says there?                  13 <b>A. No, I mean, look, I didn't use text or email at the</b>                  14 <b>time, something, if I may say, for which I'm profoundly</b>                  15 <b>grateful now, but I don't recall anything of that</b>                  16 <b>nature, whether they were sending emails to -- I don't</b>                  17 <b>know. I really -- I have no knowledge of that at all.</b>                  18 <b>I don't think so. And by the way, the issue to do</b>                  19 <b>with Tom Watson's resignation or dismissal was perfectly</b>                  20 <b>simple. I mean, I was, at the time, Prime Minister. He</b>                  21 <b>was a government minister. He effectively had taken</b>                  22 <b>part in the so-called coup in September 2006, and in</b>                  23 <b>fact had been a prime organiser of it and, you know,</b>                  24 <b>from my perspective, obviously as a minister, he was</b>                  25 <b>going to have to go, and I think he resigned literally</b></p> <p style="text-align: center;">Page 7</p>
<p>1 <b>know, you have to impugn someone's motive. It has to be</b>                  2 <b>not because they've taken a different position.</b>                  3 <b>Now, to a degree, politics has always been a bit</b>                  4 <b>like that, but I think the flipside of a social change</b>                  5 <b>that I support, which is that people are less</b>                  6 <b>deferential, more willing to speak their mind -- the</b>                  7 <b>flipside of that, if you like, is that it can turn into</b>                  8 <b>a very, very aggressive form of writing and people</b>                  9 <b>sending, you know, stuff out on the Internet, which is,</b>                  10 <b>you know, I think unnecessarily cruel, aggressive,</b>                  11 <b>unpleasant and so on.</b>                  12 <b>Now, what you can do about it -- because this is</b>                  13 <b>primarily what I would describe as a cultural question</b>                  14 <b>and it's quite hard to see how you -- we can get on to</b>                  15 <b>this maybe in the solutions. It's quite hard to see how</b>                  16 <b>you would, as it were, legislate, and I don't think you</b>                  17 <b>can, but I think the first thing to do is to surface it</b>                  18 <b>as an issue, because it is an issue, and I think what is</b>                  19 <b>very hard for politicians in today's world is that you</b>                  20 <b>have to try and shut out this noise that's going on the</b>                  21 <b>whole time around you, which is pretty ugly a lot of the</b>                  22 <b>time, but it's there and it's part of today's world.</b>                  23 MR JAY: Mr Blair, may I move on to the evidence of                  24 Mr Watson, who, as you know, gave evidence here last                  25 week and is one of the core participants.</p> <p style="text-align: center;">Page 6</p>	<p>1 <b>moments before I was about to issue the letter of</b>                  2 <b>dismissal.</b>                  3 Q. He also alleges, on a similar theme, that Mrs Brooks                  4 texted people close to the Prime Minister, telling them                  5 that he had to be sacked. I think it's clear from your                  6 answer that was going to happen anyway?                  7 <b>A. It was going to happen anyway. Look, you know, he's</b>                  8 <b>perfectly entitled to his point of view, but you can't</b>                  9 <b>really remain a minister in the government if you call</b>                  10 <b>for the Prime Minister to go, at least not in normal</b>                  11 <b>circumstances.</b>                  12 Q. At page 620 of your book, you say:                  13 "I reined back my folk, who wanted to go into 'kill                  14 mode' on it."                  15 He says that that must be a reference to special                  16 advisers and MPs working with Mrs Brooks. Is that                  17 correct or not?                  18 <b>A. No, it has nothing to do with Rebekah Brooks at all.</b>                  19 <b>Look, the fact is -- this is to go over history now, but</b>                  20 <b>when that coup began and then I think there was some</b>                  21 <b>story about him having visited Gordon Brown, there were</b>                  22 <b>those of my people who felt very strongly that they</b>                  23 <b>should go out on the attack on this and say this is part</b>                  24 <b>of a conspiracy to get rid of the Prime Minister and,</b>                  25 <b>you know, I just -- look, I'd taken my own decision that</b></p> <p style="text-align: center;">Page 8</p>

<p>1 really by then I was going to have to, in effect, say 2 when I was going to go and I thought it was just going 3 to be unnecessarily damaging and unpleasant if you ended 4 up having a huge fight between me and the person who was 5 almost certain to be my successor.</p> <p>6 Q. I think Mr Watson told us that he arrived with a Postman 7 Pat DVD for Mr Brown. He gave evidence from that chair 8 on exactly those lines.</p> <p>9 <b>A. Yeah, the -- well. No, I'm sure.</b></p> <p>10 LORD JUSTICE LEVESON: I'm just not sure how this issue is 11 going to help me.</p> <p>12 MR JAY: The last point he made, so we can just make sure 13 we're covering all the points of Mr Watson -- he gave 14 evidence about a phone call which he says was a message 15 communicated from Mr Murdoch first to you and then 16 passed on Mr Brown to him, effectively to back off the 17 phone hacking issue. I think the date for that was 18 2009. Is there any truth in that?</p> <p>19 <b>A. There's absolutely no truth in it. I know this appeared 20 and it was a Mail on Sunday story. As we said at the 21 time, it was completely wrong, and as I've just been 22 indicating to you, in my conversations about Tom Watson, 23 you know, this is not somebody I was going to influence 24 one way or another, even if I had thought it appropriate 25 to do so, and I most certainly would not have thought it</b></p> <p style="text-align: center;">Page 9</p>	<p>1 goes into the fabric of what is written about someone, 2 and I -- you're always going to feel sensitive about 3 your own family, but I thought and do think that the 4 attacks on her and on my children were just unnecessary 5 and wrong.</p> <p>6 <b>I don't think there's any -- I'm not saying that all 7 the stories written about her couldn't have been written 8 but I think when you add up that number of legal 9 interventions, I think if we were operating in a proper 10 system, after sort of intervention number ten, you would 11 expect someone to be saying, "Hang on, are we getting 12 this right?" I think when you come to over 30, it 13 indicates a certain pattern. So that's how I feel.</b></p> <p>14 <b>I just don't think it's a necessary part of the 15 political debate, you know. I suppose it's the way it 16 is, but -- yeah, anyway, I've said what I've said.</b></p> <p>17 LORD JUSTICE LEVESON: That chimes not just a little bit, 18 doesn't it, Mr Blair, with what I've heard from that 19 same chair last November from other members of the 20 public? They may be celebrities, they may not be 21 celebrities. I've heard from a whole range of different 22 people on not dissimilar lines. So is it fair to say 23 this cuts across -- you're making the point that you 24 happen to be in public life, and that's fair enough, and 25 there is a certain line, but even for those in public</p> <p style="text-align: center;">Page 11</p>
<p>1 appropriate.</p> <p>2 Q. On the theme of personal attacks, we've been speaking 3 quite generally, but can I bring it sort of home, as it 4 were. We know your wife has been the subject of 5 personal attacks over the years. Is it your feeling 6 that some of those are legitimate or inevitable, given 7 her position, but others have plainly overstepped the 8 mark? So far as it's possible to have a general view, 9 could you help us with that?</p> <p>10 <b>A. Yes. I mean, look, I think a certain amount of comment 11 is perfectly legitimate. There were things that 12 happened that it's perfectly legitimate for people to 13 comment on, but I thought that some the papers, 14 particularly the Mail group, took it too far and it 15 turned into a sort of personal vendetta. I mean, I -- 16 for the purpose of this hearing, I actually asked her 17 solicitors to go back, I think, from the period of 18 roughly mid-2006 to -- I think the last interaction was 19 actually November 2011, and I think there was something 20 like over 30 different -- either letters before action 21 or legal actions started, and, you know, even -- the 22 trouble is that what happens with these attacks is that 23 even though you may end up getting an apology, you may 24 end up getting some damages, but in a sense, who cares? 25 The story's there. It's been written. It then kind of</b></p> <p style="text-align: center;">Page 10</p>	<p>1 life there is a line beyond which it is not appropriate 2 to go. You've clearly said that you believe that it's 3 been exceeded, and equally you've said -- and make sure 4 I'm not putting words into your mouth -- that the 5 ability to obtain redress is simply unsatisfactory 6 because it is no real redress.</p> <p>7 <b>A. Yeah, that's absolutely right. And so -- look, I always 8 say to people about this invasion of privacy, by the 9 way, that -- I think what many people who are in public 10 life would say is that they actually accept that your 11 privacy is going to be intruded upon, if you like, to 12 a significant degree. Intruded upon in the sense that 13 people are going to want to know far more about you, 14 they're going to want to -- that's all absolutely right. 15 I think what most people would say is it's the rubbish 16 that's written about it, that goes alongside it.</b></p> <p>17 <b>In the end -- and my wife was always the person who 18 used to say this to me. You know, she'd say, "Stop 19 complaining, it's voluntary. You're sitting in the seat 20 of Prime Minister. That's what it's like."</b></p> <p>21 <b>But I think it is -- what I think is wrong is when 22 a section of the media -- and again, I emphasise it's 23 a section -- powerful people within these positions will 24 say, "Right, we're going to go after that person", and 25 then what happens is they will go after you, and as</b></p> <p style="text-align: center;">Page 12</p>

3 (Pages 9 to 12)

<p>1 I say, it's full on, full frontal, day in, day out. And 2 that is not journalism, in my view. You know, that's an 3 abuse of power, actually.</p> <p>4 So I think -- it's not necessary to do. It has 5 nothing to do with having a good political debate or not 6 a good political debate, and I just don't think it need 7 happen in that way and, you know, I've felt that some of 8 the stuff crossed the line completely.</p> <p>9 But I also felt, frankly -- because in a way, for 10 both me and my wife -- if you're the Prime Minister, the 11 Prime Minister's wife, you know, there's a lot of 12 privileges that come with that position. I actually 13 felt more anxious a lot of the time about ministers who 14 would get into a situation where, if they were doing 15 something that one of the media groups didn't like and 16 they were gone after -- I mean, it was pretty hard for 17 them. I think in certain circumstances I would say -- 18 and I look back on some of these and actually regret 19 them, where I was thinking: "Look, I'm going to have to 20 let this person go, even though I'm not sure it's really 21 justified to do that."</p> <p>22 LORD JUSTICE LEVESON: It may be invidious to ask -- and the 23 question is entirely voluntary -- but can you give us 24 some examples? If you'd prefer not to, I'm entirely 25 comfortable with that.</p> <p style="text-align: center;">Page 13</p>	<p>1 or bad, caused you to take a step at a time when, 2 reading between the lines, although you felt driven to 3 it then, you regret the speed of it and the 4 circumstances of it.</p> <p>5 A. (Nods head)</p> <p>6 LORD JUSTICE LEVESON: And the second is that after the 7 complaint has been made, there's no adequate redress. 8 In other words, there wasn't -- one could take it in 9 a much more prosaic example where you complain to the 10 press. The retraction is buried on page 23. I know 11 nobody buries anything on page 23, I've been told that 12 many times, but --</p> <p>13 A. Yeah.</p> <p>14 LORD JUSTICE LEVESON: It doesn't have the same prominence.</p> <p>15 A. Yeah, there are the two points. Now, I look back and 16 think, actually, I was at fault because I should just 17 have pushed back harder, but it's easy to kind of say 18 that now. At the time it's very difficult.</p> <p>19 MR JAY: You do make one interesting point in your book, in 20 relation to your eldest son, something which entered the 21 public domain at the time. We needn't go into the 22 details of that, but what you said: 23 "Police stations serve many admirable and necessary 24 purposes but they aren't places to keep secrets." 25 Was that based on gut reaction, suspicion or</p> <p style="text-align: center;">Page 15</p>
<p>1 A. I don't want to be landing a fresh person in a story, as 2 it were, but I mean, I give an example in my 3 autobiography of the second Peter Mandelson resignation, 4 where -- I mean, in my last period in government, 5 I think I would have handled that differently. We had 6 an investigation into it, and in the end the 7 investigation cleared him, but by that time he'd gone.</p> <p>8 But if you measure the vehemence of the headlines about 9 the lies he had told and the publicity given to that, 10 and then you measure the publicity given to the 11 official -- I think it was the official Treasury 12 solicitor's report that in the --</p> <p>13 MR JAY: This is the retired Treasury solicitor?</p> <p>14 A. Yes -- that then cleared him, I think the disparity 15 illustrates the problem. There's somebody who -- 16 I mean, I felt at the time -- as I said, towards the end 17 I was getting very hardened to this, but I felt at the 18 time we just can't ship any more water because of this 19 incident, so I felt he had to go, even though I actually 20 felt very reluctant about it. But the point I'm making 21 is then when there is a report -- there's a proper 22 investigation by a credible person that clears him, that 23 should at least --</p> <p>24 LORD JUSTICE LEVESON: These are two points, aren't they? 25 The first point is that the power of the press, for good</p> <p style="text-align: center;">Page 14</p>	<p>1 evidence, Mr Blair?</p> <p>2 A. I think more general gut reaction, I suppose, which is 3 not to say, by the way -- just so that I put this 4 absolutely on the record, since I had protection people 5 who worked with me for a very long time and I don't 6 believe anyone has ever leaked any information of any 7 sort. So again, one shouldn't say this is about all 8 police officers, most of whom I'm sure don't do this, 9 but I think most people in public life, if you get into 10 a tangle that involves the police, probably think that 11 the information will come out pretty quickly.</p> <p>12 But that should not be taken as a -- I mean, that is 13 just a reflection and certainly should not be taken as 14 an indication in respect of -- certainly the people I've 15 worked with I've found to be of the highest integrity 16 and quality.</p> <p>17 Q. I return to the issue of spin. I think we agreed that 18 it was borne out of the unfair treatment, in your eyes, 19 of Mr Kinnock's Labour Party, which required 20 a disciplined and possibly a ruthless handling of the 21 press. Is that right?</p> <p>22 A. Yeah, but you see, I draw a very clear distinction 23 between what I would say is a very tough professional 24 media operation and ruthless in the handling of the 25 press in the sense of -- when I read this stuff about</p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

1 how people felt bullied and harassed and intimidated and  
 2 so on. I mean, we actually did a -- we tried to deal  
 3 with this issue all the way through, and I remember we  
 4 decided to put the official spokesman of the  
 5 Prime Minister on the record. I think that was the  
 6 first time. We published the minutes. That was the  
 7 first time. I gave monthly press conferences. That was  
 8 the only time that this happened up till then. I went  
 9 to the liaison committee at the House of Commons, which  
 10 is the committee that brings all the Select Committee  
 11 chairs together and would be cross-examined for  
 12 a morning.

13 We tried to deal with it, and if you read the lobby  
 14 notes, by the way -- they're all there -- you know,  
 15 I think it's very hard to argue, when you read those  
 16 lobby notes, that you have a situation where the media  
 17 are kind of cowed and bullied. When you read those,  
 18 it's a fierce cross-examination usually of the  
 19 Prime Minister's spokesman.

20 I would also say, by the way, my last few years in  
 21 office -- and this is why I think this issue to do with  
 22 how we run our media operation is not really to do with  
 23 how this issue that I've identified grew up with the  
 24 press, because I think it antedated us coming to power  
 25 and I also think it's a separate question, but when I --

Page 17

1 you know, Alistair Campbell, as you will know -- you'd  
 2 have to describe him as a combative figure. He is. But  
 3 my later press secretary was David Hill, who was in many  
 4 ways the antithesis of that, and Tom Kelly, who was  
 5 actually a civil servant. Life didn't get any easier.

6 I understand there's an easy symmetry in this of  
 7 saying, "Well, on the one hand you had the media and on  
 8 the other hand you had the spin people", and so on, but  
 9 you're asking me my opinion. I don't really buy that.  
 10 I think there were issues to do with the way we ran our  
 11 media operation and I've commented on some of those and  
 12 can comment further, but I don't think that was the  
 13 reason we were in this problem.

14 Q. There's a lot of evidence out there, some of it received  
 15 by the Inquiry, of bullying of journalists -- that's  
 16 from Mr Marr -- favouritism, being malleable with the  
 17 truth, feeding journalists stories, briefing against  
 18 colleagues. Either all this evidence is untrue,  
 19 completely overblown or there is a kernel of truth in  
 20 it. I might ask you to consider whether you accept that  
 21 kernel?

22 A. If you take someone like Andrew Marr, who is a very good  
 23 journalist, I would be astonished if he felt that he'd  
 24 been bullied or intimidated. If he did feel that, then  
 25 I'm sorry about it, and I certainly wouldn't have known

Page 18

1 about it. And if I had known, I would have disagreed  
 2 strongly.

3 But I suspect he is feeding back this thing that has  
 4 grown up. You know -- and also, some of these issues  
 5 are different. For example, there will always be an  
 6 interaction with newspapers. If you're going to launch  
 7 a major campaign, and let's say there's a particular  
 8 newspaper that's been interested in this type of  
 9 campaign -- let's say you were going to do a big thing  
 10 on anti-social behaviour. It would make sense to talk  
 11 to the Mirror, the Sun, maybe, about that. We probably,  
 12 in the later part, would have hesitated before talking  
 13 to some of the papers that were utterly hostile for fear  
 14 of the fact that you would simply have the story  
 15 distorted in some way, so maybe that gives rise to that.

16 Briefing against people -- I just want to make this  
 17 clear: I couldn't abide that. If I ever thought anyone  
 18 was doing it, I would be absolutely down on them like  
 19 a ton of bricks. I remember, for example, stories --  
 20 I remember there were a lot of prominent stories at  
 21 a certain point in time in relation to the late Mo  
 22 Mowlam, and how I was very angry because she got  
 23 a standing ovation at a party conference and we were  
 24 briefing against her. There was a whole thing done  
 25 about how Jonathan Powell was trying to brief against

Page 19

1 her and so on. It was completely untrue.

2 So all I'm saying is these things -- what I wonder  
 3 about with someone like Andrew: is this personal  
 4 experience or is this just -- you know, as I said  
 5 earlier when Jeremy Paxman made his speech, he felt he  
 6 had to add in these things about: well, of course we  
 7 accept that the government's doing these terrible  
 8 things -- but actually we weren't.

9 So, look, I would be astonished if, in any set of  
 10 circumstances today, with the way the media is and the  
 11 way the world of politics is, if you don't get a tension  
 12 and back and forward -- and I have no doubt that if  
 13 people wrote a story we thought was completely untrue,  
 14 we'd be on the phone saying, "It's completely untrue,  
 15 you shouldn't be writing it", but I think that's a very  
 16 different thing from saying it was part of the policy to  
 17 go and bully journalists.

18 The best evidence of that is reading the lobby  
 19 notes. That was twice a day. You can read the notes,  
 20 see who was under pressure and who wasn't.

21 Q. I think the thesis being advanced is that the masters of  
 22 the dark arts, whether they be Lord Mandelson or  
 23 Mr Campbell, tended to pick on junior reporters or  
 24 producers, which is what Mr Marr says at page 161, and  
 25 let off people like Mr Marr himself.

Page 20

<p>1 <b>A. No, that's my point, really, that in the end they</b>  2 <b>receive this as sort of second-hand -- look, I have no</b>  3 <b>doubt that we used to complain strongly if we thought</b>  4 <b>stories were wrong. You know, I think that's perfectly</b>  5 <b>legitimate. But I always felt -- and I'm probably not</b>  6 <b>the right person to be objective about this at all, but</b>  7 <b>I always felt that their actual pushback against us was</b>  8 <b>because for the first time the Labour Party ran a really</b>  9 <b>effective media operation, where we were able -- and</b>  10 <b>also, by the way, we were in circumstances where, for</b>  11 <b>the first time, politically, the Labour Party was able</b>  12 <b>to go on and win successive elections. As I said</b>  13 <b>earlier, we'd never won two successive full terms, never</b>  14 <b>mind three, and I felt you had to have a strong media</b>  15 <b>operation, but I completely dispute that it was part of</b>  16 <b>that to go and brief against ministers.</b>  17 <b>But things used to appear all the time. This is an</b>  18 <b>inevitable part of politics. I actually recall one</b>  19 <b>Cabinet Minister who came to me to resign because he'd</b>  20 <b>read in the press I was about to sack him and</b>  21 <b>I literally tried to spend half an hour persuading him</b>  22 <b>I wasn't going to sack him, but it was no use. He was</b>  23 <b>convinced because he'd read it. So that's just the way</b>  24 <b>it is.</b>  25 <b>Q. On the topic of briefing, Mr Powell, your Chief of</b>  Page 21</p>	<p>1 <b>is unfair because it's not based on real evidence,</b>  2 <b>I shouldn't attribute the same to them.</b>  3 <b>Q. If, as I think you are not, you are not accepting even</b>  4 <b>a kernel of truth in a thesis which may be exaggerated,</b>  5 <b>how is it that this mythology has built up around you</b>  6 <b>that people like Lord Mandelson, Mr Campbell, at your</b>  7 <b>instigation, were the masters of these so-called dark</b>  8 <b>arts?</b>  9 <b>A. It's got to the point where I almost hesitate to dispute</b>  10 <b>it with you, because I know these people just say, "Oh,</b>  11 <b>how dare he dispute the fact that actually they were out</b>  12 <b>using black arts and briefing against this person and</b>  13 <b>that person?" The fact is, you know, I never authorised</b>  14 <b>or said to someone: "Go out and brief against" -- I hate</b>  15 <b>that type of stuff. It's the lowest form of politics.</b>  16 <b>It's just a complete diversion from everything that is</b>  17 <b>important.</b>  18 <b>Now, I don't doubt, by the way -- look, in any</b>  19 <b>system you will have people that will say things or do</b>  20 <b>things or brief things that they shouldn't be doing, but</b>  21 <b>I simply say to you my view is that the -- what I think</b>  22 <b>a part of the media felt -- and this is the odd thing,</b>  23 <b>and I used to comment on this sometimes -- is that to</b>  24 <b>the outside world, when you're Prime Minister, you seem</b>  25 <b>as if you're all powerful, and for that first period of</b>  Page 23</p>
<p>1 Staff, in his book at page 194, says:  2 "It was the special advisers like Damian McBride,  3 Charlie Whelan and Ed Balls who were the specialists in  4 character assassination."  5 So it was the other camp who were good at it but  6 your camp either never did it or were bad at it? Is  7 there some truth there?  8 <b>A. What I used to say to Jonathan was: "Look, it's not</b>  9 <b>correct about us. You don't actually know it's correct</b>  10 <b>about them." So, you know, I had my issues with some of</b>  11 <b>those people, but towards the end of my time in</b>  12 <b>government, in the morning meetings I used to have, if</b>  13 <b>someone began with the words: "There's been a briefing</b>  14 <b>in the press and we have to find out who it is", I used</b>  15 <b>to say, "End the conversation here. I do not want to</b>  16 <b>hear any more about this. You end up spending hours and</b>  17 <b>agonising things, trying to work out who's briefed whom</b>  18 <b>and all the rest. It's a complete pointless exercise.</b>  19 <b>Let's go and talk about policy."</b>  20 <b>So I don't -- people have suspicions all over the</b>  21 <b>place, but even in respect of those three people -- and</b>  22 <b>from time to time, certainly with two of them, I had</b>  23 <b>serious issues -- but if you ask me: do I know that they</b>  24 <b>were doing it? I don't. And therefore I think if the</b>  25 <b>allegation against my people has been made that I think</b>  Page 22</p>	<p>1 <b>our time in government, it looked as if we were carrying</b>  2 <b>everything. You know, the opposition were very poor, we</b>  3 <b>didn't just win one landslide, we then went on to win</b>  4 <b>two, and I think part of the media frankly felt we were</b>  5 <b>far too powerful, we had to be taken on and curbed and</b>  6 <b>so on.</b>  7 <b>But, you know, in relation to this stuff with black</b>  8 <b>arts, look, I don't -- I don't know whether Peter was</b>  9 <b>doing it or Alastair was doing it, but if they -- all</b>  10 <b>I know is that my interactions with them, we were aware</b>  11 <b>that you start doing all that stuff, all it does is blow</b>  12 <b>back on you. I'm a real believer in this regard that</b>  13 <b>what goes around comes around.</b>  14 <b>So for me, the important thing was to have a strong</b>  15 <b>effective media operation. I think that what Alastair</b>  16 <b>produced for us in Downing Street was that, but I think</b>  17 <b>it was a perfectly proper media operation.</b>  18 <b>Q. I'm really coming back to the point about the draining</b>  19 <b>of the poison, and perhaps who is responsible for the</b>  20 <b>implantation of the poison. If one focuses too much on</b>  21 <b>the press, it might be said that one is arguably missing</b>  22 <b>the wrong target.</b>  23 <b>How about this as a possibility: we might have now</b>  24 <b>a poisonous state of affairs which is a contribution</b>  25 <b>really of both sides to this equation -- the press on</b>  Page 24</p>

6 (Pages 21 to 24)

<p>1 the one hand, the political classes on the other -- and                  2 accidentally or unwittingly, they've created something                  3 which has grown beyond either of their contributions.                  4 Is that a possible analysis?                  5 <b>A. Look, it's certainly a possible analysis, and I'm not                  6 saying we don't bear any responsibility for this                  7 situation -- don't misunderstand me -- as a political                  8 class, but I think if I'm frank about it, the primary                  9 responsibility is not having confronted it and dealt                  10 with it.</b>                  11 <b>What I don't really accept, frankly, is this notion                  12 that when we came along in 1997, it was all operating                  13 fine, but then it got bad. In 1992, we weren't around.                  14 I think -- and the other thing I would say, because                  15 I think this is very important in fairness to the media,                  16 and I tried to say this in my speech in 2007: I think                  17 a large part of this is due to the world in which we now                  18 operate and the media that has changed and the                  19 technology that's changed. I mean, this is a huge                  20 differential. You have 24-hour news channels. These                  21 guys have to say something. You know, they can't stand                  22 out there and say exactly the same thing they were                  23 saying a few moments ago.</b>                  24 <b>So I think the environment within which we work,                  25 both of us, is far more raw and brutal and, in a sense,</b>                  Page 25</p>	<p>1 <b>you have to be very careful of trying to do this by                  2 regulation as opposed to a shift in culture.</b>                  3 <b>Although I do notice, I think it's actually in the                  4 PCC code -- I hadn't realised this until I read the                  5 Inquiry papers -- that there is supposed to be                  6 a distinction between news and comment.</b>                  7 MR JAY: Clause 1, yes.                  8 LORD JUSTICE LEVESON: Clause 1(3) says:                  9 "The press, whilst free to be partisan, must                  10 distinguish clearly between comment, conjecture and                  11 fact."                  12 <b>A. Right. Well, if it's there, presumably someone, when                  13 they put it there, thought it might be possible to                  14 distinguish between those things, but -- I mean, I can't                  15 say with a certain section of the media anyone would                  16 recognise that distinction as being made.</b>                  17 MR JAY: The second general point is that even if one were                  18 to want to segregate news and comment in clause 1, as                  19 the code suggests that's what we should be doing, how                  20 would that be attained without destroying the                  21 personality of a newspaper? One has a certain idea,                  22 I suppose, of the personality, the brand of the Mail and                  23 of the Sun. Why would one want to change those?                  24 <b>A. I don't think you would want to change them, but do you                  25 really -- I don't think this is as difficult as people</b>                  Page 27</p>
<p>1 crude in terms of its interaction. So I think one of                  2 the things that -- this isn't because you've got a whole                  3 lot of bad people that have come along on either side,                  4 I think, but the world has changed and the question                  5 is -- and by the way, I notice this question being                  6 raised in many different countries -- is: how do you                  7 create, in this new media environment, a culture of                  8 political dialogue, debate and exchange that informs the                  9 public, that allows strong political views to be heard                  10 and doesn't end up as just a kind of race to the bottom                  11 of aggression?                  12 <b>That's a proper question to ask. It's got nothing                  13 to do with who's to blame or who put the poison in or                  14 not. Your thesis is a perfectly possible thesis; I'm                  15 just telling you, frankly, how I see it.</b>                  16 Q. I'm going to look at the future in a moment, Mr Blair,                  17 but I've been asked to put to you two other sort of                  18 general points for consideration. The first is the                  19 issue about the fusion of news and comment, which you've                  20 articulated very clearly. The question is: how would                  21 you achieve the disconnect -- the desegregation,                  22 rather -- between the two, without interfering in the                  23 essential press freedom to set the agenda?                  24 <b>A. Well, it's very difficult. That's a very good question.                  25 It's very difficult. That's why, in this area, I think</b>                  Page 26</p>	<p>1 are making out. The fact is that you can have a style                  2 of news and comment and the editorial line that creates                  3 a personality for the newspaper without news stories.                  4 This is my point. They're perfectly entitled, in                  5 a partisan way, to say, "We're going to run X story                  6 rather than Y story", but within that story, I don't see                  7 how it really interferes with essential freedoms to say                  8 that the facts should be accurate.                  9 I find this a slightly bizarre -- I actually find it                  10 quite hard to understand what's being said here, unless                  11 you say, in which case fine -- look, if you say,                  12 "Actually, it's not our job. We're not about conveying                  13 facts to you."                  14 <b>Look, if you take the situation in the United States                  15 of America, which is a newspaper market I know a little                  16 bit better now, you have what I think is the main --                  17 there's a sort of National Enquirer, which is not --                  18 that's a sort of lively paper but no one takes it as                  19 a paper of record, particularly. You may find the                  20 National Enquirer has some issues with what I've just                  21 said, but it wouldn't be regarded as where you would go                  22 first to for the news.</b>                  23 <b>Then you have your papers like USA Today, Wall                  24 Street Journal, New York Times, Washington Post,                  25 Los Angeles Times, and in those papers, each of them has</b>                  Page 28</p>

<p>1 a personality, a pretty defined personality, actually,                  2 in terms of their basic political outlook and so on --                  3 USA Today maybe a little less -- but you still would                  4 expect the stories in there to be basically accurately                  5 written, even if they may be chosen for a particular                  6 purpose.                  7 So that's what I think is the distinction, and                  8 I really find it quite hard to see how making that                  9 distinction is somehow a breach -- unless, by the way,                  10 you see -- and this is what I think is important -- if                  11 you don't hold out your news organ to be a news organ,                  12 if you say, "Look, we're not interested in what the                  13 facts are. This is what we -- we're actually -- once we                  14 take a view on something, you're not getting the facts,                  15 you're getting our view", fair enough, but that's not                  16 what happens.                  17 What then becomes the case is you get -- it's not                  18 merely the blurring of news and comment. You then get                  19 this very violent and aggressive genre of attack which                  20 I don't think is necessary for the paper to have                  21 a personality. But, you know, maybe newspaper people                  22 would disagree with that.                  23 LORD JUSTICE LEVESON: Why is it that our papers are                  24 different to the American papers, particularly given the                  25 First Amendment?</p> <p style="text-align: center;">Page 29</p>	<p>1 regulate an answer.                  2 This is what I would like to think more about, but                  3 I think this will require a cultural change that is                  4 really led by the media themselves in this regard,                  5 because I think you do have journalists out there who                  6 resent this and who think this situation should change                  7 as it is at the moment. As I say, British journalism at                  8 its best is the best in the world.                  9 I think it's possible for the media themselves to                  10 take this on, and I think if they did so, by the way,                  11 they would also find that they competed on better terms                  12 with the social media, a lot of which is, I mean, deeply                  13 opinionated and pretty factually inaccurate.                  14 MR JAY: Do you feel there may be a sense amongst newspapers                  15 that if the world were painted in grey, which                  16 unfortunately is usually the true colour of reality,                  17 rather than in lurid or very bright colours, fewer                  18 people would read them?                  19 A. I'm never sure about this, really. I think one of the                  20 reasons why the papers that actually do try and present                  21 this thing -- I mean, look, I suppose it's the more                  22 upmarket papers that do that, try and present it in                  23 a very straight way, but no, I think -- look, you can                  24 still be lively and interesting and -- I think it really                  25 is a very pessimistic view of the world that says you</p> <p style="text-align: center;">Page 31</p>
<p>1 A. Disaggregated market in America. There are lots of                  2 different sort of -- the feel in politics in California                  3 is very different from that in Texas, for example. You                  4 have a far more diverse set of media outlets.                  5 LORD JUSTICE LEVESON: But there isn't the same -- or is                  6 there the same sort of aggression that you've described                  7 within the UK papers?                  8 A. I don't -- I mean, no doubt -- I don't want to go right                  9 outside my expertise but I think certainly in those main                  10 titles I've described, I would say -- you know, you have                  11 quite a strong set of standards operating there. You                  12 have things like fact checkers who will phone up                  13 journalists and ask -- you know, on the paper, if you                  14 write a story, and will say, "Is this really correct?                  15 Do you have proper sources for this?" and so on.                  16 But I think the biggest difference is we're                  17 a smaller country with an almost unique penetration of                  18 mass circulation papers. In one sense, by the way,                  19 that's great. It means more people read newspapers and                  20 so on. The question is: can you get all that and in                  21 a world of social media and still have a -- what is                  22 a lively but still fair exchange? That's the issue, and                  23 I think it is possible to do that. But I think in a way                  24 this is -- to answer your question, I don't -- I don't                  25 think this is probably an area in which you're able to</p> <p style="text-align: center;">Page 30</p>	<p>1 can't make the news interesting unless you somehow                  2 distort it. I mean, I think that would be odd, to take                  3 that as a view, and I don't think that's necessary at                  4 all.                  5 Q. Thank you. Your ideas for the future now, Mr Blair.                  6 There are likely to be at least two limbs to this. The                  7 first limb, which relates to, I suppose, the excesses of                  8 the press, which you identify quite succinctly under                  9 paragraph 11A of your statement -- you only identify                  10 some the relevant practices -- what you're looking to                  11 there is a combination of law enforcement and a proper                  12 independent system of complaints.                  13 In terms of independence, are you ruling in or                  14 ruling out a statutory underpinning for such a system?                  15 A. I'm certainly not ruling it out. I think that's one                  16 issue. I think the most important thing, actually --                  17 because I think there are all sorts of different ways                  18 you do this in the relationship between statutory or                  19 not, but the important thing is it is independent of                  20 government and media, that it is capable of                  21 investigating, adjudicating and taking action, and that                  22 it is seen genuinely to be a place where people can go,                  23 if they have a legitimate complaint, to get legitimate                  24 redress.                  25 So how that is defined in terms of statutory</p> <p style="text-align: center;">Page 32</p>

<p>1 <b>underpinning I'm not sure and would like to think</b>                  2 <b>further about, because I can see all sorts of even</b>                  3 <b>halfway houses on this that might work. But the</b>                  4 <b>absolutely key thing is that it's seen as and is</b>                  5 <b>genuinely independent of the media and the government.</b>                  6 LORD JUSTICE LEVESON: Is it possible, in your view, that it                  7 could work if it is entirely consensual; in other words,                  8 it's up to a particular newspaper, whether it's in or                  9 out?                  10 <b>A. I think it's difficult, if you think it's really</b>                  11 <b>important, to say that someone's able to exclude</b>                  12 <b>themselves from it. I don't think in other walks of</b>                  13 <b>life you would have that.</b>                  14 LORD JUSTICE LEVESON: I think in other walks of life you                  15 most certainly wouldn't have it.                  16 <b>A. Yeah.</b>                  17 LORD JUSTICE LEVESON: But the question is whether the                  18 significance that we all rightly attach to freedom of                  19 expression should mean that a totally different approach                  20 is necessary in the case of the press and is necessary                  21 for others who are also independent of government, like                  22 lawyers.                  23 <b>A. Yes, I think because it is the press, you have to take</b>                  24 <b>immense care on the rules, right, and on what you're</b>                  25 <b>saying are the canons of behaviour that are acceptable</b>                  Page 33</p>	<p>1 <b>You have things that are very specific, to do with</b>                  2 <b>allegations that are made, intrusions of privacy or</b>                  3 <b>whatever, where it's very much an adjudicatory</b>                  4 <b>procedure.</b>                  5 <b>I think the third category that is most difficult is</b>                  6 <b>when you're talking about what I've been talking about</b>                  7 <b>as what I see as the political problem, and that,</b>                  8 <b>I think, is harder to deal with in the context of</b>                  9 <b>regulation, frankly. I think there you have to see: is</b>                  10 <b>it possible? And as I say, I think this will be most</b>                  11 <b>beneficial if it were led by the media themselves, or</b>                  12 <b>a section of them or, you know, where you actually have</b>                  13 <b>a situation where people said, "Look, this is actually</b>                  14 <b>about good journalism." Just the same as there's good</b>                  15 <b>behaviour or bad behaviour, whether they're politicians,</b>                  16 <b>lawyers, whoever else it is: "This is a profession. It</b>                  17 <b>has certain standards. How do we make sure those</b>                  18 <b>standards are upheld?"</b>                  19 LORD JUSTICE LEVESON: It may be that that actually is done                  20 in paragraph 1(3) of the code:                  21 "The press, while free to be partisan, must                  22 distinguish clearly between comment, conjecture and                  23 fact."                  24 The fact that they've not done it and the fact that                  25 it's not in force, which is essentially your thesis, is                  Page 35</p>
<p>1 <b>or unacceptable.</b>                  2 <b>So for example -- a very good example of this is</b>                  3 <b>that I don't think you could say, whatever people like</b>                  4 <b>me might want, that -- you should say the press can't be</b>                  5 <b>partisan in their support of particular people or causes</b>                  6 <b>or political parties. So in that sense, they're</b>                  7 <b>different from broadcasters. So I think the rules have</b>                  8 <b>to be drawn up carefully.</b>                  9 <b>I find it difficult to see why, if they are -- you</b>                  10 <b>say that it's up to you whether you abide by it or you</b>                  11 <b>don't.</b>                  12 LORD JUSTICE LEVESON: Yes. Well, you solve that, don't                  13 you, by saying that nobody's attempting to regulate                  14 content itself?                  15 <b>A. (Nods head)</b>                  16 LORD JUSTICE LEVESON: You may be seeking to regulate fact                  17 and comment, that sort of thing. You may want to                  18 complain about invasion of privacy or other potentially                  19 tortious behaviour, or even behaviour that's criminal                  20 which the police haven't investigated for whatever                  21 reasons.                  22 <b>A. Yes, that's right. So I think you distinguish a number</b>                  23 <b>of categories here. There's behaviour that's criminal,</b>                  24 <b>that, for some reason, hasn't been investigated. That</b>                  25 <b>certainly.</b>                  Page 34</p>	<p>1 a different point, and really goes to your enforcement                  2 mechanism rather than to the existence of the                  3 fundamental principle within which journalism ought to                  4 operate.                  5 <b>A. Yes, I think that's right. I think where I would say</b>                  6 <b>this one is, in one sense, qualitatively different, is</b>                  7 <b>that whereas -- whether X happened or it didn't happen</b>                  8 <b>is what I can see is a relatively simple decision to</b>                  9 <b>make. You weigh up the evidence, decide whether it</b>                  10 <b>happened or not. I think it is, actually, to be fair,</b>                  11 <b>inherently more difficult to separate the news and the</b>                  12 <b>comment. On the other hand, I think it is possible to</b>                  13 <b>do so, but I would, in that instance, expect that the</b>                  14 <b>way that that was enforced would be as much through</b>                  15 <b>a change in culture as specific attempts to try and --</b>                  16 <b>I can see you could get into all sorts of issues now.</b>                  17 LORD JUSTICE LEVESON: I understand entirely. All that                  18 could happen is that somebody who complained that they'd                  19 been the subject of unfair treatment because of the                  20 mismatch between fact and comment should be allowed to                  21 complain and get some sort of redress in some way,                  22 whatever it is. That's actually what the PCC should be                  23 doing at the moment.                  24 <b>A. No, absolutely, and I think in a sense, the question</b>                  25 <b>really is -- the standards that should apply are</b>                  Page 36</p>

<p>1 actually pretty clear. The question is: are they going 2 to be applied or do we simply say, "Well, this is too 3 difficult"?</p> <p>4 All I'm saying about that one is -- you know, this 5 refers back to the question you put to me a little 6 earlier. I can see why that's the tough one to do. 7 I personally think you can do it, but I accept that that 8 is more about -- as I would say, it's a kind of cultural 9 change. So I'm not saying you don't have it there, but 10 I think it's always inherently going to be more 11 difficult to make that judgment than it is to make 12 a judgment about: is your privacy intruded upon or not?</p> <p>13 MR JAY: I think those were the all the questions I had, but 14 there may be further --</p> <p>15 LORD JUSTICE LEVESON: Let's pursue the future a bit more. 16 I'm very conscious that you said that you wanted to 17 think about the issues a bit more, and I'd be very 18 grateful for your assistance. As I've said to a number 19 of people, as a lawyer and a judge, I'm very used to 20 looking backwards and trying to decide what happened and 21 reaching conclusions about the facts in that way, but as 22 many people have said, including those at the seminars 23 which started off this Inquiry, it's not necessarily 24 a given that a judge will be the best person to make 25 recommendations for the future. It was put rather less</p> <p style="text-align: center;">Page 37</p>	<p>1 So it has to work for people who can't afford it. 2 It has to be speedy and it has to be effective. In 3 other words, it has to achieve a result.</p> <p>4 <b>A. Mm-hm.</b></p> <p>5 LORD JUSTICE LEVESON: If it can be done collusively by 6 mediation, that's fine. I've no problem about that. 7 I would also like you to think about another issue 8 about that, and that's who it should involve. At the 9 moment, the PCC doesn't take group complaints. So, for 10 example -- and I had a number of people giving evidence 11 from, for example, the transgender community and other 12 groups. I have received submissions from disabled 13 groups, from immigrant groups, who say, "Well, because 14 there's no name in this, there's nobody to complain, and 15 therefore there is no mechanism to obtain redress for 16 them." So the scope. 17 The second is some sort of mechanism to resolve 18 disputes. So that can be consensual, the 19 complaint-solving thing, but a mechanism in the absence 20 of consensual resolution. 21 I would also like you to think about whether I can't 22 cope with another problem, which relates to prior 23 notification. I well understand the reasons that the 24 European Court gave for rejecting Mr Mosley's complaint. 25 His evidence was very clear: "If you can stop my leg</p> <p style="text-align: center;">Page 39</p>
<p>1 kindly than that, but I can live with that. 2 So whatever assistance you can give, who have 3 thought about how you change things for the future, I'd 4 be very interested. Let me give you some potential 5 issues.</p> <p>6 First of all, I agree with you entirely that 7 whatever comes out of this must be independent of 8 government, independent of the state, independent of 9 Parliament but independent of the press. It has to have 10 expertise on it or available to it, but must command the 11 respect of the press but equally the respect of the 12 public.</p> <p>13 Secondly, it seems to me that it can do lots of 14 different things. I would like to think about 15 a system -- and I don't have answers, I'm merely 16 throwing up questions -- that provides redress 17 particularly to those who can't afford to litigate. You 18 comment that your wife has started 30-odd sets of 19 proceedings, and in different circumstances she wouldn't 20 have been able to do so.</p> <p>21 <b>A. Yes. Some of those are just solicitors' letters, but 22 yes, the point -- I totally agree.</b></p> <p>23 LORD JUSTICE LEVESON: Even solicitors' letters --</p> <p>24 <b>A. Cost money. Yes, they do.</b></p> <p>25 LORD JUSTICE LEVESON: -- cost money.</p> <p style="text-align: center;">Page 38</p>	<p>1 being chopped off, why would you not want to stop it 2 being chopped off, rather than trying to stitch it back 3 on afterwards?"</p> <p>4 So I understand the point, but I equally understand 5 that there is an argument that in some circumstances 6 requiring prior notification would lead to litigation 7 and would kill the story. So there has to be some way 8 of drawing a line.</p> <p>9 I share this with you -- and I don't think I'm not 10 saying things that I've not said before. One 11 possibility might be to say there is some mechanism 12 within the regulatory regime that allows the press to 13 say, "Look, we have this story, we don't feel we ought 14 to notify the subject of it for these reasons: he'll 15 destroy the evidence", or whatever -- it doesn't matter 16 -- and to get a view.</p> <p>17 That view doesn't bind the editor. He's perfectly 18 entitled to say, "Thank you very much. I reject it." 19 If, however, that independent person, who is really 20 there as a check for editorial enthusiasm, says, "I take 21 that point, I think that's reasonable", then the editor 22 ought to be able to prove that in a court at 23 a subsequent challenge, to say, "I took reasonable 24 steps." It's a Reynolds-type point.</p> <p>25 <b>A. Mm.</b></p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 LORD JUSTICE LEVESON: If either he doesn't ask or 2 alternatively he does ask and gets the answer: "No, we 3 think you ought to notify", then again, that doesn't 4 mean he shouldn't publish, it's up to him, but then 5 perhaps there should be a potential regime for exemplary 6 damages. I'm just throwing out ideas. And then you get 7 a decision.</p> <p>8 But then I have another mechanism for swift 9 resolution of privacy, small libel-type issues. Not the 10 enormous stuff, perhaps an inquisitorial regime which 11 can be done without lawyers, but some mechanism for 12 members of the public to be able to challenge decisions 13 and get a swift response.</p> <p>14 On top of all that, one has to have a mechanism that 15 means that sanctions work. I recognise entirely the 16 parlous financial position of much of the press, but 17 it's important that sanctions are taken seriously.</p> <p>18 Add to all that mix the Internet.</p> <p>19 <b>A. Mm.</b></p> <p>20 LORD JUSTICE LEVESON: Or whether the line should be drawn 21 between conversations in a pub through tweeting, which 22 I appreciate can go to millions, through blogs, which 23 equally can be followed by millions or only by a few, 24 into the press. Because I am struck by the fact that 25 what the BBC does is covered by quite different rules to</p> <p style="text-align: center;">Page 41</p>	<p>1 <b>A. Well, thank you, sir. I mean, I will do that.</b></p> <p>2 <b>I mean, look, I think this is a very difficult task,</b> 3 <b>and I think some of these questions are difficult -- not</b> 4 <b>just for our country, by the way, but as I say, I think</b> 5 <b>this is a debate that increasingly will take place</b> 6 <b>around certainly the democratic world, as to how you</b> 7 <b>deal with these questions.</b></p> <p>8 <b>Rather than giving you responses now, I'll -- some</b> 9 <b>of these, I think, are very, very tough questions</b> 10 <b>indeed, especially around some of the things to do with</b> 11 <b>social media. I think in a curious way, the easiest</b> 12 <b>ones to deal with are those that deal with the issues to</b> 13 <b>do with intrusion and privacy and so on. I think the</b> 14 <b>other ones are a lot harder.</b></p> <p>15 <b>But I do think this is -- and I think the other</b> 16 <b>thing that hopefully can come out of this is that you do</b> 17 <b>get something of a political consensus around it.</b></p> <p>18 LORD JUSTICE LEVESON: I have absolutely no doubt that 19 a political consensus is very important, if not 20 critical, because one of the greatest concerns that 21 I have is that, in the absence of such a consensus, the 22 whole thing will become too difficult, for the very 23 reasons you identified at the very beginning of your 24 evidence, and I have no doubt that any Prime Minister, 25 of whatever political situation, will have all sorts of</p> <p style="text-align: center;">Page 43</p>
<p>1 what the Guardian or News International does, or 2 Associated Newspapers do, and yet you could look at 3 their websites and on the face of it they're doing 4 similar things.</p> <p>5 <b>A. Yes.</b></p> <p>6 LORD JUSTICE LEVESON: Now, I'm not suggesting the press 7 should become impartial. I entirely agree with 8 everything you've said about that, and that is the 9 importance that a free press brings to our society, and 10 although I know people continually repeat that I am out 11 to undermine freedom of the press, I will carry on 12 saying -- this is rather repetitious evidence, as you 13 feel you've been driven to do over the years -- that 14 I have absolutely no interest in imperilling the freedom 15 of expression or our free press. Absolutely none. But 16 it does seem to me it ought to be possible to find a way 17 of solving all that without imperilling what is 18 important to our society.</p> <p>19 I recognise immediately that that's the task -- and 20 you're entitled to say this -- that was given to me by 21 the Prime Minister last July, and why should you take it 22 on. Of course there's no compulsion, but because these 23 are issues that you have thought about, if you can 24 provide me with some view, I'd be very grateful and 25 welcome receiving it.</p> <p style="text-align: center;">Page 42</p>	<p>1 ideas and policies which they will want to implement, if 2 given a chance to do so. I am not sure that this issue 3 is high enough on the agenda -- it may be today and 4 during the currency of this Inquiry, but whether it 5 remains so is difficult.</p> <p>6 <b>A. (Nods head)</b></p> <p>7 LORD JUSTICE LEVESON: And yet what troubles me -- and I've 8 said this many times before -- is that if you recount 9 our history since the war, there have been four or five 10 efforts, and it's always ended up too difficult.</p> <p>11 <b>A. (Nods head)</b></p> <p>12 LORD JUSTICE LEVESON: When I said to Mr Paxman that 13 I didn't want my report to end up on the second shelf of 14 a professor of journalism's study as yet another failed 15 attempt, his only comment was to say, "As high as the 16 second shelf?"</p> <p>17 <b>A. Yeah, that sounds like Jeremy.</b></p> <p>18 LORD JUSTICE LEVESON: So even the bottom shelf is, in his 19 view, obviously a possibility.</p> <p>20 <b>A. Yeah, look, I think there is a chance to get this in</b> 21 <b>a better place, actually, and I -- there would be many</b> 22 <b>parts of the media that would disagree with this, but</b> 23 <b>I think there are a lot of people in journalism and in</b> 24 <b>the media who, if the framework within which they are</b> 25 <b>operating is different, it will also give them, frankly,</b></p> <p style="text-align: center;">Page 44</p>

11 (Pages 41 to 44)

1	<b>the freedom to be -- to do their job properly, without</b>	1	(The hearing adjourned until 10 o'clock the following day)
2	<b>believing that they are in some competitive rush to the</b>	2	
3	<b>bottom, because I think -- as I've tried to say</b>	3	
4	<b>throughout, I think part of all of this is to do not</b>	4	
5	<b>with particular individuals or particular newspapers or</b>	5	
6	<b>bits of the media, but is to do with the way the world's</b>	6	
7	<b>changed, and I think this has probably been growing and</b>	7	
8	<b>building up for a long period of time, and now I think</b>	8	
9	<b>it is a sensible moment in which we say, "Look, how do</b>	9	
10	<b>we protect absolutely our democratic freedoms but make</b>	10	
11	<b>sure that they are working within a system that is</b>	11	
12	<b>mature enough also to be fair to people?"</b>	12	
13	LORD JUSTICE LEVESON: I agree. The reaction to the whole	13	
14	Inquiry has been itself illuminative. In part,	14	
15	aggressively defensive of the media's position; in other	15	
16	parts, recognising that something else has to change.	16	
17	I hope that the press will work with a solution rather	17	
18	than against a solution, by recognising that the last	18	
19	thing I want to do is to imperil freedom of speech or	19	
20	a free press, and that if any suggestion I have might	20	
21	have that possibility, as I've talked about them -- and	21	
22	I have no doubt at all that they will pore over the	22	
23	words I've just uttered to you -- then I will expect to	23	
24	be told so, because that is not my intention. But to	24	
25	get a solution that will work and that is sensible most	25	
	Page 45		Page 47

1	certainly is.	1	
2	<b>A. Well, I think people who are in -- from my side on</b>	2	I N D E X
3	<b>politics -- I mean, those people who are engaged in the</b>	3	
4	<b>political side -- should try and help do that. I think</b>	4	MR ANTHONY CHARLES LYNTON BLAIR .....1
5	<b>if it's done in the right way, I think it can improve</b>	5	(sworn)
6	<b>the quality of political debate and the quality of our</b>	6	Questions by MR JAY .....1
7	<b>democracy, but then I think you're right in recognising</b>	7	
8	<b>this will be very tough. But I think the absolute key</b>	8	
9	<b>to it will be to try and establish a basis that people</b>	9	
10	<b>genuinely think is protective of press freedom but</b>	10	
11	<b>allows a situation which -- I mean, most people in my</b>	11	
12	<b>position have been uncomfortable with for a long time --</b>	12	
13	<b>to have that resolved in a way that is right and proper</b>	13	
14	<b>and fair.</b>	14	
15	LORD JUSTICE LEVESON: I'm not in any sense suggesting that	15	
16	they shouldn't continue to hold politicians and judges	16	
17	to account for everything that they do.	17	
18	<b>A. I'm sure they will.</b>	18	
19	LORD JUSTICE LEVESON: Mr Blair, thank you very much indeed.	19	
20	<b>A. Thank you, sir.</b>	20	
21	LORD JUSTICE LEVESON: Thank you. That concludes the	21	
22	business for today, Mr Jay.	22	
23	MR JAY: Yes.	23	
24	LORD JUSTICE LEVESON: Right. Thank you very much indeed.	24	
25	(3.12 pm)	25	
	Page 46		Page 48

<b>A</b>	agree 38:6,22 42:7 45:13 agreed 16:17 Alastair 24:9,15 Alistair 18:1 allegation 22:25 allegations 35:2 alleges 8:3 allowed 36:20 allows 26:9 40:12 46:11 alongside 12:16 alternative 5:17 alternatively 41:2 Amendment 29:25 America 28:15 30:1 American 29:24 amount 10:10 analysis 25:4,5 Andrew 18:22 20:3 Angeles 28:25 angry 19:22 answer 8:6 30:24 31:1 41:2 answers 38:15 antedated 17:24 ANTHONY 48:3 antithesis 18:4 anti-social 19:10 anxious 13:13 anybody 3:14 anyway 8:6,7 11:16 apart 7:11 apologies 1:15 apology 10:23 appear 21:17 appeared 9:19 applied 37:2 apply 36:25 appreciate 41:22 approach 3:19 33:19 appropriate 9:24 10:1 12:1 area 26:25 30:25 arguably 24:21 argue 17:15 argument 40:5 arrived 9:6 articulated 26:20 arts 20:22 23:8 23:12 24:8 asked 10:16 26:17 asking 18:9 aspect 4:18,25 aspects 4:13 assassination 45:15 22:4 assistance 37:18	38:2 Associated 42:2 astonished 18:23 20:9 attach 33:18 attack 8:23 29:19 attacks 3:21 10:2 10:5,22 11:4 attained 27:20 attempt 44:15 attempting 34:13 attempts 36:15 attribute 23:2 authorised 23:13 autobiography 14:3 available 38:10 aware 1:20,24 24:10	<b>B</b> back 8:13 9:16 10:17 13:18 15:15,17 19:3 20:12 24:12,18 37:5 40:2 backwards 37:20 bad 4:11,20 15:1 22:6 25:13 26:3 35:15 Balls 22:3 bar 4:24 based 15:25 23:1 basic 2:15 29:2 basically 29:4 basis 46:9 BBC 41:25 bear 25:6 began 8:20 22:13 beginning 5:13 43:23 behaviour 19:10 33:25 34:19,19 34:23 35:15,15 believe 12:2 16:6 believer 24:12 believing 45:2 beneficial 35:11 best 20:18 31:8,8 37:24 better 28:16 31:11 44:21 beyond 12:1 25:3 big 19:9 biggest 30:16 bind 40:17 bit 5:7,8 6:3 11:17 28:16 37:15,17 bits 45:6 bizarre 28:9 black 23:12 24:7 Blair 1:15,19	6:23 11:18 16:1 26:16 32:5 46:19 48:3 blame 26:13 blogs 41:22 blow 24:11 blurring 29:18 book 8:12 15:19 22:1 borne 16:18 bottom 7:4 26:10 44:18 45:3 brand 27:22 breach 29:9 bricks 19:19 brief 19:25 21:16 23:14,20 briefed 22:17 briefing 18:17 19:16,24 21:25 22:13 23:12 bright 31:17 bring 10:3 brings 17:10 42:9 British 31:7 broadcasters 34:7 Brooks 1:21 2:5 4:1 7:6 8:3,16 8:18 Brown 1:22 2:20 2:20 3:21 8:21 9:7,16 brutal 25:25 building 1:6 45:8 built 23:5 bullied 17:1,17 18:24 bully 20:17 bullying 18:15 bundle 7:3 buried 15:10 buries 15:11 bursting 5:23 business 46:22 buy 18:9	42:11 carrying 24:1 case 28:11 29:17 33:20 categories 34:23 category 35:5 caused 15:1 causes 34:5 celebrities 11:20 11:21 certain 9:5 10:10 11:13,25 13:17 19:21 27:15,21 35:17 certainly 2:8 9:25 16:13,14 18:25 22:22 25:5 30:9 32:15 33:15 34:25 43:6 46:1 chair 9:7 11:19 chairs 17:11 challenge 40:23 41:12 chance 44:2,20 change 4:7 6:4 27:23,24 31:3 31:6 36:15 37:9 38:3 45:16 changed 25:18 25:19 26:4 45:7 channels 25:20 character 22:4 CHARLES 48:3 Charlie 22:3 check 40:20 checkers 30:12 Chief 21:25 children 11:4 chimes 11:17 chopped 40:1,2 chosen 29:5 circles 2:17 circulation 30:18 circumstances 8:11 13:17 15:4 20:10 21:10 38:19 40:5 civil 18:5 class 25:8 classes 25:1 clause 27:7,8,18 clear 2:11,11 3:11 8:5 16:22 19:17 37:1 39:25 cleared 14:7,14 clearly 12:2 26:20 27:10 35:22 clears 14:22 close 8:4	code 27:4,19 35:20 colleagues 18:18 collusively 39:5 colour 31:16 colours 31:17 combative 18:2 combination 32:11 come 11:12 13:12 16:11 26:3 43:16 comes 24:13 38:7 comfortable 13:25 coming 17:24 24:18 command 38:10 comment 3:5,11 3:17 7:12 10:10,13 18:12 23:23 26:19 27:6,10,18 28:2 29:18 34:17 35:22 36:12,20 38:18 44:15 commented 18:11 committee 17:9 17:10,10 Commons 17:9 communicated 9:15 community 39:11 competed 31:11 competitive 45:2 complain 15:9 21:3 34:18 36:21 39:14 complained 36:18 complaining 12:19 complaint 15:7 32:23 39:24 complaints 32:12 39:9 complaint-solv... 39:19 complete 22:18 23:16 completely 9:21 13:8 18:19 20:1,13,14 21:15 compulsion 42:22 concerns 43:20 concludes 46:21 conclusions 37:21 conducted 5:24 conference 19:23 conferences 17:7	confronted 25:9 conjecture 27:10 35:22 conscious 37:16 consensual 33:7 39:18,20 consensus 43:17 43:19,21 Conservative 3:2 Conservatives 1:22 consider 18:20 Considerable 1:7 consideration 1:11 26:18 conspiracy 8:24 content 34:14 context 35:8 continually 42:10 continue 46:16 contribution 24:24 contributions 25:3 conventional 5:19 conversation 2:16,19,23 22:15 conversations 9:22 41:21 conveying 28:12 convinced 21:23 cope 39:22 core 6:25 correct 8:17 22:9 22:9 30:14 cost 38:24,25 countries 26:6 country 4:19 30:17 43:4 coup 7:22 8:20 couple 7:4 course 20:6 42:22 court 39:24 40:22 covered 41:25 covering 9:13 cowed 17:17 create 26:7 created 25:2 creates 28:2 credible 14:22 criminal 34:19 34:23 critical 43:20 crossed 13:8 cross-examina... 17:18 cross-examined 17:11 crude 26:1 cruel 6:10
----------	--	--	--	---	--	---	---

<b>cultural</b> 6:13 31:3 37:8	38:19 41:25 44:25	<b>E</b> 48:2	<b>exact</b> 7:8	20:5 21:5,7,14 23:22 24:4	<b>genuinely</b> 32:22 33:5 46:10	<b>hand</b> 18:7,8 25:1 36:12
<b>culture</b> 4:10 26:7 27:2 36:15	<b>differential</b> 25:20	<b>earlier</b> 20:5 21:13 37:6	<b>exactly</b> 9:8 25:22	<b>fewer</b> 31:17	<b>getting</b> 10:23,24 11:11 14:17 29:14,15	<b>handled</b> 14:5 <b>handling</b> 16:20 16:24
<b>curbed</b> 24:5	<b>differently</b> 14:5	<b>easier</b> 18:5	<b>exaggerated</b> 23:4	<b>fierce</b> 17:18	<b>give</b> 1:9 2:23 13:23 14:2 38:2,4 44:25	<b>Hang</b> 11:11
<b>curious</b> 43:11	<b>difficult</b> 15:18 26:24,25 27:25 33:10 34:9 35:5 36:11	<b>easiest</b> 43:11	<b>example</b> 5:22 14:2 15:9 19:5 19:19 30:3 34:2,2 39:10 39:11	<b>fight</b> 9:4	<b>given</b> 10:6 14:9 14:10 29:24 37:24 42:20 44:2	<b>happen</b> 8:6,7 11:24 13:7 36:7,18
<b>currency</b> 44:4	37:3,11 43:2,3 43:22 44:5,10	<b>easy</b> 15:17 18:6	<b>examples</b> 13:24	<b>figure</b> 18:2	<b>gives</b> 19:15	<b>happened</b> 1:10 10:12 17:8 36:7,10 37:20
<b>cuts</b> 11:23	<b>direct</b> 2:22	<b>Ed</b> 22:3	<b>exceeded</b> 12:3	<b>financial</b> 41:16	<b>giving</b> 1:11 39:10 43:8	<b>happens</b> 10:22 12:25 29:16
<hr/> <b>D</b> <hr/>	<b>Disaggregated</b> 30:1	<b>editor</b> 40:17,21	<b>excesses</b> 32:7	<b>find</b> 7:3 22:14 28:9,9,19 29:8 31:11 34:9 42:16	<b>go</b> 3:15 7:25 8:10 8:13,19,23 9:2 10:17 12:2,24 12:25 13:20 14:19 15:21 20:17 21:12,16 22:19 23:14 28:21 30:8 32:22 41:22	<b>harassed</b> 17:1
<b>D</b> 48:2	<b>discipline</b> 5:16 5:17	<b>editorial</b> 28:2 40:20	<b>exchange</b> 26:8 30:22	<b>fine</b> 25:13 28:11 39:6	<b>going</b> 1:25 2:1,9 2:10 6:20 7:25 8:6,7 9:1,2,2 9:11,23 11:2 12:11,13,14,24 13:19 19:6,9 21:22 26:16 28:5 37:1,10	<b>hard</b> 6:14,15,19 13:16 17:15 28:10 29:8
<b>damages</b> 10:24 41:6	<b>disabled</b> 39:12	<b>effect</b> 9:1	<b>exclude</b> 33:11	<b>first</b> 5:12 6:17 9:15 14:25 17:6,7 21:8,11 23:25 26:18 28:22 29:25 32:7 38:6	<b>hardened</b> 14:17	<b>harder</b> 15:17 35:8 43:14
<b>damaging</b> 9:3	<b>Disaggregated</b> 30:1	<b>effective</b> 21:9 24:15 39:2	<b>exemplary</b> 41:5	<b>flipside</b> 6:4,7	<b>hate</b> 23:14	<b>hate</b> 23:14
<b>Damian</b> 22:2	<b>disagree</b> 4:11,12 4:17,17,21 29:22 44:22	<b>effectively</b> 7:21 9:16	<b>exercise</b> 22:18	<b>Flowing</b> 7:2	<b>HCTMS</b> 1:5	<b>head</b> 7:1 15:5 34:15 44:6,11
<b>dare</b> 23:11	<b>disagreed</b> 19:1	<b>effort</b> 1:8	<b>existence</b> 36:2	<b>flows</b> 3:13	<b>headlines</b> 14:8	<b>hear</b> 22:16
<b>dark</b> 20:22 23:7 date 9:17	<b>disagreement</b> 4:16	<b>efforts</b> 1:13 44:10	<b>expect</b> 11:11 29:4 36:13 45:23	<b>focuses</b> 24:20	<b>heard</b> 2:19 11:18 11:21 26:9	<b>hearing</b> 10:16 47:1
<b>David</b> 18:3	<b>discipline</b> 5:16	<b>either</b> 10:20 18:18 22:6 25:3 26:3 41:1	<b>experience</b> 20:4	<b>folk</b> 8:13	<b>help</b> 9:11 10:9 46:4	<b>hesitate</b> 23:9
<b>day</b> 13:1,1 20:19 47:1	<b>disciplined</b> 16:20	<b>eldest</b> 15:20	<b>expertise</b> 30:9 38:10	<b>followed</b> 41:23	<b>hesitated</b> 19:12	<b>he'll</b> 40:14
<b>days</b> 4:24	<b>disconnect</b> 26:21	<b>elections</b> 21:12	<b>expression</b> 33:19 42:15	<b>following</b> 1:16 47:1	<b>high</b> 44:3,15	<b>highest</b> 16:15
<b>deal</b> 3:2 17:2,13 35:8 43:7,12 43:12	<b>discuss</b> 4:1	<b>email</b> 7:10,13	<b>eyes</b> 16:18	<b>form</b> 6:8 23:15	<b>highly</b> 5:24	<b>Hill</b> 18:3
<b>deals</b> 3:12,14	<b>discussion</b> 2:5	<b>emails</b> 7:6,16	<hr/> <b>F</b> <hr/>	<b>forward</b> 1:19 20:12	<b>history</b> 8:19 44:9 hold 29:11 46:16	<b>home</b> 10:3
<b>dealt</b> 25:9	<b>discussions</b> 2:13	<b>emphasise</b> 12:22	<b>fabric</b> 11:1	<b>found</b> 16:15	<b>hope</b> 5:1 45:17	<b>hoped</b> 2:1
<b>debate</b> 2:1,9 5:24 11:15 13:5,6 26:8 43:5 46:6	<b>dismissal</b> 7:19 8:2	<b>ended</b> 9:3 44:10	<b>fact</b> 7:10,23 8:19 19:14 23:11,13 27:11 28:1 30:12 34:16 35:23,24,24 36:20 41:24	<b>four</b> 44:9	<b>hoped</b> 2:1	<b>hopefully</b> 43:16
<b>decide</b> 36:9 37:20	<b>disparity</b> 14:14	<b>enforced</b> 36:14	<b>facts</b> 28:8,13 29:13,14 37:21	<b>framework</b> 44:24	<b>hope</b> 5:1 45:17	<b>hostile</b> 19:13
<b>decided</b> 17:4	<b>dispute</b> 21:15 23:9,11	<b>enforcement</b> 32:11 36:1	<b>factually</b> 31:13	<b>frankly</b> 2:17 13:9 24:4 25:11 26:15 35:9 44:25	<b>hope</b> 5:1 45:17	<b>hour</b> 21:21
<b>decision</b> 2:4 8:25 36:8 41:7	<b>disputes</b> 39:18	<b>engaged</b> 46:3	<b>failed</b> 44:14	<b>frank</b> 25:8	<b>hope</b> 5:1 45:17	<b>hours</b> 22:16
<b>decisions</b> 41:12	<b>dissimilar</b> 11:22	<b>enormous</b> 41:10	<b>fair</b> 4:3 5:8 11:22 11:24 29:15 30:22 36:10 45:12 46:14	<b>frankly</b> 2:17 13:9 24:4 25:11 26:15 35:9 44:25	<b>hope</b> 5:1 45:17	<b>houses</b> 33:3
<b>declaring</b> 2:21	<b>distinction</b> 16:22 27:6,16 29:7,9	<b>Enquirer</b> 28:17 28:20	<b>fairness</b> 25:15	<b>free</b> 27:9 35:21 42:9,15 45:20	<b>hope</b> 5:1 45:17	<b>huge</b> 9:4 25:19
<b>deeply</b> 31:12	<b>distinguish</b> 27:10,14 34:22 35:22	<b>ensure</b> 1:14	<b>family</b> 11:3	<b>freedom</b> 26:23 33:18 42:11,14 45:1,19 46:10	<b>hope</b> 5:1 45:17	<hr/> <b>I</b> <hr/>
<b>defensive</b> 45:15	<b>distort</b> 32:2	<b>ensuring</b> 1:8	<b>far</b> 3:15 10:8,14 12:13 24:5 25:25 30:4	<b>freedoms</b> 28:7 45:10	<b>hope</b> 5:1 45:17	<b>idea</b> 27:21
<b>deferential</b> 6:6	<b>distorted</b> 19:15	<b>entered</b> 15:20	<b>factually</b> 31:13	<b>free</b> 27:9 35:21 42:9,15 45:20	<b>hope</b> 5:1 45:17	<b>ideas</b> 32:5 41:6 44:1
<b>defined</b> 29:1 32:25	<b>diverse</b> 30:4	<b>enthusiasm</b> 40:20	<b>failed</b> 44:14	<b>freedom</b> 26:23 33:18 42:11,14 45:1,19 46:10	<b>hope</b> 5:1 45:17	<b>identified</b> 17:23 43:23
<b>degree</b> 6:3 12:12	<b>diversion</b> 23:16	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>fair</b> 4:3 5:8 11:22 11:24 29:15 30:22 36:10 45:12 46:14	<b>framework</b> 44:24	<b>hope</b> 5:1 45:17	<b>identify</b> 32:8,9
<b>democracy</b> 46:7	<b>doing</b> 3:14 13:14 19:18 20:7 22:24 23:20 24:9,9,11 27:19 36:23 42:3	<b>Enquirer</b> 28:17 28:20	<b>fairness</b> 25:15	<b>frank</b> 25:8	<b>hope</b> 5:1 45:17	<b>illuminative</b> 45:14
<b>democratic</b> 43:6 45:10	<b>distinguish</b> 27:10,14 34:22 35:22	<b>ensure</b> 1:14	<b>family</b> 11:3	<b>frankly</b> 2:17 13:9 24:4 25:11 26:15 35:9 44:25	<b>hope</b> 5:1 45:17	<b>illustrates</b> 14:15
<b>demonstrate</b> 7:7	<b>distort</b> 32:2	<b>ensuring</b> 1:8	<b>far</b> 3:15 10:8,14 12:13 24:5 25:25 30:4	<b>free</b> 27:9 35:21 42:9,15 45:20	<b>hope</b> 5:1 45:17	<b>immediately</b> 42:19
<b>describe</b> 6:13 18:2	<b>distorted</b> 19:15	<b>entered</b> 15:20	<b>factually</b> 31:13	<b>freedom</b> 26:23 33:18 42:11,14 45:1,19 46:10	<b>hope</b> 5:1 45:17	<b>immense</b> 33:24
<b>described</b> 30:6 30:10	<b>diverse</b> 30:4	<b>enthusiasm</b> 40:20	<b>failed</b> 44:14	<b>freedoms</b> 28:7 45:10	<b>hope</b> 5:1 45:17	
<b>desegregation</b> 26:21	<b>diversion</b> 23:16	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>fair</b> 4:3 5:8 11:22 11:24 29:15 30:22 36:10 45:12 46:14	<b>free</b> 27:9 35:21 42:9,15 45:20	<b>hope</b> 5:1 45:17	
<b>destroy</b> 40:15	<b>doing</b> 3:14 13:14 19:18 20:7 22:24 23:20 24:9,9,11 27:19 36:23 42:3	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>fairness</b> 25:15	<b>freedom</b> 26:23 33:18 42:11,14 45:1,19 46:10	<b>hope</b> 5:1 45:17	
<b>destroying</b> 27:20	<b>doubt</b> 20:12 21:3 23:18 30:8 43:18,24 45:22	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>family</b> 11:3	<b>free</b> 27:9 35:21 42:9,15 45:20	<b>hope</b> 5:1 45:17	
<b>details</b> 15:22	<b>Downing</b> 24:16	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>far</b> 3:15 10:8,14 12:13 24:5 25:25 30:4	<b>freedom</b> 26:23 33:18 42:11,14 45:1,19 46:10	<b>hope</b> 5:1 45:17	
<b>developing</b> 5:14	<b>draining</b> 24:18	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>factually</b> 31:13	<b>free</b> 27:9 35:21 42:9,15 45:20	<b>hope</b> 5:1 45:17	
<b>dialogue</b> 26:8	<b>draw</b> 16:22	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>failed</b> 44:14	<b>freedom</b> 26:23 33:18 42:11,14 45:1,19 46:10	<b>hope</b> 5:1 45:17	
<b>difference</b> 30:16	<b>drawing</b> 40:8	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>fair</b> 4:3 5:8 11:22 11:24 29:15 30:22 36:10 45:12 46:14	<b>free</b> 27:9 35:21 42:9,15 45:20	<b>hope</b> 5:1 45:17	
<b>different</b> 3:9 6:2 10:20 11:21 19:5 20:16 26:6 29:24 30:2,3 32:17 33:19 34:7 36:1,6 38:14	<b>drawn</b> 34:8 41:20	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>factually</b> 31:13	<b>freedom</b> 26:23 33:18 42:11,14 45:1,19 46:10	<b>hope</b> 5:1 45:17	
	<b>driven</b> 15:2 42:13	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>failed</b> 44:14	<b>free</b> 27:9 35:21 42:9,15 45:20	<b>hope</b> 5:1 45:17	
	<b>due</b> 25:17	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>factually</b> 31:13	<b>freedom</b> 26:23 33:18 42:11,14 45:1,19 46:10	<b>hope</b> 5:1 45:17	
	<b>DVD</b> 9:7	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>failed</b> 44:14	<b>free</b> 27:9 35:21 42:9,15 45:20	<b>hope</b> 5:1 45:17	
	<hr/> <b>E</b> <hr/>	<b>entirely</b> 13:23,24 33:7 36:17 38:6 41:15 42:7	<b>factually</b> 31:13	<b>freedom</b> 26:23 33:18 42:11,14 45:1,19 46:10	<b>hope</b> 5:1 45:17	

<b>immigrant</b> 39:13	<b>interferes</b> 28:7	37:12	<b>law</b> 32:11	25:5 26:16	30:8 31:12,21	<b>morning</b> 1:7
<b>impact</b> 5:12	<b>interfering</b> 26:22	<b>judiciary</b> 4:22	<b>lawyer</b> 37:19	28:11,14 29:12	32:2 33:19	5:22 17:12
<b>impartial</b> 42:7	<b>International</b>	<b>July</b> 42:21	<b>lawyers</b> 33:22	31:21,23 35:13	41:4 43:1,2	22:12
<b>imperial</b> 45:19	2:2,22 42:1	<b>junior</b> 20:23	35:16 41:11	40:13 42:2	46:3,11	<b>Mosley's</b> 39:24
<b>imperilling</b>	<b>Internet</b> 6:9	<b>JUSTICE</b> 1:5	<b>lead</b> 40:6	43:2 44:20	<b>means</b> 4:12,20	<b>mother</b> 3:22
42:14,17	41:18	4:22 5:6 9:10	<b>leaked</b> 16:6	45:9	30:19 41:15	<b>motive</b> 6:1
<b>implantation</b>	<b>intervention</b>	11:17 13:22	<b>led</b> 31:4 35:11	<b>looked</b> 24:1	<b>measure</b> 14:8,10	<b>mouth</b> 12:4
24:20	11:10	14:24 15:6,14	<b>left</b> 3:6	<b>looking</b> 32:10	<b>mechanism</b> 36:2	<b>move</b> 1:19 6:23
<b>implement</b> 44:1	<b>interventions</b>	27:8 29:23	<b>leg</b> 39:25	37:20	39:15,17,19	<b>Mowlam</b> 19:22
<b>importance</b> 42:9	11:9	30:5 33:6,14	<b>legal</b> 10:21 11:8	<b>Lord</b> 1:5 3:1	40:11 41:8,11	<b>MPs</b> 8:16
<b>important</b> 4:5,9	<b>intimidated</b> 17:1	33:17 34:12,16	<b>legislate</b> 6:16	4:22 5:6 9:10	41:14	<b>Murdoch</b> 2:19
23:17 24:14	18:24	35:19 36:17	<b>legitimate</b> 10:6	11:17 13:22	<b>media</b> 5:11,15,19	3:3,12 9:15
25:15 29:10	<b>intruded</b> 12:11	37:15 38:23,25	10:11,12 21:5	14:24 15:6,14	12:22 13:15	<b>mythology</b> 23:5
32:16,19 33:11	12:12 37:12	39:5 41:1,20	32:23,23	20:22 23:6	16:24 17:16,22	
41:17 42:18	<b>intruder</b> 1:13	42:6 43:18	<b>letter</b> 3:22 8:1	27:8 29:23	18:7,11 20:10	<b>N</b>
43:19	<b>intrusion</b> 43:13	44:7,12,18	<b>letters</b> 10:20	30:5 33:6,14	21:9,14 23:22	<b>N</b> 48:2
<b>improve</b> 46:5	<b>intrusions</b> 35:2	45:13 46:15,19	38:21,23	33:17 34:12,16	24:4,15,17	<b>name</b> 39:14
<b>impugn</b> 6:1	<b>invasion</b> 12:8	46:21,24	<b>let's</b> 19:7,9 22:19	35:19 36:17	25:15,18 26:7	<b>National</b> 28:17
<b>inaccurate</b> 31:13	34:18	<b>justified</b> 13:21	37:15	37:15 38:23,25	27:15 30:4,21	28:20
<b>incident</b> 1:7 5:2	<b>investigated</b>		<b>LEVESON</b> 1:5	39:5 41:1,20	31:4,9,12	<b>nature</b> 1:14 7:16
14:19	34:20,24	<b>K</b>	4:22 5:6 9:10	42:6 43:18	32:20 33:5	<b>necessarily</b>
<b>incidents</b> 1:14	<b>investigating</b>	<b>keep</b> 15:24	11:17 13:22	44:7,12,18	35:11 43:11	37:23
<b>including</b> 37:22	32:21	<b>Kelly</b> 18:4	14:24 15:6,14	45:13 46:15,19	44:22,24 45:6	<b>necessary</b> 11:14
<b>increasingly</b>	<b>investigation</b>	<b>kernel</b> 18:19,21	27:8 29:23	46:21,24	<b>mediation</b> 39:6	13:4 15:23
43:5	1:10 14:6,7,22	23:4	30:5 33:6,14	<b>Los</b> 28:25	<b>media's</b> 45:15	29:20 32:3
<b>independence</b>	<b>invidious</b> 13:22	<b>key</b> 33:4 46:8	33:17 34:12,16	<b>lot</b> 3:7,8 5:21,24	<b>meetings</b> 22:12	33:20,20
32:13	<b>involve</b> 39:8	<b>kill</b> 8:13 40:7	35:19 36:17	6:21 13:11,13	<b>members</b> 11:19	<b>need</b> 5:3 13:6
<b>independent</b>	<b>involved</b> 1:16	<b>killed</b> 3:23	37:15 38:23,25	18:14 19:20	41:12	<b>needn't</b> 15:21
5:18 32:12,19	<b>involves</b> 16:10	<b>kind</b> 5:16 10:25	39:5 41:1,20	26:3 31:12	<b>mentioned</b> 2:18	<b>never</b> 3:19 21:13
33:5,21 38:7,8	<b>issue</b> 2:18 6:18	15:17 17:17	42:6 43:18	43:14 44:23	<b>merely</b> 29:18	21:13 22:6
38:8,9 40:19	6:18 7:18 8:1	26:10 37:8	44:7,12,18	<b>lots</b> 30:1 38:13	38:15	23:13 31:19
<b>indicates</b> 11:13	9:10,17 16:17	<b>kindly</b> 38:1	45:13 46:15,19	<b>lowest</b> 23:15	<b>message</b> 9:14	<b>new</b> 26:7 28:24
<b>indicating</b> 9:22	17:3,21,23	<b>Kinnock's</b> 16:19	46:21,24	<b>luncheon</b> 1:3	<b>mid-2006</b> 10:18	<b>news</b> 2:2,22
<b>indication</b> 2:6	26:19 30:22	<b>knew</b> 2:3	<b>liaison</b> 17:9	<b>lurid</b> 31:17	<b>millions</b> 41:22,23	25:20 26:19
16:14	32:16 39:7	<b>know</b> 2:16 3:10	<b>libel-type</b> 41:9	<b>LYNTON</b> 48:3	<b>mind</b> 6:6 21:14	27:6,18 28:2,3
<b>individuals</b> 45:5	44:2	3:16 4:6,9,25	<b>lies</b> 14:9		<b>minister</b> 5:15	28:22 29:11,11
<b>inevitable</b> 10:6	<b>issues</b> 18:10 19:4	5:21,24 6:1,9	<b>life</b> 11:24 12:1,10	<b>M</b>	7:20,21,24 8:4	29:18 32:1
21:18	22:10,23 28:20	6:10,24 7:10	16:9 18:5	<b>Mail</b> 9:20 10:14	8:9,10,24	36:11 42:1
<b>inference</b> 5:8	36:16 37:17	7:17,23 8:7,25	33:13,14	27:22	12:20 13:10	<b>newspaper</b> 19:8
<b>influence</b> 9:23	38:5 41:9	9:19,23 10:4	<b>limb</b> 32:7	<b>main</b> 28:16 30:9	17:5 21:19	27:21 28:3,15
<b>information</b> 16:6	42:23 43:12	10:21 11:15	<b>limbs</b> 32:6	<b>mainstream</b> 5:19	23:24 42:21	29:21 33:8
16:11	<b>J</b>	12:13,18 13:2	<b>line</b> 11:25 12:1	<b>major</b> 19:7	43:24	<b>newspapers</b> 4:6
<b>informs</b> 26:8	<b>Jay</b> 1:18,19 6:23	13:7,11 15:10	13:8 28:2 40:8	<b>making</b> 11:23	<b>ministers</b> 13:13	19:6 30:19
<b>inherently</b> 36:11	9:12 14:13	17:14 18:1,1	41:20	14:20 28:1	21:16	31:14 42:2
37:10	15:19 27:7,17	19:4 20:4 21:4	<b>lines</b> 9:8 11:22	29:8	<b>Minister's</b> 13:11	45:5
<b>Inquiry</b> 1:5,17	31:14 37:13	22:9,10,23	15:2	<b>malleable</b> 18:16	17:19	<b>nobody's</b> 34:13
18:15 27:5	46:22,23 48:5	23:10,13 24:2	<b>literally</b> 7:25	<b>Mandelson</b> 14:3	<b>minutes</b> 17:6	<b>Nods</b> 7:1 15:5
37:23 44:4	<b>Jeremy</b> 20:5	24:7,8,10	21:21	20:22 23:6	<b>Mirror</b> 19:11	34:15 44:6,11
45:14	44:17	25:21 28:15	<b>litigate</b> 38:17	<b>Mandelson's</b> 3:1	<b>mismatch</b> 36:20	<b>noise</b> 6:20
<b>inquisitorial</b>	<b>job</b> 28:12 45:1	29:21 30:10,13	<b>litigation</b> 40:6	<b>mark</b> 3:20 10:8	<b>missing</b> 24:21	<b>normal</b> 8:10
41:10	<b>Jonathan</b> 19:25	35:12 37:4	<b>little</b> 5:2,7 11:17	<b>market</b> 28:15	<b>misunderstand</b>	<b>notes</b> 17:14,16
<b>instance</b> 36:13	22:8	42:10	28:15 29:3	30:1	25:7	20:19,19
<b>instigation</b> 23:7	<b>Journal</b> 28:24	<b>knowledge</b> 3:4	37:5	<b>Marr</b> 18:16,22	<b>mix</b> 41:18	<b>notice</b> 26:5 27:3
<b>integrity</b> 16:15	<b>journalism</b> 13:2	3:18 7:17	<b>live</b> 5:10 38:1	20:24,25	<b>Mm</b> 40:25 41:19	<b>notification</b>
<b>intention</b> 7:8	<b>journalism's</b>	<b>known</b> 18:25	<b>lively</b> 28:18	<b>mass</b> 30:18	<b>Mm-hm</b> 39:4	39:23 40:6
45:24	36:3 44:23	19:1	30:22 31:24	<b>masters</b> 20:21	<b>Mo</b> 19:21	<b>notify</b> 40:14 41:3
<b>interaction</b>	<b>journalist</b> 18:23	<b>L</b>	<b>lobby</b> 17:13,16	23:7	<b>modern</b> 8:14	<b>notion</b> 25:11
10:18 19:6	44:14	<b>Labour</b> 1:21 2:2	20:18	<b>matter</b> 40:15	<b>modern</b> 4:13	<b>November</b> 10:19
26:1	<b>journalists</b> 18:15	2:12 16:19	<b>long</b> 16:5 45:8	<b>mature</b> 45:12	<b>moment</b> 26:16	11:19
<b>interactions</b> 1:20	18:17 20:17	21:8,11	46:12	<b>McBride</b> 22:2	31:7 36:23	<b>number</b> 11:8,10
24:10	30:13 31:5	<b>landing</b> 14:1	<b>look</b> 7:13 8:7,19	<b>mean</b> 4:11,20	39:9 45:9	34:22 37:18
<b>interest</b> 42:14	<b>judge</b> 37:19,24	<b>landslide</b> 24:3	8:25 10:10	7:13,20 10:10	<b>moments</b> 8:1	39:10
<b>interested</b> 19:8	<b>judges</b> 46:16	<b>large</b> 25:17	12:7 13:18,19	10:15 13:16	25:23	
29:12 38:4	<b>judgment</b> 37:11	<b>late</b> 19:21	15:15 20:9	14:2,4,16	<b>Monday</b> 1:1	<b>O</b>
<b>interesting</b> 15:19		<b>launch</b> 19:6	21:2 22:8	16:12 17:2	<b>money</b> 38:24,25	<b>objective</b> 5:18
31:24 32:1			23:18 24:8	25:19 27:14	<b>monthly</b> 17:7	21:6

obtain 12:5 39:15	part 6:22 7:22 8:23 11:14	10:2,5,15 20:3	45:21	producers 20:24	range 11:21	41:5,10
obvious 2:8 7:11	19:12 20:16	personalised	possible 10:8	profession 35:16	raw 25:25	regret 1:10 13:18
obviously 1:25	21:15,18 23:22	5:25	25:4,5 26:14	professional	reaching 37:21	15:3
2:1 3:7 5:14	24:4 25:17	personality	27:13 30:23	16:23	reaction 15:25	regulate 31:1
7:24 44:19	45:4,14	27:21,22 28:3	31:9 33:6	professor 44:14	16:2 45:13	34:13,16
occur 1:25 2:7	participants	29:1,1,21	35:10 36:12	profoundly 7:14	read 5:21 16:25	regulation 27:2
occurred 1:25	6:25	personally 37:7	42:16	prominence	17:13,15,17	35:9
2:23	particular 1:13	personification	possibly 16:20	15:14	20:19 21:20,23	regulatory 40:12
odd 23:22 32:2	5:2 19:7 29:5	1:22,23	Post 28:24	prominent 19:20	27:4 30:19	reined 8:13
offer 3:11	33:8 34:5 45:5	perspective 7:24	Postman 9:6	proper 11:9	31:18	reject 40:18
office 3:7 17:21	45:5	persuading	potential 38:4	14:21 24:17	reading 15:2	rejecting 39:24
officers 16:8	particularly 3:21	21:21	41:5	26:12 30:15	20:18	relates 32:7
official 14:11,11	10:14 28:19	peessimistic 31:25	potentially 34:18	32:11 46:13	real 12:6 23:1	39:22
17:4	29:24 38:17	Peter 14:3 24:8	Powell 19:25	properly 45:1	24:12	relation 3:21
Oh 23:10	parties 34:6	phone 9:14,17	21:25	prosaic 15:9	realised 27:4	15:20 19:21
once 29:13	partisan 27:9	20:14 30:12	power 13:3	protect 45:10	reality 31:16	24:7
ones 43:12,14	28:5 34:5	pick 20:23	14:25 17:24	protection 16:4	really 3:5,10 4:4	relationship
operate 5:16	35:21	place 22:21	powerful 12:23	protective 46:10	5:7 7:2,17 8:9	32:18
25:18 36:4	parts 3:9 44:22	32:22 43:5	23:25 24:5	prove 40:22	9:1 13:20	relatively 36:8
operating 11:9	45:16	44:21	practices 32:10	provide 42:24	17:22 18:9	relevant 32:10
25:12 30:11	party 3:3 16:19	places 15:24	prefer 13:24	provides 38:16	21:1,8 24:18	reluctant 14:20
44:25	19:23 21:8,11	plainly 10:7	present 31:20,22	pub 41:21	24:25 25:11	remain 8:9
operation 16:24	passed 9:16	pm 1:4 46:25	press 14:25	public 11:20,24	27:25 28:7	remains 44:5
17:22 18:11	Pat 9:7	point 7:11 8:8	15:10 16:21,25	11:25 12:9	29:8 30:14	remember 4:24
21:9,15 24:15	pattern 11:13	9:12 11:23	17:7,24 18:3	15:21 16:9	31:4,19,24	17:3 19:19,20
24:17	Paxman 20:5	14:20,25 15:19	21:20 22:14	26:9 38:12	33:10 36:1,25	repeat 1:15
opinion 18:9	44:12	19:21 21:1	24:21,25 26:23	41:12	40:19	42:10
opinionated	PCC 27:4 36:22	23:9 24:18	27:9 32:8	publicity 14:9,10	reason 18:13	repetitious 42:12
31:13	39:9	27:17 28:4	33:20,23 34:4	publish 41:4	34:24	report 14:12,21
opposed 27:2	penetration	36:1 38:22	35:21 38:9,11	published 17:6	reasonable 40:21	44:13
opposition 24:2	30:17	40:4,21,24	40:12 41:16,24	purpose 10:16	40:23	reporters 20:23
order 3:24	people 4:15,16	pointless 22:18	42:6,9,11,15	29:6	reasons 2:13	require 31:3
organ 29:11,11	5:21,23 6:5,8	points 7:4 9:13	45:17,20 46:10	purposes 15:24	31:20 34:21	required 16:19
organisation 2:9	8:4,22 10:12	14:24 15:15	pressure 20:20	pursue 37:15	39:23 40:14	requiring 40:6
4:3 5:5	11:22 12:8,9	26:18	presumably	pushback 21:7	43:23	resent 31:6
organiser 7:23	12:13,15,23	poison 24:19,20	27:12	pushed 15:17	Rebekah 7:6	resign 21:19
ought 36:3 40:13	16:4,9,14 17:1	26:13	pretty 2:8,16	put 1:8 16:3 17:4	8:18	resignation 7:7,9
40:22 41:3	18:8 19:16	poisonous 24:24	6:21 13:16	26:13,17 27:13	recall 2:18 7:15	7:19 14:3
42:16	20:13,25 22:11	police 15:23 16:8	16:11 29:1	37:5,25	21:18	resigned 7:25
outlets 30:4	22:20,21,25	16:10 34:20	31:13 37:1	putting 12:4	receipt 7:5	resolution 39:20
outlook 29:2	23:6,10,19	policies 4:19	primarily 6:13		receive 21:2	41:9
outside 23:24	26:3 27:25	44:1	primary 25:8	<b>Q</b>	received 18:14	resolve 39:17
30:9	29:21 30:19	policy 2:15 4:18	prime 5:15 7:20	qualitatively	39:12	resolved 46:13
ovation 19:23	31:18 32:22	20:16 22:19	7:23 8:4,10,24	36:6	receiving 42:25	respect 16:14
overblown 18:19	34:3,5 35:13	political 2:17	12:20 13:10,11	quality 16:16	recognise 27:16	22:21 38:11,11
overstepped	37:19,22 39:1	11:15 13:5,6	17:5,19 23:24	46:6,6	41:15 42:19	response 41:13
3:20 10:7	39:10 42:10	25:1,7 26:8,9	42:21 43:24	Quartet 3:8	recognising	responses 43:8
o'clock 47:1	44:23 45:12	29:2 34:6 35:7	principle 36:3	question 6:13	45:16,18 46:7	responsibilities
	46:2,3,9,11	43:17,19,25	prior 2:6 39:22	13:23 17:25	recommendati...	3:7
	46:4,6	46:4,6	40:6	26:4,5,12,20	37:25	responsibility
<b>P</b>	politically 21:11	politicians 6:19	privacy 12:8,11	26:24 30:20,24	record 16:4 17:5	25:6,9
page 7:5 8:12	8:8 10:11,12	35:15 46:16	34:18 35:2	33:17 36:24	28:19	responsible 1:6
15:10,11 20:24	21:4 24:17	politics 4:14 6:3	37:12 41:9	37:1,5	recount 44:8	24:19
22:1	26:14 28:4	20:11 21:18	43:13	questions 2:15	recur 1:15	rest 22:18
painted 31:15	40:17	23:15 30:2	privileges 13:12	37:13 38:16	redoubled 1:14	result 39:3
paper 28:18,19	period 10:17	46:3	probably 5:4	43:3,7,9 48:5	redress 12:5,6	retired 14:13
29:20 30:13	14:4 23:25	poor 24:2	16:10 19:11	quickly 16:11	15:7 32:24	retraction 15:10
papers 10:13	45:8	pore 45:22	21:5 30:25	quite 6:14,15	36:21 38:16	retribution 7:8
19:13 27:5	person 4:11,11	position 2:10	45:7	10:3 28:10	39:15	return 16:17
28:23,25 29:23	4:20 9:4 12:17	3:10 6:2 10:7	problem 14:15	29:8 30:11	reference 8:15	Reynolds-type
29:24 30:7,18	12:24 13:20	13:12 41:16	18:13 35:7	32:8 41:25	refers 37:5	40:24
31:20,22	14:1,22 21:6	45:15 46:12	39:6,22		reflection 16:13	rid 8:24
paragaph 32:9	23:12,13 37:24	positions 12:23	procedure 35:4	<b>R</b>	regard 24:12	right 4:4 11:12
35:20	40:19	possibility 24:23	proceedings	race 26:10	31:4	12:7,14,24
Parliament 38:9	personal 1:20	40:11 44:19	38:19	raised 26:6	regarded 28:21	16:21 21:6
parlous 41:16	3:21 5:7 7:10		produced 24:16	ran 18:10 21:8	regime 40:12	27:12 30:8

33:24 34:22 36:5 46:5,7,13 46:24 <b>rightly</b> 33:18 <b>rise</b> 19:15 <b>room</b> 5:23 <b>roughly</b> 10:18 <b>rubbish</b> 12:15 <b>rules</b> 33:24 34:7 41:25 <b>ruling</b> 32:13,14 32:15 <b>run</b> 17:22 28:5 <b>rush</b> 45:2 <b>ruthless</b> 16:20,24	<b>sensible</b> 45:9,25 <b>sensitive</b> 11:2 <b>separate</b> 17:25 36:11 <b>September</b> 7:22 <b>serious</b> 22:23 <b>seriously</b> 1:7 41:17 <b>servant</b> 18:5 <b>serve</b> 15:23 <b>set</b> 20:9 26:23 30:4,11 <b>sets</b> 38:18 <b>share</b> 3:1 40:9 <b>shelf</b> 44:13,16,18 <b>she'd</b> 12:18 <b>shift</b> 1:21,24 2:14 27:2 <b>ship</b> 14:18 <b>shut</b> 6:20 <b>side</b> 26:3 46:2,4 <b>sides</b> 24:25 <b>significance</b> 33:18 <b>significant</b> 12:12 <b>similar</b> 8:3 42:4 <b>simple</b> 7:20 36:8 <b>simply</b> 3:17 4:12 12:5 19:14 23:21 37:2 <b>sir</b> 43:1 46:20 <b>sitting</b> 12:19 <b>situation</b> 13:14 17:16 25:7 28:14 31:6 35:13 43:25 46:11 <b>slightly</b> 28:9 <b>small</b> 41:9 <b>smaller</b> 30:17 <b>social</b> 5:11,15 6:4 30:21 31:12 43:11 <b>society</b> 42:9,18 <b>soldier</b> 3:22 <b>solicitor</b> 14:13 <b>solicitors</b> 10:17 38:21,23 <b>solicitor's</b> 14:12 <b>solution</b> 45:17,18 45:25 <b>solutions</b> 6:15 <b>solve</b> 34:12 <b>solving</b> 42:17 <b>somebody</b> 9:23 14:15 36:18 <b>someone's</b> 6:1 33:11 <b>son</b> 15:20 <b>sorry</b> 18:25 <b>sort</b> 10:3,15 11:10 16:7 21:2 26:17 28:17,18 30:2 30:6 34:17 36:21 39:17	<b>sorts</b> 32:17 33:2 36:16 43:25 <b>sounds</b> 44:17 <b>source</b> 5:18 <b>sources</b> 30:15 <b>so-called</b> 7:22 23:7 <b>speak</b> 6:6 <b>speaking</b> 10:2 <b>special</b> 8:15 22:2 <b>specialists</b> 22:3 <b>specific</b> 2:18 35:1 36:15 <b>speech</b> 20:5 25:16 45:19 <b>speed</b> 15:3 <b>speedy</b> 39:2 <b>spend</b> 21:21 <b>spending</b> 22:16 <b>spin</b> 16:17 18:8 <b>spokesman</b> 17:4 17:19 <b>Staff</b> 22:1 <b>stand</b> 25:21 <b>standards</b> 30:11 35:17,18 36:25 <b>standing</b> 19:23 <b>start</b> 24:11 <b>started</b> 10:21 37:23 38:18 <b>state</b> 24:24 38:8 <b>statement</b> 7:2,3 32:9 <b>States</b> 28:14 <b>stations</b> 15:23 <b>statutory</b> 32:14 32:18,25 <b>step</b> 15:1 <b>steps</b> 1:12 40:24 <b>stitch</b> 40:2 <b>stop</b> 12:18 39:25 40:1 <b>stories</b> 11:7 18:17 19:19,20 21:4 28:3 29:4 <b>story</b> 8:21 9:20 14:1 19:14 20:13 28:5,6,6 30:14 40:7,13 <b>story's</b> 10:25 <b>straight</b> 31:23 <b>Street</b> 24:16 28:24 <b>strong</b> 2:9 21:14 24:14 26:9 30:11 <b>strongly</b> 8:22 19:2 21:3 <b>struck</b> 41:24 <b>study</b> 44:14 <b>stuff</b> 6:9 13:8 16:25 23:15 24:7,11 41:10 <b>style</b> 28:1 <b>subject</b> 10:4 36:19 40:14	<b>submissions</b> 39:12 <b>subsequent</b> 5:1 40:23 <b>successive</b> 21:12 21:13 <b>successor</b> 9:5 <b>succinctly</b> 32:8 <b>suggesting</b> 42:6 46:15 <b>suggestion</b> 45:20 <b>suggests</b> 27:19 <b>Sun</b> 3:20 19:11 27:23 <b>Sunday</b> 9:20 <b>support</b> 1:21 3:16 4:7,10 6:5 34:5 <b>supporting</b> 2:2 2:12 <b>suppose</b> 11:15 16:2 27:22 31:21 32:7 <b>supposed</b> 27:5 <b>sure</b> 9:9,10,12 12:3 13:20 16:8 31:19 33:1 35:17 44:2 45:11 46:18 <b>surface</b> 6:17 <b>suspect</b> 19:3 <b>suspicion</b> 15:25 <b>suspicious</b> 22:20 <b>swift</b> 41:8,13 <b>switch</b> 4:10 <b>sworn</b> 48:4 <b>symmetry</b> 18:6 <b>system</b> 11:10 23:19 32:12,14 38:15 45:11	<b>tended</b> 20:23 <b>tension</b> 20:11 <b>terms</b> 21:13 26:1 29:2 31:11 32:13,25 <b>terrible</b> 20:7 <b>Texas</b> 30:3 <b>text</b> 7:13 <b>texted</b> 8:4 <b>thank</b> 32:5 40:18 43:1 46:19,20 46:21,24 <b>theme</b> 8:3 10:2 <b>thesis</b> 20:21 23:4 26:14,14 35:25 <b>they'd</b> 36:18 <b>thing</b> 5:10 6:17 19:3,9,24 20:16 23:22 24:14 25:14,22 31:21 32:16,19 33:4 34:17 39:19 43:16,22 45:19 <b>things</b> 3:17,18 4:5 5:2 10:11 20:2,6,8 21:17 22:17 23:19,20 23:20 26:2 27:14 30:12 35:1 38:3,14 40:10 42:4 43:10 <b>think</b> 1:24 2:3,15 3:24 4:2,2,3,5 4:5,8,8,13,15 4:18,24 5:1,3,4 5:6 6:4,10,16 6:17,18 7:18 7:25 8:5,20 9:6 9:17 10:10,17 10:18,19 11:3 11:6,8,9,12,14 12:9,15,21,21 13:4,6,17 14:5 14:11,14 15:16 16:2,9,10,17 17:5,15,21,24 17:25 18:10,12 20:15,21 21:4 22:24,25 23:3 23:21 24:4,15 24:16 25:8,14 25:15,16,24 26:1,4,25 27:3 27:24,25 28:16 29:7,10,20 30:9,16,23,23 30:25 31:2,3,5 31:6,9,10,19 31:23,24 32:2 32:3,15,16,17 33:1,10,10,12 33:14,23 34:3 34:7,22 35:5,8 35:9,10 36:5,5	36:10,12,24 37:7,10,13,17 38:14 39:7,21 40:9,21 41:3 43:2,3,4,9,11 43:13,15,15 44:20,23 45:3 45:4,7,8 46:2,4 46:5,7,8,10 <b>thinking</b> 13:19 <b>third</b> 35:5 <b>thought</b> 5:12,13 9:2,24,25 10:13 11:3 19:17 20:13 21:3 27:13 38:3 42:23 <b>three</b> 21:14 22:21 <b>throwing</b> 38:16 41:6 <b>till</b> 17:8 <b>time</b> 1:19 3:25 4:7,7,23 5:15 6:21,22 7:6,7 7:14,20 9:21 13:13 14:7,16 14:18 15:1,18 15:21 16:5 17:6,7,8 19:21 21:8,11,17 22:11,22,22 24:1 45:8 46:12 <b>times</b> 15:12 28:24,25 44:8 <b>titles</b> 30:10 <b>today</b> 4:15 5:10 20:10 28:23 29:3 44:3 46:22 <b>today's</b> 6:19,22 <b>told</b> 9:6 14:9 15:11 45:24 <b>Tom</b> 7:19 9:22 18:4 <b>ton</b> 19:19 <b>top</b> 41:14 <b>topic</b> 21:25 <b>tortious</b> 34:19 <b>totally</b> 33:19 38:22 <b>tough</b> 16:23 37:6 43:9 46:8 <b>transgender</b> 39:11 <b>Treasury</b> 14:11 14:13 <b>treatment</b> 16:18 36:19 <b>tried</b> 17:2,13 21:21 25:16 45:3 <b>trouble</b> 10:22 <b>troubles</b> 44:7 <b>true</b> 31:16	<b>truth</b> 9:18,19 18:17,19 22:7 23:4 <b>try</b> 6:20 31:20,22 36:15 46:4,9 <b>trying</b> 19:25 22:17 27:1 37:20 40:2 <b>turn</b> 6:7 <b>turned</b> 10:15 <b>tweeting</b> 41:21 <b>twice</b> 20:19 <b>two</b> 14:24 15:15 21:13 22:22 24:4 26:17,22 32:6 <b>type</b> 19:8 23:15
<b>S</b>						<b>U</b>
<b>sack</b> 21:20,22 <b>sacked</b> 8:5 <b>safe</b> 1:9 <b>sanctions</b> 41:15 41:17 <b>saying</b> 3:12,17 5:8 11:6,11 18:7 20:2,14 20:16 25:6,23 33:25 34:13 37:4,9 40:10 42:12 <b>says</b> 2:20 7:4,12 8:15 9:14 20:24 22:1 27:8 31:25 40:20 <b>scope</b> 39:16 <b>seat</b> 12:19 <b>second</b> 14:3 15:6 27:17 39:17 44:13,16 <b>Secondly</b> 38:13 <b>second-hand</b> 21:2 <b>secretary</b> 18:3 <b>secrets</b> 15:24 <b>section</b> 12:22,23 27:15 35:12 <b>secure</b> 1:9 <b>security</b> 1:6 <b>see</b> 6:14,15 16:22 20:20 26:15 28:6 29:8,10 33:2 34:9 35:7 35:9 36:8,16 37:6 <b>seeking</b> 34:16 <b>seen</b> 32:22 33:4 <b>segregate</b> 27:18 <b>Select</b> 17:10 <b>seminars</b> 37:22 <b>sending</b> 6:9 7:16 <b>sense</b> 10:24 12:12 16:25 19:10 25:25 30:18 31:14 34:6 36:6,24 46:15					<b>ugliest</b> 4:13 <b>ugly</b> 6:21 <b>UK</b> 30:7 <b>unacceptable</b> 34:1 <b>uncomfortable</b> 46:12 <b>undermine</b> 42:11 <b>underpinning</b> 32:14 33:1 <b>understand</b> 18:6 28:10 36:17 39:23 40:4,4 <b>understands</b> 7:5 <b>undertaken</b> 1:11 <b>unfair</b> 16:18 23:1 36:19 <b>unfortunately</b> 31:16 <b>unique</b> 30:17 <b>United</b> 28:14 <b>unnecessarily</b> 6:10 9:3 <b>unnecessary</b> 11:4 <b>unpleasant</b> 6:11 9:3 <b>unsatisfactory</b> 12:5 <b>untrue</b> 18:18 20:1,13,14 <b>unwittingly</b> 25:2 <b>upheld</b> 35:18 <b>upmarket</b> 31:22 <b>upshot</b> 2:20 <b>USA</b> 28:23 29:3 <b>use</b> 7:13 21:22 <b>usually</b> 17:18 31:16 <b>uttered</b> 45:23 <b>utterly</b> 19:13	
						<b>V</b>
						<b>vehemence</b> 14:8 <b>vendetta</b> 10:15 <b>view</b> 3:1 8:8 10:8

<p>13:2 23:21 29:14,15 31:25 32:3 33:6 40:16,17 42:24 44:19 <b>views</b> 26:9 <b>violent</b> 29:19 <b>visited</b> 8:21 <b>voluntary</b> 12:19 13:23</p> <hr/> <p style="text-align: center;"><b>W</b></p> <p><b>walks</b> 33:12,14 <b>Wall</b> 28:23 <b>want</b> 12:13,14 14:1 19:16 22:15 27:18,23 27:24 30:8 34:4,17 40:1 44:1,13 45:19 <b>wanted</b> 2:11 8:13 37:16 <b>war</b> 2:21 44:9 <b>Washington</b> 28:24 <b>wasn't</b> 3:9 15:8 20:20 21:22 <b>water</b> 14:18 <b>Watson</b> 6:24 9:6 9:13,22 <b>Watson's</b> 7:19 <b>way</b> 3:6 4:7 5:24 7:18 9:24 11:15 12:9 13:7,9 16:3 17:3,14,20 18:10 19:15 20:10,11 21:10 21:23 23:18 26:5 28:5 29:9 30:18,23 31:10 31:23 36:14,21 37:21 40:7 42:16 43:4,11 45:6 46:5,13 <b>ways</b> 18:4 32:17 <b>websites</b> 42:3 <b>week</b> 6:25 <b>weigh</b> 36:9 <b>welcome</b> 42:25 <b>went</b> 17:8 24:3 <b>weren't</b> 20:8 25:13 <b>we're</b> 4:9 9:13 12:24 28:5,12 29:12,13 30:16 <b>we've</b> 10:2 <b>Whelan</b> 22:3 <b>whilst</b> 27:9 <b>wife</b> 10:4 12:17 13:10,11 38:18 <b>willing</b> 6:6 <b>win</b> 21:12 24:3,3 <b>witness</b> 7:3 <b>witnesses</b> 1:8 <b>won</b> 21:13</p>	<p><b>wonder</b> 20:2 <b>word</b> 5:17 <b>words</b> 12:4 15:8 22:13 33:7 39:3 45:23 <b>work</b> 3:8 22:17 25:24 33:3,7 39:1 41:15 45:17,25 <b>worked</b> 16:5,15 <b>working</b> 8:16 45:11 <b>world</b> 3:9 5:10 6:19,22 20:11 23:24 25:17 26:4 30:21 31:8,15,25 43:6 <b>world's</b> 45:6 <b>wouldn't</b> 3:10 18:25 28:21 33:15 38:19 <b>write</b> 30:14 <b>writing</b> 6:8 20:15 <b>written</b> 10:25 11:1,7,7 12:16 29:5 <b>wrong</b> 4:19 5:17 9:21 11:5 12:21 21:4 24:22 <b>wrote</b> 3:22 20:13</p> <hr/> <p style="text-align: center;"><b>X</b></p> <p><b>X</b> 28:5 36:7 48:2</p> <hr/> <p style="text-align: center;"><b>Y</b></p> <p><b>Y</b> 28:6 <b>yeah</b> 9:9 11:16 12:7 15:13,15 16:22 33:16 44:17,20 <b>years</b> 3:6 10:5 17:20 42:13 <b>York</b> 28:24</p> <hr/> <p style="text-align: center;"><b>0</b></p> <p><b>05557</b> 7:3</p> <hr/> <p style="text-align: center;"><b>1</b></p> <p><b>1</b> 27:7,18 48:3,5 <b>1(3)</b> 27:8 35:20 <b>10</b> 47:1 <b>11A</b> 32:9 <b>161</b> 20:24 <b>19</b> 7:2 <b>194</b> 22:1 <b>1992</b> 25:13 <b>1997</b> 25:12</p> <hr/> <p style="text-align: center;"><b>2</b></p> <p><b>2.00</b> 1:4 <b>2006</b> 7:7,22 <b>2007</b> 25:16</p>	<p><b>2009</b> 1:19 9:18 <b>2011</b> 10:19 <b>2012</b> 1:1 <b>23</b> 15:10,11 <b>24-hour</b> 25:20 <b>28</b> 1:1</p> <hr/> <p style="text-align: center;"><b>3</b></p> <p><b>3.12</b> 46:25 <b>30</b> 10:20 11:12 <b>30-odd</b> 38:18</p> <hr/> <p style="text-align: center;"><b>6</b></p> <p><b>620</b> 8:12</p>				
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