

<p>1 2 (2.00 pm) 3 MR JAY: Is there an addition you want to make to one small 4 aspect of this morning's evidence? 5 A. Yes, thank you, Mr Jay. There was one answer, I gave 6 rather a vague answer about this issue of social contact 7 between myself and my wife and Rebekah and Charlie 8 Brooks. Mrs Cameron keeps perhaps a better weekend 9 diary record than I do and she points out that we were 10 only in the constituency 23 weekends in 2008, 23 11 weekends in 2009 and I think 15 in 2010. And she 12 reckons we probably didn't see them more than on average 13 once every six weeks, so that is a better answer than 14 what I was able to give you earlier. 15 Q. According to her diary, that is? 16 A. Yes. Because in 2008 and 2009 we were basically doing 17 alternate weekends in London and in our house in the 18 constituency for all sorts of reasons, and so that -- 19 I couldn't recall that when you asked me the question, 20 but seeing that, I can then think once every six weeks, 21 you know, perhaps a little bit more, is probably about 22 right. 23 LORD JUSTICE LEVESON: The great value of wives, 24 Prime Minister. 25 A. Indeed.</p> <p style="text-align: center;">Page 1</p>	<p>1 sort of Coalition-friendly, so that may have been an 2 additional concern. 3 Q. Okay. Were similar concerns expressed to you directly 4 by anybody else, to the best of your recollection? 5 A. There were -- you know, some people did have concerns. 6 I can't remember exactly who and when, but as I said, 7 this was a controversial appointment. I've read in some 8 of these books about a number of people who have made 9 these points, but I don't recall many specifics, but 10 clearly some people did have concerns, yes. 11 Q. And were they concerns expressed from within your own 12 party? 13 A. I think there might have been one or two, I think there 14 might have been a specific MP, I think Andrew Tyrie. 15 That's not something I recall directly but something 16 that has been pointed out to me, but he may have 17 expressed concerns to me, but ... 18 Q. In terms of quantity, approximately how many people fall 19 into this group of expressing concerns to you? 20 A. I couldn't put a number on it, but not -- you know, 21 a handful of people, I think it would be. 22 Q. Did you have any private conversations with 23 Rupert Murdoch in 2008 and 2010 about this issue? 24 A. Not that I recall, no. I mean, I was very happy with 25 Andy Coulson's work, and I had been planning on the</p> <p style="text-align: center;">Page 3</p>
<p>1 MR JAY: May I move forward, please, in time, paragraph 235 2 of your statement, Mr Cameron. You're now in Downing 3 Street and there's a conversation with Mr Clegg. 4 A. Yes. 5 Q. About Mr Coulson. How strongly did he express his 6 concerns to you about Mr Coulson? 7 A. I do not remember it being particularly strong, but he 8 did raise the question and I'd worked with Andy Coulson 9 for a good period of time, I thought he would do the job 10 well, and had no hesitation in recommending him. That's 11 how I remember the conversation going. 12 Q. What was the basis if any for his concerns, at least as 13 he expressed them to you? 14 A. As far as I recall, it was just, you know, there has 15 been controversy about this; are you, you know, 16 convinced he's the right man for the job? 17 Q. Did he elaborate on the controversy or not? 18 A. I don't remember. I don't remember the conversation in 19 any great detail. I think it was just he wanted to 20 register the point. 21 Q. Was it part of a wider conversation about other matters 22 or was it a conversation devoted to this one issue? 23 A. I don't recall that. I think it was, I think, 24 a specific conversation. It may have been bound up in 25 us wanting to make sure that people were, as it were,</p> <p style="text-align: center;">Page 2</p>	<p>1 basis that if we won the election, he would come into 2 Number 10 Downing Street, and I don't recall any 3 conversations with Rupert Murdoch about it. 4 Q. You deal with the issue of security clearance and 5 vetting procedures at paragraph 240 of your statement, 6 page 04173 and following. There's also a letter which 7 is in the addendum bundle we've prepared for you under 8 tab 34. It's from the Cabinet Office. The letter from 9 the Cabinet Office is not very specific, but it says: 10 "... in respect of both Directors of Communication 11 and PMs' official spokesmen (6 postholders between 12 January 1996 and May 2010). Three previous holders of 13 the posts (civil servants) already had DV ..." 14 That's developed vetting? 15 A. Yes. 16 Q. "... granted by their previous department on taking up 17 their post ... Of the others, two (one special adviser 18 and one civil servant) had DV granted around 3 months 19 after taking up post and one (special adviser) had DV 20 granted just over 7 months after taking up post." 21 So Mr Coulson, of course, wasn't a civil servant, he 22 wasn't already DV'd, obviously, so he fell within the 23 special adviser category, so far as there is a category 24 here; is that right? 25 A. I think that's right. And I think what this letter</p> <p style="text-align: center;">Page 4</p>

<p>1 shows is that it wasn't in any way unique that he wasn't 2 immediately DV'd, and I've looked at this quite closely. 3 I mean, I wasn't involved -- the issue about who is 4 vetted to what level is an issue for the Civil Service, 5 not for the Prime Minister. The decision was taken 6 I think by the Permanent Secretary at Number 10, Jeremy 7 Heywood, not by me. 8 But having looked at all this, I'm absolutely 9 convinced this is a complete red herring. The decision 10 was made properly by the Civil Service. It wasn't 11 abnormal, as we find from this letter. A similar person 12 in a similar position from a similar background wasn't 13 DV'd immediately. And the reason why he then was DV'd 14 was a perfectly rational and sensible one, which is when 15 we had the East Midlands bomb plot, it was clear we 16 needed more people who were in the communications job, 17 specifically Andy, to have the highest level security 18 clearance so they could help us deal with these issues. 19 I know it's one of these things where people are 20 sort of looking for some abnormality. I think there is 21 none, and I think Gus O'Donnell gave a very clear 22 explanation of this when he came in front of the 23 Inquiry. 24 Q. I think we can short circuit it in these terms: in terms 25 of security clearance and developed vetting, that has</p> <p style="text-align: center;">Page 5</p>	<p>1 a statement was put out on his behalf by Number 10 2 Downing Street about this accusation. So that, I think, 3 is pretty clear. 4 Q. Although the accusation, which we can't go into in 5 detail for obvious reasons, related directly to him? 6 A. That's right, yes, but there was an instant and 7 immediate denial. 8 Q. You didn't return to him for any direct assurances, did 9 you? 10 A. I don't recall exactly the conversations that took 11 place. It was on the day I moved into Number 10 Downing 12 Street after the birth of our daughter, so that's the 13 memory I have from that day rather than anything around 14 this, but I'm absolutely clear he made an outright 15 denial and that was that. 16 Q. Were you aware that in September 2010 -- and this is 17 a question coming from another core participant -- DAC 18 John Yates had offered to brief you about the nature of 19 the Metropolitan Police Service response to the article 20 in the New York Times? 21 A. Yes. Ed Llewellyn made me -- my Chief of Staff, who 22 received this offer from John Yates, made me aware of it 23 as he was responding, and he responded, I think, quite 24 properly saying this would not be appropriate, and 25 I think John Yates has accepted that explanation in</p> <p style="text-align: center;">Page 7</p>
<p>1 nothing to do with you; it has everything to do with the 2 Civil Service? 3 A. Correct. 4 Q. And here the Permanent Secretary; is that correct? 5 A. Yes. 6 LORD JUSTICE LEVESON: And also there was nothing 7 inappropriate about somebody who had not undertaken or 8 undergone developed vetting from having occasional 9 access to top secret material. That's also clear from 10 the letter. 11 A. I think the letter is important. The lower level of 12 vetting, SC, and it says here: 13 "... allows long-term frequent access to secret 14 material or occasional/controlled access to top secret 15 material." 16 So again another thing that's been put around has 17 been, I think, dealt with by this. 18 LORD JUSTICE LEVESON: I'm grateful. I raised it with -- it 19 was raised with Lord O'Donnell and he offered to ensure 20 that we got the information. I'm grateful to have it. 21 MR JAY: The New York Times piece, 1 December 2010. Were 22 you made aware of it at the time or shortly thereafter? 23 A. I can't remember the exact sequence of events that day, 24 but yes, I was made aware of it, and I think the key 25 point is that Andy Coulson directly denied and</p> <p style="text-align: center;">Page 6</p>	<p>1 front of the Home Affairs Select Committee, so I think 2 that's pretty clear. 3 Q. But so we understand it, why was it not appropriate? 4 A. Well, I think because there was the potential of an 5 investigation following this allegation in the New York 6 Times article, I think in terms of just the perception 7 that there would have been -- if I was offered a special 8 briefing by the Metropolitan Police, I think that would 9 be inappropriate. 10 I'm sure the Metropolitan Police wouldn't have done 11 anything inappropriate, but it would have given the 12 appearance of at least being inappropriate, and so Ed 13 Llewellyn declined the request. John Yates said, and 14 I think the words are that that was understandable and 15 sensible, I think he said, and Gus O'Donnell, the 16 Cabinet Secretary, looked into this and he's judged that 17 Ed Llewellyn responded absolutely correctly to this. 18 Q. Did you have any further conversations with Mr Coulson 19 before his -- 20 A. I think, sorry, John Yates said: 21 "The offer was properly and understandably 22 rejected." 23 Those are the words that he used. So I think he 24 understood that while it can be appropriate to brief 25 ministers on operational issues, it wouldn't have been</p> <p style="text-align: center;">Page 8</p>

<p>1 on this occasion. Sorry.</p> <p>2 Q. Did you have any further conversations with Mr Coulson</p> <p>3 about these matters before his resignation or not?</p> <p>4 A. I had a number of conversations with him about his</p> <p>5 impending resignation and what followed from the</p> <p>6 New York Times article, which I know you've looked at,</p> <p>7 is the police then had an initial look to see if they</p> <p>8 should investigate again and said they shouldn't, then</p> <p>9 they had another look and again concluded that they</p> <p>10 shouldn't, and then the Crown Prosecution Service on</p> <p>11 10 December said they weren't going to take it any</p> <p>12 further. So again, these weren't just assurances</p> <p>13 accepted by me, as it were, there were others that took</p> <p>14 this view.</p> <p>15 Then, really, this was the start of the process</p> <p>16 whereby Andy Coulson was becoming clear that, as he put</p> <p>17 it, when the spokesman needs a spokesman, it's time to</p> <p>18 move on. He was finding his job was impossible to do</p> <p>19 because of all these stories and the rest of it, and</p> <p>20 obviously I had a number of discussions with him about</p> <p>21 his departure.</p> <p>22 Q. Mrs Brooks told us in evidence that she had</p> <p>23 a conversation with you about phone hacking, but not</p> <p>24 about Mr Coulson, in late 2010. Do you remember</p> <p>25 anything about that?</p> <p style="text-align: center;">Page 9</p>	<p>1 today, namely overcloseness between politicians and the</p> <p>2 press?</p> <p>3 A. It's difficult, that, because, to be fair to Parliament,</p> <p>4 it did hold an investigation. The Select Committee</p> <p>5 looked at this. But, for whatever reason, neither the</p> <p>6 Select Committee nor the police nor the Press Complaints</p> <p>7 Commission got to the bottom of it, and I think, you</p> <p>8 know, all of those organisations have to ask, well, why</p> <p>9 not?</p> <p>10 LORD JUSTICE LEVESON: It's probably right to say that the</p> <p>11 ball started to roll rather faster when the police and</p> <p>12 the CPS decided that they would, as it were, reopen the</p> <p>13 entire case and so Operation Weeting started.</p> <p>14 A. Yes.</p> <p>15 LORD JUSTICE LEVESON: That got the ball going.</p> <p>16 A. Yes.</p> <p>17 LORD JUSTICE LEVESON: It overcame the initial momentum. Of</p> <p>18 course, the revelations of July created the mushroom</p> <p>19 that it has become, I agree, but it's probably fair to</p> <p>20 say to the police that actually they had started before</p> <p>21 that revelation occurred.</p> <p>22 A. That is absolutely right, yes. That is a good point to</p> <p>23 make.</p> <p>24 MR JAY: Mr Cameron, may I move on to a separate matter,</p> <p>25 that's the whole issue of the B Sky B bid.</p> <p style="text-align: center;">Page 11</p>
<p>1 A. I don't really remember the specifics. I saw in her</p> <p>2 evidence that this was perhaps something to do with me</p> <p>3 asking a question about some of these civil cases and</p> <p>4 what was happening. I suspect it could have been that.</p> <p>5 This was an issue that was obviously being discussed.</p> <p>6 It was a controversial issue with all the civil cases</p> <p>7 and the rest of it, and I expect I could have asked some</p> <p>8 questions about that, but I don't recall the specifics.</p> <p>9 Q. Without dealing with specific individuals, we heard</p> <p>10 Mr Miliband say that the whole hacking saga was, I think</p> <p>11 in his words, a failure of the establishment. Is that</p> <p>12 a view which you share or not?</p> <p>13 A. I think it's -- there are lots of failures involved.</p> <p>14 There was the failure of the newspaper to prevent it in</p> <p>15 the first place. There was the failure of the police</p> <p>16 properly to investigate it. There was the failure of</p> <p>17 Select Committees and the like to get to the bottom of</p> <p>18 it. You know, I think there was a series of failures,</p> <p>19 and it took, if you like, a sort of more cataclysmic</p> <p>20 event, which was the appalling revelations about what</p> <p>21 happened to Milly Dowler's family before the whole thing</p> <p>22 really got opened up in the way that it should have</p> <p>23 done.</p> <p>24 Q. Do you see this saga as an illustration perhaps in</p> <p>25 microcosm of the issue we discussed much earlier on</p> <p style="text-align: center;">Page 10</p>	<p>1 A. Yes.</p> <p>2 Q. And we're now at paragraph 158, please, of your witness</p> <p>3 statement at page 04145.</p> <p>4 A. Yes.</p> <p>5 Q. Can I ask you, please, about your own personal attitude</p> <p>6 to the bid. Were you in favour of it or not?</p> <p>7 A. My view about this and about all these sorts of things</p> <p>8 is in a free market enterprise economy, you should allow</p> <p>9 mergers, takeovers, acquisitions to go ahead unless</p> <p>10 there is a public interest in them not going ahead, so</p> <p>11 I could quite understand why News Corporation would want</p> <p>12 to make this acquisition, but there are important</p> <p>13 processes that had to go through. Competition</p> <p>14 processes, plurality processes, and the rest of it, so</p> <p>15 that was my view. It was very important that that</p> <p>16 happened.</p> <p>17 Q. But from a policy perspective, were you broadly on side?</p> <p>18 Would that be a fair characterisation?</p> <p>19 A. Well, I wouldn't put it like that. As I say, I don't</p> <p>20 think you should stand in the way of sensible corporate</p> <p>21 moves unless there's a public interest against it. From</p> <p>22 a political point of view, as I think the Chancellor</p> <p>23 said, from a political, not a policy point of view, from</p> <p>24 a political point of view, this was a hot potato. We</p> <p>25 had half of the Conservative press against it and the</p> <p style="text-align: center;">Page 12</p>

<p>1 other half in favour, and whoever was going to</p> <p>2 adjudicate on this had a very, very difficult job to do.</p> <p>3 Q. From your media background, it was the sort of issue</p> <p>4 with which you'd be familiar. Were you of the school of</p> <p>5 thought: well, they already own 39.1 per cent. If it</p> <p>6 raises any issue, it's a competition issue, but it</p> <p>7 doesn't on the face of it raise a plurality issue?</p> <p>8 A. I think my sense was that the European Union had ruled</p> <p>9 that to all intents and purposes Sky was already</p> <p>10 controlled by News Corporation, and certainly from my</p> <p>11 experience at Carlton, when we were competing with Sky,</p> <p>12 you certainly felt that Sky was pretty much controlled</p> <p>13 by News Corporation.</p> <p>14 So that wasn't so much the issue, it was: what does</p> <p>15 this mean for media plurality? What does it mean for</p> <p>16 the provision of news? What does it mean for -- those</p> <p>17 considerations. It's very important they were properly</p> <p>18 gone into, and that in the end is what happened.</p> <p>19 Q. Do you recall having discussions with Mr Osborne about</p> <p>20 these matters?</p> <p>21 A. Well, obviously we discussed it on the day that</p> <p>22 Vince Cable's remarks were made public, and so there was</p> <p>23 a discussion of the -- what we were going to do as</p> <p>24 a government to deal with that.</p> <p>25 In terms of other discussions, I don't recall any,</p> <p style="text-align: center;">Page 13</p>	<p>1 not for ministers."</p> <p>2 That, of course, was right, although there were, of</p> <p>3 course, additional plurality issues.</p> <p>4 It's the memorandum of 19 November 2010 --</p> <p>5 LORD JUSTICE LEVESON: Just before you move on from that,</p> <p>6 I hadn't really spotted this, but it might be worth</p> <p>7 picking up. One of the things Mr Hunt says in this --</p> <p>8 it goes back to the issue about whether your view about</p> <p>9 the BBC changed in opposition to government:</p> <p>10 "Following a steer by Nick Clegg, I am sending out</p> <p>11 signals publicly and privately that our rhetoric will be</p> <p>12 more generous to the BBC than it was in opposition."</p> <p>13 That suggests that there had been discussion about</p> <p>14 that general topic, presumably as part of the Coalition</p> <p>15 discussions.</p> <p>16 A. Yes, I think that's probably correct, although what we</p> <p>17 actually achieved in government was quite a long-term</p> <p>18 licence fee freeze, and actually the rhetoric about BBC</p> <p>19 salaries, particularly the Director General's that has</p> <p>20 been very high, I think we've kept that up because</p> <p>21 I think that's important.</p> <p>22 I would say that the note, even if it is a sort</p> <p>23 of -- you know, it was a personal note to me, it's</p> <p>24 interesting that he says he "steered clear of</p> <p>25 commenting", "competition issue", "not for ministers".</p> <p style="text-align: center;">Page 15</p>
<p>1 but we discussed lots of things so I wouldn't be at all</p> <p>2 surprised if we hadn't talked about it in passing.</p> <p>3 Q. Are you sure in your mind that the date of the formal</p> <p>4 announcement of the bid, which we know to be 15 June</p> <p>5 2010, was the first you heard of it?</p> <p>6 A. That is my recollection. As I say in my witness</p> <p>7 statement, I can see there was some press speculation in</p> <p>8 advance of this, but I don't recall any discussions</p> <p>9 about it or any knowledge about it in advance.</p> <p>10 Q. As for the Culture Secretary, this is paragraph 176 of</p> <p>11 your statement, you say you don't remember any specific</p> <p>12 conversations with him, but are we to understand by that</p> <p>13 that it's possible that in general policy terms the</p> <p>14 merits of the bid might have been discussed with him?</p> <p>15 A. Well, I don't recall discussing it with him, but as I'm</p> <p>16 sure we'll come on to, he did send me some notes about</p> <p>17 it. But I don't recall specific conversations.</p> <p>18 Q. The notes you referred to, there's one of 18 June at</p> <p>19 paragraph 181 at the bottom of page 04151, and you've</p> <p>20 kindly set out the text of it on the next page, 04152.</p> <p>21 A. Yes. That's right.</p> <p>22 Q. It's not particularly revealing. He says:</p> <p>23 "I steered clear of commenting on News Corp's plans</p> <p>24 to buy out the 61 per cent of Sky they do not own on the</p> <p>25 grounds it was a competition issue for regulators and</p> <p style="text-align: center;">Page 14</p>	<p>1 He was demonstrating the difficulties and dangers of</p> <p>2 being a minister in dealing with this.</p> <p>3 MR JAY: At that stage, of course, the bid lay with Dr Cable</p> <p>4 and not with DCMS.</p> <p>5 A. Yes.</p> <p>6 Q. On 19 November 2010, that, of course, was still the</p> <p>7 state of affairs.</p> <p>8 A. Yes.</p> <p>9 Q. The private memorandum which he sent to you we've looked</p> <p>10 at very carefully already with two other witnesses.</p> <p>11 A. Yes.</p> <p>12 Q. Is it the position that it was received on your email</p> <p>13 system but you simply don't remember reading it, or</p> <p>14 what?</p> <p>15 A. No. It wasn't received on my email system. As I said,</p> <p>16 really, the notes I get all go into my box.</p> <p>17 The issue here is I don't particularly remember this</p> <p>18 note, and crucially, I didn't recall its existence on</p> <p>19 the day of 21 December when we were making this</p> <p>20 decision, and I say that frankly. Obviously if I had</p> <p>21 recalled it, I would have fed it into the system, as it</p> <p>22 were, but as I'm sure we'll come on to, it's pretty</p> <p>23 clear from the legal advice we have that that wouldn't</p> <p>24 have actually made any difference to the outcome.</p> <p>25 Q. Moving forward then to 21 December, we're going to look</p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

<p>1 at the events of that day in more detail in relation to 2 this note, but had you recalled the note, is it your 3 evidence, Mr Cameron, that you would have drawn it to 4 a lawyer's attention?</p> <p>5 A. Yes, because what happened on the day of the 21st was 6 obviously we were -- I was presented with a situation 7 I didn't want. I had the Business Secretary, who had 8 been recorded saying something that was, you know, not 9 acceptable in a quasi-judicial position, to say he 10 declared war on one of the participants in this deal, 11 and so I had a problem which I had to deal with, which 12 was: what do you do? And I had a relatively short 13 period of time in which to deal with this issue.</p> <p>14 As we went through the process of trying to work out 15 the correct answer, someone raised the issue of what 16 Jeremy Hunt had said publicly because of what 17 Vince Cable had said publicly and we went and checked 18 his public statements.</p> <p>19 Of course, at that moment if I'd recalled the 20 private note, we could have put the private note into 21 play as well, but my contention is that what's in the 22 private note is not very different to what he said 23 publicly. Indeed, what he said publicly is more 24 effusive. And I think it is noteworthy that we now have 25 this witness statement from Paul Jenkins, the government</p> <p style="text-align: center;">Page 17</p>	<p>1 he wasn't adjudicating bids, was to stand up for his 2 sector and reflect the views of his sector, and that's 3 exactly what he's doing in this note, but he's adding 4 into it:</p> <p>5 "It would be totally wrong for the government to get 6 involved in a competition issue which has to be decided 7 at arm's length."</p> <p>8 So even in this personal note, again he's making 9 clear an understanding of the limitations of what 10 a sponsoring department should do.</p> <p>11 Q. But he's also expressing keen support for the bid on 12 policy grounds, isn't he?</p> <p>13 A. Well, he's reflecting the views of a large British media 14 company. As I say, I think that that is part of the job 15 of the Culture, Media and Sport Department, is to speak 16 up for the BBC, to speak up for television production, 17 and the point about BSkyB, what are everyone's views 18 about it, it's a big British company, a large employer, 19 and part of the job of the Culture, Media and Sport 20 Secretary is to understand the players as it were in 21 that sector and to reflect and understand their views, 22 but I think he was doing it actually in a responsible 23 way, adding the point about it would be wrong for the 24 government to get involved in a competition issue.</p> <p>25 Q. I'm not saying it was inappropriate in a private note to</p> <p style="text-align: center;">Page 19</p>
<p>1 lawyer, who says very clearly:</p> <p>2 "I'm quite clear that my advice to Sir Gus would not 3 have been any different had I seen the note at the time. 4 Jeremy Hunt appears to have been providing his personal 5 opinion to the Prime Minister at a time when he had no 6 decision-making powers in respect of the bid."</p> <p>7 So I do think -- I know this has been an area of 8 great controversy, but my argument is that we reached 9 the decision to transfer that part of Vince Cable's 10 department to Jeremy Hunt, it was suggested by the 11 Permanent Secretary at Number 10 Downing Street, it was 12 recommended by the Cabinet Secretary, and it was cleared 13 by the legal advice received by the Cabinet Secretary 14 that's now been clarified even further.</p> <p>15 So I accept there is controversy, but I think the 16 backing of, as it were, two Permanent Secretaries and 17 a lawyer is quite a strong state of affairs.</p> <p>18 Q. We'll come back to the events of that day, but it may be 19 said the reason why you don't remember the note of 20 19 November is that it said nothing remarkable. In 21 other words, it said that which you knew anyway, which 22 was that Mr Hunt was in favour of the bid. Is that 23 a possible explanation?</p> <p>24 A. Not particularly, no. I think it's unremarkable in that 25 the job of the Culture, Media and Sport Secretary, when</p> <p style="text-align: center;">Page 18</p>	<p>1 you to express strong support for BSkyB, but that's what 2 he was doing, wasn't it?</p> <p>3 A. Yes. The note is there for everybody to see. He's 4 expressing his concern.</p> <p>5 Q. I think my point was simply, well, this would not 6 necessarily have resonated with you such that you 7 remember it because it's, after all, the sort of thing 8 which you knew anyway in relation to Mr Hunt. Is that 9 a fair observation?</p> <p>10 A. I don't know I did know, particularly, what 11 Jeremy Hunt's -- I discovered on 21 December what his 12 public views were, but this was not high up my list of 13 issues.</p> <p>14 Q. We can also see from the note that he was suggesting, 15 notwithstanding the penultimate sentence, "totally wrong 16 for the government to get involved in a competition 17 issue", he was suggesting a meeting between the four of 18 you to discuss the policy issues, wasn't he?</p> <p>19 A. That's true, but that meeting never took place, which 20 I think is important to note. But I don't think there's 21 anything inappropriate about the minister for 22 a department that covers the media trying to understand 23 and reflect the views of businesses in that sector and 24 some of the policy implications that flow from that.</p> <p>25 LORD JUSTICE LEVESON: It does raise a question, and I won't</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

1 take it out of order because I anticipate that Mr Jay
 2 might return to it, as to the desirability of putting
 3 a minister responsible for this type of decision in the
 4 position of Mr Hunt, who had his own views, who has
 5 developed his own policy, who would obviously have all
 6 sorts of extrinsic concerns and ideas, in the position
 7 of having to step outside all of that, and that raises
 8 a question.

9 **A. It does. I think the difficulty -- I mean, of course**
 10 **all of this was a set of circumstances I didn't want to**
 11 **come about. I was very happy with Vince Cable**
 12 **adjudicating on this decision. That became literally**
 13 **impossible, with what he had said, and so we had to make**
 14 **a decision and we had to decide, well, what is the best**
 15 **answer to that? And the answer reached on, you know,**
 16 **the advice of Permanent Secretaries and the rest, was**
 17 **transferring that part of Vince Cable's department to**
 18 **Jeremy Hunt was a sensible thing to do.**

19 **I don't think it's the case that you can't -- if you**
 20 **take planning, for instance, you are probably more**
 21 **expert in it than I am, but the Secretary of State for**
 22 **Communities and Local Government, who has some pretty**
 23 **strong views about planning, nonetheless has to step**
 24 **outside his views about planning in general and**
 25 **adjudicate sometimes on issues in particular, and**

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1 **that's, I think, what Jeremy Hunt was being asked to do.**

2 LORD JUSTICE LEVESON: I understand that, but the point is
 3 slightly different where it concerns the media, because
 4 you might have a planning policy and then be able to
 5 make a perfectly sensible judicial decision -- I'm not
 6 sure in this context there's a difference between quasi
 7 and judicial -- without difficulty. Of course, if it's
 8 in your constituency and you're going to be involved,
 9 then you would recuse yourself and somebody else would
 10 do it.

11 **A. That's right.**

12 LORD JUSTICE LEVESON: But the point is that everybody, and
 13 it's abundantly clear from all the politicians who have
 14 given evidence, has very strong views indeed --

15 **A. Yes.**

16 LORD JUSTICE LEVESON: -- about the --

17 **A. About -- I mean, I've made the point in the past, it's**
 18 **a bit like asking football fans about Manchester United.**
 19 **Everybody has a view, and that is a difficulty.**

20 LORD JUSTICE LEVESON: And that's the concern. I raised
 21 yesterday the question: was this just one-off? And
 22 I was told: well, it shouldn't be assumed that it was
 23 one-off because there will be situations, and therefore,
 24 given the terms of reference, which I have no apology
 25 for or blaming you, it is something that I have to think

Page 22

1 about.

2 **A. Yes.**

3 LORD JUSTICE LEVESON: Mr Jay, you'll deal with it in your
 4 own time, but --

5 **A. There may be a case for taking politicians -- and**
 6 **I mention this in my evidence -- taking politicians out**
 7 **of these decisions altogether, and you've had evidence**
 8 **both ways, I think, on that.**

9 LORD JUSTICE LEVESON: Correct.

10 **A. My point here is that what I decided to do was**
 11 **a perfectly sensible, straightforward and rational thing**
 12 **to do, given the circumstances, and I did it on the**
 13 **advice, as I say, of the Permanent Secretary at**
 14 **Number 10, the agreement of the Cabinet Secretary, with**
 15 **the legal backing of the Cabinet Secretary's lawyer. So**
 16 **I think it was a perfectly rational decision.**

17 LORD JUSTICE LEVESON: My question wasn't directed to that
 18 at all.

19 **A. Sorry, sorry. I'm banging on.**

20 MR JAY: We can see Mr Hunt's overall view from the minute.
 21 It's a topic, isn't it, like Marmite or Manchester
 22 United, where everybody has a view one way or the other,
 23 isn't it?

24 **A. Largely speaking, I think that's probably right.**

25 Q. You say Mr Cameron, going back to the chronology,

Page 23

1 paragraph 160 of your statement, page 04146, you're
 2 confident that you had no inappropriate conversations on
 3 this subject, including with Rebekah Brooks and/or
 4 James Murdoch, in November or December 2010. Can we
 5 start off by taking away the adjective "inappropriate"
 6 and just say whether there were any conversations at all
 7 on this subject?

8 **A. As I say here, I can't remember every conversation I've**
 9 **ever had, but the point I'm making here is that partly**
 10 **because I knew this was controversial, I had -- I wasn't**
 11 **involved in making the decision anyway, but I'd gone**
 12 **even further than that, and I put it here, I'd recused**
 13 **myself from the decision altogether. I even said that**
 14 **I didn't want to know when particular decisions were**
 15 **going to be made, and that was proved. One morning**
 16 **I woke up and heard on the radio the next stage of the**
 17 **decision, I can't remember if it was undertakings or**
 18 **whatever, and so I was completely out of the**
 19 **decision-making.**

20 **I can't remember every conversation I've ever had**
 21 **with everybody, nobody can, but I am clear about this**
 22 **conversation I had with James Murdoch on 23 December.**

23 Q. And the gist of that conversation was what, to the best
 24 of your recollection?

25 **A. Well, the gist was, as I explained, what Vince Cable had**

Page 24

<p>1 said, albeit privately but made publicly, was very 2 embarrassing for the government, and I wanted to make 3 clear, I think appropriately, that this shouldn't have 4 happened, that it was wrong, and that this issue would 5 now be dealt with entirely properly, and I thought that 6 was quite an important point to make.</p> <p>7 Q. One of our core participants, admittedly rather late, 8 wants me to put this question. If you're able to deal 9 with it, fine. If not, we'll find another way. The 10 question is this: why did Downing Street repeatedly 11 decline to confirm the fact of this encounter, namely 12 supper on 23 December 2010?</p> <p>13 A. I think what would have happened here is that before we 14 became totally transparent about all these meetings, if 15 Downing Street press office was asked about any social 16 engagement or private engagement they wouldn't normally 17 answer those questions, and I think that's what happened 18 on this occasion. So they said, "We don't comment on 19 the Prime Minister's private or social engagements".</p> <p>20 I think the issue was pressed and in the end, 21 I can't remember if it was me or someone else, 22 suggested, "Come on, there's nothing to hide here, just 23 answer the question", but we're now in a different world 24 where all these sorts of meetings would be declared in 25 the normal way, but at that stage we weren't routinely</p> <p style="text-align: center;">Page 25</p>	<p>1 have come out about what Vince Cable said", and, you 2 know, it was quite an important moment, because these 3 were -- you know, these were important and significant 4 remarks.</p> <p>5 Q. So if we can focus on the highlights, really, of what 6 happened over the following few hours. We know from 7 paragraph 161 of your statement that you had a meeting 8 with Dr Cable. Mr Clegg told us that this was after his 9 meeting with Dr Cable, which would obviously be 10 appropriate. Is there anything material which arises 11 out of that meeting?</p> <p>12 A. I think what happened -- 3 o'clock, the press conference 13 concluded. The news then hit the wires. I then had 14 a series of meetings with the Deputy Prime Minister, 15 with my Chief of Staff, with other members of staff, 16 including the Permanent Secretary at Number 10 Downing 17 Street, Jeremy Heywood, and we had a series of 18 conversations about what are we going to do about this, 19 because obviously Vince Cable could not continue 20 adjudicating this bid.</p> <p>21 But there was a broader question of the damage this 22 would do to the government, to our reputation of dealing 23 fairly with business and all the rest of it. So there's 24 a conversation involving all of these people and then 25 also involving the Chancellor, who, as he said, would</p> <p style="text-align: center;">Page 27</p>
<p>1 giving out private and social engagements.</p> <p>2 Q. On Boxing Day, I think there was a picnic or something 3 similar. Everybody wants to know about that as well, 4 but only insofar as it's relevant to our Inquiry. So 5 was there a conversation about the BSKyB bid on that 6 day?</p> <p>7 A. No, I don't think there was. My memory is that Boxing 8 Day was actually Charlie Brooks' sister's house, there 9 was a party, I think Rebekah was there briefly. I don't 10 think there was -- certainly I don't think there was 11 a conversation about BSKyB. I'm not even sure there was 12 much of a conversation at all, but that's my 13 recollection.</p> <p>14 Q. Okay. So we wind the tape back just a little bit to 15 21 December.</p> <p>16 A. Yes.</p> <p>17 Q. We heard from Mr Clegg yesterday that there was a joint 18 press conference at Downing Street, Mr Cameron, and it 19 was leaving the margins of that conference that you 20 learned of Dr Cable's remarks through one of Mr Peston's 21 blogs or something similar, is that your recollection?</p> <p>22 A. That is absolutely my recollection. I remember walking 23 down the stairs from the first floor of Downing Street 24 and we'd just done this press conference and someone 25 telling me, "Look, you have to see these remarks that</p> <p style="text-align: center;">Page 26</p>	<p>1 have been coming over to the 4 o'clock meeting at 2 Number 10 about what steps to take, and there was 3 a pretty wide-ranging debate; Jeremy Heywood, I think it 4 was, who made the suggestion about moving the part of 5 the department across to Jeremy Hunt, and that, 6 I thought, was the neatest and most straightforward way 7 of dealing with this issue.</p> <p>8 Q. Was he the originator of that idea, to the best of your 9 recollection?</p> <p>10 A. To the best of my recollection yes, that is my memory.</p> <p>11 Q. It wasn't a politician, was it, who came up with the 12 idea?</p> <p>13 A. No.</p> <p>14 Q. It was a civil servant?</p> <p>15 A. No, it was a civil servant.</p> <p>16 Q. Did that idea immediately attract you?</p> <p>17 A. I thought it was attractive because, as I say, I was 18 facing a difficult situation. Vince Cable was an 19 extremely good Business Secretary, very leading member 20 of the Liberal Democrats. We're in a Coalition. I want 21 the government to be coherent and to work well together. 22 He's the second-most sort of important and significant 23 Liberal Democrat. I didn't want to lose him as 24 a colleague. But I had a problem, and so I was 25 a Prime Minister in search of a solution, and this</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 seemed to me a relatively neat and straightforward</p> <p>2 solution.</p> <p>3 As I say, I think we did consider the issues around</p> <p>4 it.</p> <p>5 Q. According to a text message which we've seen from</p> <p>6 Mr Osborne, the solution, as he put it, had been</p> <p>7 alighted on by 16.58 that afternoon, so subject, of</p> <p>8 course, to legal advice, which we'll come to, it appears</p> <p>9 as if the decision was made rather quickly. What was</p> <p>10 the reason for the haste?</p> <p>11 A. I read this in some of the evidence that was -- or</p> <p>12 perhaps it was your line of questioning. The haste was</p> <p>13 that it was 3 o'clock in the afternoon, the Business</p> <p>14 Secretary had said something that couldn't stand, this</p> <p>15 was a major problem for the government, and in this</p> <p>16 24-hour news environment in which we live, you cannot</p> <p>17 just spend hours or half days working out what you're</p> <p>18 going to do next. You need to come up relatively</p> <p>19 rapidly, not overly hastily, but relatively rapidly,</p> <p>20 with a good answer. And we took a good two hours,</p> <p>21 I think, in discussing the issue, and then I met with</p> <p>22 Vince Cable and we made the announcement.</p> <p>23 But I don't think it was particularly rushed.</p> <p>24 I think we had to make a decision relatively rapidly.</p> <p>25 This was a very important issue and our reputation for</p> <p style="text-align: center;">Page 29</p>	<p>1 expressed before the decision. But I will check that.</p> <p>2 I definitely asked the Cabinet Secretary's view, and my</p> <p>3 memory is that he sought legal advice. But we now have</p> <p>4 even more legal advice, as it were, which is this</p> <p>5 witness statement from Paul Jenkins.</p> <p>6 Q. We get some sense of when the legal advice started to be</p> <p>7 obtained from tab 52, Mr Cameron, which is page 08108 in</p> <p>8 these files. It's an email from the legal director at</p> <p>9 DCMS timed at 17.24 on 21 December. It was then</p> <p>10 forwarded to your Chief of Staff at 17.30, which of</p> <p>11 course is after the time of Mr Osborne's text. It's</p> <p>12 pretty clear looking at it that this is Mr Hunt's public</p> <p>13 statement, which is recorded in the Financial Times</p> <p>14 interview. Do you see that?</p> <p>15 A. Yes. I do see that. But looking again at the timesheet</p> <p>16 of the day, I had a meeting, five to 5, with the Cabinet</p> <p>17 Secretary and I think it was at that point he said that</p> <p>18 he thought this was a good solution, but he wanted to</p> <p>19 seek rapid legal advice. I think he then did that, and</p> <p>20 of course the announcement was then made at 17.45, at</p> <p>21 5.45 pm. So my recollection was there was time for him</p> <p>22 to look at the legal advice, but as I say, I think this</p> <p>23 is all slightly academic, as we now have a much fuller</p> <p>24 position of the government's legal advice.</p> <p>25 Q. Although, if you look at Mr Jenkins' advice -- he of</p> <p style="text-align: center;">Page 31</p>
<p>1 competence, for not dithering and for dealing fairly</p> <p>2 with business was at risk.</p> <p>3 Q. In a bygone age, perhaps, this sort of decision would</p> <p>4 have been made in a more reflective manner, perhaps by</p> <p>5 the following morning or the following afternoon, but</p> <p>6 almost we're the victim of the relationship between</p> <p>7 media and politicians, 24/7 hour news cycle, you're</p> <p>8 forced to jump in the deep end with this sort of</p> <p>9 decision I'm not saying instantaneously but within</p> <p>10 a couple of hours in an area which is, on anybody's</p> <p>11 view, sensitive. Is that a fair observation?</p> <p>12 A. I think that is a fair observation, but, you know, I can</p> <p>13 perhaps give you examples where governments have been</p> <p>14 slow to take important decisions like this where it</p> <p>15 really affects the wider reputation of the government.</p> <p>16 Q. The legal advice, I think, was sought after the</p> <p>17 "solution" which Mr Osborne referred to had been decided</p> <p>18 on. Is that right?</p> <p>19 A. That's not my understanding in that my understanding, my</p> <p>20 recollection is that we were having this discussion, the</p> <p>21 solution was suggested, I was attracted to the solution.</p> <p>22 Because Vince Cable had got into trouble by what had</p> <p>23 been reported publicly, someone -- I can't remember</p> <p>24 who -- said we must check the public statements of</p> <p>25 Jeremy Hunt. That took place and there was a legal view</p> <p style="text-align: center;">Page 30</p>	<p>1 course is the Treasury Solicitor himself -- paragraph 5,</p> <p>2 he tells us he was on annual leave on 21 December but he</p> <p>3 was frequently called on to provide advice and</p> <p>4 assistance when on leave. His telephone records showed</p> <p>5 and he recollects that he was in contact by telephone</p> <p>6 from approximately 4.30 pm to 5.30 pm from a number of</p> <p>7 senior officials, including Sir Gus.</p> <p>8 So the advice he was giving was, it might be said,</p> <p>9 a little bit on the hoof, on holiday and in a rush.</p> <p>10 Isn't that fair?</p> <p>11 A. I am not sure that is particularly fair. I think he</p> <p>12 says -- and we now have this evidence from Paul Jenkins,</p> <p>13 and he says:</p> <p>14 "My telephone records show and I recollect I was in</p> <p>15 contact by telephone from approximately 4.30 to 5.30</p> <p>16 with a number of senior officials including Sir Gus</p> <p>17 dealing with the issues arising from the publication of</p> <p>18 Dr Cable's comments."</p> <p>19 He then goes on, paragraph 9:</p> <p>20 "I was provided with the gist of the comments made</p> <p>21 by Jeremy Hunt by Sir Gus over the telephone. And for</p> <p>22 the reason subsequently stated by Sir Gus's note to the</p> <p>23 Prime Minister of 22 December I advised that the</p> <p>24 comments that I was made aware of did not in my view</p> <p>25 constitute a legal impediment to Jeremy Hunt discharging</p> <p style="text-align: center;">Page 32</p>

8 (Pages 29 to 32)

<p>1 the Enterprise Act 2000 functions in relation to the bid 2 in a proper manner."</p> <p>3 So that would support what I'm saying, which is 4 I met with Gus O'Donnell, the Cabinet Secretary. He 5 said he thought this was a good solution, to transfer 6 the responsibilities of that part of the department to 7 Jeremy Hunt. At his suggestion, legal advice was 8 sought. The legal advice was sought, albeit by 9 telephone, but to one of the government's senior legal 10 advisers. That legal advice was played back, which is 11 to say that it was perfectly acceptable for Jeremy Hunt 12 to carry out this role, and it's now been confirmed in 13 a long piece of legal advice that everybody can now see.</p> <p>14 So it seems to me, yes, we had to make the decision 15 relatively rapidly, for the reasons we've discussed, but 16 it was not some rushed, botched political decision. It 17 was a suggestion by one senior official, confirmed by 18 the most senior official in the land, and backed by that 19 senior official as legal advice.</p> <p>20 Q. But to be clear, Mr Cameron, the long piece of legal 21 advice is Mr Jenkins' witness statement, which isn't his 22 legal advice itself. The only legal advice he gave was 23 orally by telephone on the day, and it related only to 24 the piece in the Financial Times, didn't it?</p> <p>25 A. Well, it was related to, as I understand it, the public Page 33</p>	<p>1 that Sir Gus later wrote, and nothing that's happened or 2 nothing that thereafter has happened, so it seems from 3 this statement, caused Mr Jenkins to change his mind.</p> <p>4 A. I suppose I would make the additional point -- I don't 5 know whether it helps -- that if anyone had told me that 6 Jeremy Hunt couldn't do the job, I wouldn't have given 7 him the job.</p> <p>8 MR JAY: We don't have Mr Jenkins' view on the text message 9 which Mr Hunt sent to Mr Murdoch about "congratulations 10 Brussels, only Ofcom to go", or words to that effect, 11 but there we are.</p> <p>12 Paragraph 170 of your witness statement --</p> <p>13 LORD JUSTICE LEVESON: Mr Jay, can I just ask, is 14 Mr Jenkins' statement yet on the system?</p> <p>15 MR JAY: I believe it is, yes.</p> <p>16 A. I think it's on our screens now.</p> <p>17 LORD JUSTICE LEVESON: Yes. No, no, no, I can see it, but 18 by "the system" I want to make sure that it's in the 19 public domain, because it wouldn't normally be in the 20 public domain until it was either formally read into the 21 record -- but I now identify that it should go into the 22 public domain so that everybody can see the whole 23 context in which Mr Jenkins has spoken.</p> <p>24 MR JAY: I just wanted to make one point, Mr Cameron, on 25 paragraph 170 of your witness statement, which is Page 35</p>
<p>1 statements of Jeremy Hunt. The point is, I would argue, 2 that Paul Jenkins has now had time to think about the 3 legal advice he was asked for, the public statements of 4 Jeremy Hunt that were made, and he's now been able to 5 compare them with the points in the note to me of 6 19 November, and he is very clear that, as he says:</p> <p>7 "I have reviewed the relevant sections of this note 8 as set out at paragraph 182 of the Prime Minister's 9 witness statement, and to the extent it may assist, 10 I will comment on whether my advice would have been 11 different had I known about it."</p> <p>12 Then he says:</p> <p>13 "I am quite clear my advice to Sir Gus would not 14 have been any different had I seen the note at the 15 time."</p> <p>16 Q. Yes, that's his retrospective view of what his advice 17 would have been, but --</p> <p>18 A. It is, but he is the government's legal adviser.</p> <p>19 LORD JUSTICE LEVESON: You're entitled to make the point, 20 Prime Minister, that actually two very senior civil 21 servants had taken a view. They'd gone to the Treasury 22 solicitor, who is the most senior lawyer in the 23 government, and he'd expressed a view, and that was 24 subsequently reduced into writing. I'm not talking 25 about the statement, I'm talking about in the memorandum Page 34</p>	<p>1 page 04149, where you said four lines down: 2 "The key point was not whether Jeremy Hunt had 3 expressed a personal opinion about the bid privately or 4 publicly in the past, but rather how he would conduct 5 himself in the future." 6 That, on my understanding, was not in fact the 7 advice of Mr Jenkins or indeed the advice we see from 8 Lord O'Donnell on 22 December. The point was: had he 9 expressed an opinion which disclosed actual or apparent 10 bias; do you follow that?</p> <p>11 A. I do, but obviously what I'm putting in my evidence is 12 what the Cabinet Secretary's advice was, and that key 13 point was, I believe, a point that he made.</p> <p>14 I would -- I mean, perhaps it's not directly 15 relevant to this question. I would argue, backed up by 16 what the Deputy Prime Minister said yesterday, that when 17 you look at how Jeremy Hunt did handle the BSkyB merger, 18 that he did deal with it properly, by taking independent 19 advice and publishing independent advice at every 20 important juncture.</p> <p>21 Q. But Lord O'Donnell's advice, or rather a reflection of 22 legal advice which he received on 22 December under 23 tab 25 of the addendum bundle, was: 24 "Having taken advice from lawyers, I am satisfied 25 that no previous comments by Mr Hunt of which we are Page 36</p>

<p>1 aware constitute a pre-judgment of the case in question 2 or thereby disqualify him from taking the statutory 3 decision in that case." 4 So the issue was looking at what had he said which 5 might disqualify him, not how might he conduct himself 6 in the future. Would you agree with that? 7 A. I would agree with that, but, as I say, my paragraph 170 8 was written based on what the Cabinet Secretary said, 9 but I'm also very happy with what the Cabinet Secretary 10 says, as you say, in tab 25. 11 I think perhaps -- well, I'm happy with either 12 version. 13 Q. Would you agree that if we go forward in time now to 14 July 2011, when everything of course blew up, that for 15 political reasons you were very keen to derail the BSKyB 16 bid to avoid an adverse Commons vote on it? 17 A. I wouldn't quite put it like that. I mean, the point 18 was, with all that was emerging in terms of the dreadful 19 news about the hacking of Milly Dowler's phone, that the 20 public was rightly very angry about what had happened, 21 and while there was, quite rightly, a quasi-judicial 22 procedure taking place, there was a broader issue of the 23 views of the House of Commons, the views of the country, 24 and the need to reflect those. And this obviously was 25 difficult.</p> <p style="text-align: center;">Page 37</p>	<p>1 any lessons to be learned for politicians. 2 First of all, would you agree with Mr Miliband's 3 view that the events of July of last year were 4 liberating, to use his word, in the sense that, 5 I paraphrase, Mr Murdoch's power had already been 6 substantially weakened? 7 A. I think I'd put it in a slightly different way, that 8 I think because of all the issues that it has raised, in 9 terms of press conduct and police conduct and the 10 relationship between politicians and the media, that 11 some of the distance and better processes that are 12 required are already being put in place. Now, as 13 I think Lord Justice Leveson has said, that's not enough 14 just to say, well, lessons are being learnt as we go 15 along, we need to do better than that, but it's a start. 16 Q. I think what he might have meant, that whereas before 17 some politicians were operating under a self-imposed 18 constraint, that they weren't prepared to speak out 19 against News International, the chains have come off and 20 now everybody feels that they can. I may be putting 21 words in his mouth. I may accurately have caught the 22 sentiment he was wishes to impart. If I have caught it 23 accurately, would you agree with that? 24 A. I would just put it my own way of saying that the debate 25 that needs to take place about how we regulate the</p> <p style="text-align: center;">Page 39</p>
<p>1 I've looked back over the statements I made and what 2 I tried to do -- I was in Afghanistan when the story 3 about Milly Dowler's phone being hacked broke. Both 4 what I said then and what I said when I returned to the 5 House of Commons was to try and say: look, we have to 6 follow these processes and procedures that are set out, 7 but I think the way I put it was: if I was running this 8 company, I wouldn't be considering a corporate move. 9 I would be cleaning up the mess that there is. 10 I thought that was just about consistent with there 11 being a quasi-judicial process, but the House of Commons 12 can vote on these issues, and rightly so. You shouldn't 13 try and fetter that, in my view. 14 Q. Mr Hunt, of course, was still acting quasi-judicially. 15 In a funny sort of way, probably everybody was trying to 16 move towards a position where the wheels would fall off 17 the bid for political reasons. Is that not fair? 18 A. As I say, I think -- and there are emails that show 19 this -- I think everyone was asking the question: what 20 are the options that exist that are consistent with 21 maintaining the proper procedures and legal processes? 22 I think that's a perfectly reasonable question to 23 ask. 24 Q. Okay. May I move off BSKyB to the fourth section of 25 your evidence now, Mr Cameron, and this is the area of</p> <p style="text-align: center;">Page 38</p>	<p>1 press, including News International and all those 2 titles, that is now properly being had. 3 Q. The transparency, which everybody agrees is a key 4 principle, I think it's clear from your evidence earlier 5 that you believe it's necessary but not sufficient, but 6 can we be clear now, please, Mr Cameron what else we 7 would add to the mix to create a sufficient situation? 8 A. I think there are really two areas here. One is we need 9 to get right the regulatory structure. I think the 10 current self-regulatory structure hasn't delivered. 11 When you re-read the press code, it's a great document. 12 It's many of the things we'd want to see. But it just 13 hasn't delivered, so we need to find a way, and I know 14 you're spending a huge amount of time on this, to 15 deliver the sorts of things that are actually in the 16 press code but aren't delivered today. 17 That seems to be one part, and the second part is, 18 I think I was talking about this earlier, is in terms of 19 how governments deal with quasi-judicial processes, the 20 role of special advisers, the contacts that we have with 21 the press when commercial issues are raised, I think 22 there's a set of things that we can do to improve the 23 handling of those issues. 24 So I think those are the two areas I would identify. 25 Q. I have down three. The quasi-judicial --</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

1 **A. Well, one is about the regulatory system, that's**
 2 **obviously the big question: what's the future for**
 3 **self-regulation, how do we make sure it's independent,**
 4 **how does it work, how do we make it robust, how do we**
 5 **make it compulsory, how can we make sure there are**
 6 **proper penalties and the public have confidence in it?**
 7 **All consistent with the free, vibrant, rigorous,**
 8 **challenging press we want to see in our country. That's**
 9 **set of issues number one.**

10 **I think set of issues number two is about some of**
 11 **the processes and procedures where, you know, for**
 12 **instance, the Ministerial Code doesn't really mention**
 13 **quasi-judicial procedures. Well, it needs to. We need**
 14 **to improve that. And I think there's a set of**
 15 **procedural changes, as it were, on special advisers, on**
 16 **quasi-judicial procedures and the like, where we can**
 17 **make some improvements in the procedures we have.**

18 **So, sort of, if you like, two sets of issues, but**
 19 **with some subsets.**

20 **Q. But we're really on the second set of issues, which I am**
 21 **putting under the heading of lessons to be learned for**
 22 **politicians, and we'll come back to the first set of**
 23 **issues in the fifth section of your evidence.**

24 **As regards the quasi-judicial process aspect of**
 25 **this, you mentioned possible changes to the Ministerial**

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1 Code. Has any thought been given to that already?

2 **A. Yes. The first thing is that on my asking the Cabinet**
 3 **Secretary has written round to departments to remind**
 4 **them of some of the salient points, but as I say, my**
 5 **understanding is it's not properly dealt with in the**
 6 **Ministerial Code and perhaps we can write to the Inquiry**
 7 **with some suggestions. I want to consult about that to**
 8 **try and make sure we get it right.**

9 **And I think also the role of special advisers in**
 10 **quasi-judicial proceedings, I think we need to get that**
 11 **right, too.**

12 **Q. So what are the weaknesses, the flaws, which may have**
 13 **been detected already regarding the role of special**
 14 **advisers in the quasi-judicial process?**

15 **A. I think there needs to be adequate training so that**
 16 **people are properly prepared for what these decisions do**
 17 **and don't involve, and that, I think, is the main**
 18 **improvement we could make.**

19 **I think that both applies to make sure that**
 20 **ministers, who may have these decisions to make in their**
 21 **departments, have proper briefing about them, and also**
 22 **special advisers as well.**

23 **Q. And what about adequate supervision of special advisers**
 24 **when they are acting on behalf of their minister in**
 25 **a quasi-judicial process?**

Page 42

1 **A. I think that is important. I think that in terms of the**
 2 **management of special advisers, as I've said, we've made**
 3 **some steps forward already by making sure that special**
 4 **advisers are clear under the code they work for the**
 5 **whole government, not just a minister. We're also**
 6 **looking at the better management of special advisers,**
 7 **both centrally through my Chief of Staff and Number 10**
 8 **Downing Street, but also making sure they are properly**
 9 **and adequately managed by the minister and by -- with**
 10 **the advice of the Permanent Secretary. So I think**
 11 **there's some improvements we can make there.**

12 **Q. Responsibility for the discipline of special advisers**
 13 **resides with the minister and with no-one else --**

14 **A. Ultimately it resides with me. They all in the end are**
 15 **there at my appointment.**

16 **Q. Certainly, but I think the relevant special advisers'**
 17 **code places the responsibility with the minister.**
 18 **Theoretically, yes, with you, but obviously you're not**
 19 **going to supervise all these people --**

20 **A. No.**

21 **Q. -- on a day-to-day basis. Has not an issue arisen, if**
 22 **I can put it in that way, in regard to the supervision**
 23 **of special advisers acting where there is an underlying**
 24 **quasi-judicial process?**

25 **A. Yes. I think there has. I think in this specific**

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1 **case -- you've heard all the evidence, I've looked at**
 2 **all the evidence. As I see it, the Permanent Secretary**
 3 **was aware and content with the role the special adviser**
 4 **was playing, but in the event, the special adviser --**
 5 **the level of contact and the extent of contact was**
 6 **inappropriate, and that's why he resigned. So I think**
 7 **there are lessons to learn from that.**

8 **LORD JUSTICE LEVESON: There's a question, I ought to**
 9 **actually say generally about this whole -- from now on,**
 10 **as Mr Jay discusses these issues and the later issues,**
 11 **I'm very conscious that it might be thought by some to**
 12 **be a bit rich for you to have asked me to make**
 13 **recommendations and then for me to ask you what the**
 14 **answer is. And I recognise that dilemma. But that's**
 15 **not to say, provided you're content, that you shouldn't**
 16 **feel able to identify areas that concern you, solutions**
 17 **that could likely be sketched out. I'm not trying to**
 18 **create --**

19 **A. Yes.**

20 **LORD JUSTICE LEVESON: -- a difference between the ultimate**
 21 **view you take and the recommendations I make. I have no**
 22 **doubt my recommendations will be better informed with --**
 23 **a word we've used a great deal in the last few months --**
 24 **appropriate input. I'm not trying to ask you to**
 25 **straitjacket me, and I'm certainly not going to try and**

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<p>1 do the same.</p> <p>2 A. I understand that. What I'd like to do is I've made</p> <p>3 a number of suggestions on the interaction between</p> <p>4 politicians and the media, which we discussed earlier,</p> <p>5 on how we make sure there's adequate training on</p> <p>6 quasi-judicial proceedings and how we make sure that</p> <p>7 special advisers are properly briefed and prepared for</p> <p>8 their role.</p> <p>9 What I'd like to do is consult with Sir Alex Allan,</p> <p>10 my adviser on the Ministerial Code, on those, and then</p> <p>11 perhaps write to you with some sort of combined advice</p> <p>12 from the Cabinet Secretary, my Permanent Secretary at</p> <p>13 Number 10 and Sir Alex Allan about -- I think they're</p> <p>14 not enormous changes because I think some of this is, as</p> <p>15 we talked earlier, is about culture and the rest of it.</p> <p>16 But if there are specific alterations we can make, we</p> <p>17 should make them.</p> <p>18 LORD JUSTICE LEVESON: I'm very content to adopt whichever</p> <p>19 procedure you find is most likely to help me, but I want</p> <p>20 to make the general point, there's a specific point in</p> <p>21 relation to special advisers which I'll share with you,</p> <p>22 and that is a slight concern that these comparatively</p> <p>23 young men and women, obviously highly intelligent,</p> <p>24 devoted to the work they're doing, abundantly clear --</p> <p>25 I have seen Mr Smith -- unlike civil servants of an</p> <p style="text-align: center;">Page 45</p>	<p>1 adviser to do on a political front that you wouldn't</p> <p>2 want to ask permanent officials because you might be</p> <p>3 compromising their impartiality, so I'd hate it if out</p> <p>4 of all of this we killed off the idea of good special</p> <p>5 advisers helping their minister and helping to keep the</p> <p>6 separation of politics and -- sorry, it's rather a long</p> <p>7 answer but it's an important point.</p> <p>8 LORD JUSTICE LEVESON: No, I take the point entirely,</p> <p>9 because what you've done is to identify why there is</p> <p>10 a difference, why there are special advisers and there</p> <p>11 are civil servants. They do different things. And I'm</p> <p>12 not saying that the sort of assistance or monitoring or</p> <p>13 mentoring that I'm suggesting should necessarily come</p> <p>14 from civil servants. It may be that the party from</p> <p>15 which they came has to think about whether it has some</p> <p>16 role in providing some support for these bright people</p> <p>17 who want to do the right thing, who obviously they have</p> <p>18 very, very close links with the ministers for whom</p> <p>19 they're working, but who may not want to trouble them</p> <p>20 because the whole idea is they are a buffer.</p> <p>21 A. Yes.</p> <p>22 LORD JUSTICE LEVESON: Just to provide some check. Now,</p> <p>23 this is, you may say, an uninformed, loose guy thought.</p> <p>24 A. No, I think you've got it. There's a combination of</p> <p>25 those two things: to keep the role of special advisers</p> <p style="text-align: center;">Page 47</p>
<p>1 equivalent age and rank, who have all sorts of mentoring</p> <p>2 and monitoring and appraisal, it seems that there</p> <p>3 doesn't seem to be anything in place that really</p> <p>4 helps -- and that's not just for a quasi-judicial</p> <p>5 question, because it might turn into a different problem</p> <p>6 in a different context.</p> <p>7 So I share that concern with you for you to think</p> <p>8 about, or for you to say to me, "Thank you very much,</p> <p>9 I'm not terribly bothered about any of that."</p> <p>10 A. No. I'd make two points. First of all, when I was</p> <p>11 a special adviser, there was, as far as I can remember,</p> <p>12 no annual appraisal at all, and certainly not by your</p> <p>13 ultimate appointed person, which is the Prime Minister</p> <p>14 and his office, and we have introduced annual appraisals</p> <p>15 and there is a role for my Chief of Staff to make sure</p> <p>16 that the special advisers are working in a co-ordinated</p> <p>17 fashion for the whole government and we're going to look</p> <p>18 at whether we can improve that.</p> <p>19 But the second point I'd make, which is slightly</p> <p>20 from the other side, I do think there is a value in</p> <p>21 having special advisers to this point, which is that</p> <p>22 special advisers, because they undertake a lot of</p> <p>23 political work for ministers, they actually make sure</p> <p>24 the Civil Service can go on being impartial. You know</p> <p>25 there are certain things you can get your special</p> <p style="text-align: center;">Page 46</p>	<p>1 with the good work they do and the fact they help</p> <p>2 prevent the politicisation of the Civil Service, but to</p> <p>3 make sure there's a bit more training and structure and</p> <p>4 appraisal, to make sure they're all pointing in the same</p> <p>5 direction, which is obviously in my interest, but also</p> <p>6 to make sure that when it comes to things like</p> <p>7 quasi-judicial procedures they have the necessary</p> <p>8 training to know what they should and shouldn't do.</p> <p>9 LORD JUSTICE LEVESON: And the support to check, if they're</p> <p>10 bothered.</p> <p>11 A. Yes. Yes.</p> <p>12 MR JAY: Could it be suggested that there may be some sort</p> <p>13 of a priori suggestion here, that owing to the good</p> <p>14 political work that special advisers do, and they are</p> <p>15 adept, some of them at least, as working as an effective</p> <p>16 back channel, that those very attributes make them</p> <p>17 inherently unsuited for operating in a quasi-judicial</p> <p>18 domain? Do you see the force of that?</p> <p>19 A. I can see the point, but I think that I don't see why,</p> <p>20 if they're following a proper set of procedures and the</p> <p>21 rest of it, why they can't soak up a bit of the pressure</p> <p>22 and information a minister would otherwise be bombarded</p> <p>23 by. So I think they can play a role.</p> <p>24 Q. But that would require them to acquire the same</p> <p>25 quasi-judicial attributes as the minister. The minister</p> <p style="text-align: center;">Page 48</p>

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<p>1 could arguably just about be expected to do so, a person 2 of greater experience, but nobody expects someone quite 3 junior to do something they're not really suited or 4 trained to do. Is that not a reasonable point? 5 A. I am not sure, because part of this role is simply to 6 soak up information from -- it might be a -- if it's 7 a planning dispute or a merger or a takeover, it's to 8 listen to the arguments that come from both sides so 9 that the participants feel they've had a say and I think 10 they can play that role. 11 Q. Mr Cameron, you also mentioned about ten minutes ago the 12 issue of lobbying of the press. 13 A. Yes, lobbying of or lobbying by the press? 14 Q. Sorry, I think it's by the press, particularly in areas 15 where they have a commercial interest. They are 16 particularly parti pris and they have a particularly 17 loud voice. It's just whether there are any ideas you 18 could share with us in that respect? 19 A. I think this is difficult because you -- if you have 20 a note taken of every single meeting, every time 21 a politician meets with an editor, I think it would be 22 a very overbureaucratic response. The point -- I think 23 I mentioned this this morning -- I think if it's clear 24 that a media business is coming to talk to you about 25 media business issues, then it's appropriate a private <p style="text-align: center;">Page 49</p> </p>	<p>1 of these courtrooms, I guess. 2 Q. It's clear from the advice Lord O'Donnell gave in July 3 of last year -- we can turn it up, actually, it's under 4 tab 65 of this bundle, when he was advising you on the 5 Ministerial Code -- 6 A. Is this in a supplemental set? 7 Q. No, it's in the original. 8 A. I don't seem to have 63. 9 Q. It's page 05294. 10 LORD JUSTICE LEVESON: No, you'd better look for a tab. 11 A. I have it. 12 MR JAY: I don't immediately have it. Just bear with me. 13 Oh, it's in the other bundle? 14 A. Yes. This is the memo from Gus O'Donnell to me and this 15 is where -- this is about how wide to draw the net of 16 people you should be transparent about. 17 Q. Certainly. It's paragraphs 7 and 8 of that advice. 18 It's page 05296 where he addresses these matters. 19 A. Yes. I think I mentioned this earlier. My view is that 20 if you try and say every time you meet socially a friend 21 who -- a really good friend who falls into one of these 22 categories or perhaps just below, you have to make 23 a declaration, I think we'll get ourselves into 24 a complete mess and some declarations won't be made, it 25 will then come out that A met B, that will be splashed <p style="text-align: center;">Page 51</p> </p>
<p>1 secretary is there to take a note. If they are coming 2 to have a chat about policy and your general approach 3 but they throw in a nakedly commercial point, then 4 perhaps that's something under the Ministerial Code, 5 arguably it should happen already, the minister should 6 mention to their private secretary. 7 I gave the example this morning of regional 8 newspapers and the lobbying they do. I mean, the BBC 9 can be quite an aggressive lobbyist on issues like 10 licence fee or charter renewal and what have you, and we 11 must make sure this is treated properly. 12 Q. The social/professional boundary and the context where 13 journalists become friends of politicians will naturally 14 occur, but how do those friendships impinge, if at all, 15 on the press's duty to hold politicians to account? 16 A. How do they impinge on the press's duty to hold? 17 Q. Mm. 18 A. What, you think these people might go soft on you 19 because they're your friends? 20 Q. Well, that's one possibility, yes. 21 A. I think this is just people having to police the 22 boundaries between friendship and professional 23 relations. It's something that happens in lots of walks 24 of life. I'm sure it happens in the law. You've got 25 friends who you're sometimes slugging it out with in one <p style="text-align: center;">Page 50</p> </p>	<p>1 all over a newspaper and the public's confidence in this 2 system will collapse. 3 I think the right way of dealing with this is to 4 have what we've set out, transparency about meetings, 5 which is far in advance of anything a government has 6 done in the past, but then to have -- to make sure 7 ministers have a proper conversation with their 8 Permanent Secretaries about friends and friendships and 9 jobs that people do, so that they are effectively 10 covered if it then subsequently comes out that there's 11 been some conflict. I think that that helps with this 12 issue. 13 Q. I think Lord O'Donnell's advice in paragraph 8 was that 14 purely social interactions with personal friends needn't 15 be recorded, but if there's any overlap with an official 16 role, it would seem unreasonable to -- pardon me, "but 17 where there could be any overlap with their official 18 role, I think we should advise them to record the 19 interaction." 20 So that would cover, I suppose, the 23 December 2010 21 conversation you had with Mr James Murdoch, which, to be 22 fair to you, you have recorded? 23 A. Absolutely. He would be covered by this. He would 24 definitely be covered by this, absolutely. Newspaper 25 owners, chairman, senior editors. I think I was making <p style="text-align: center;">Page 52</p> </p>

<p>1 a slightly different point which relates to the question</p> <p>2 you asked me earlier about old personal friends who are</p> <p>3 somewhere around that level or just below.</p> <p>4 MR JAY: Is that a convenient --</p> <p>5 LORD JUSTICE LEVESON: Certainly, we'll take the afternoon</p> <p>6 break.</p> <p>7 (3.17 pm)</p> <p>8 (A short break)s</p> <p>9 (3.29 pm)</p> <p>10 MR JAY: Mr Cameron, when Sir John Major gave his evidence,</p> <p>11 talking about the culture, practice and ethics of the</p> <p>12 press, in an eloquent passage in his evidence he blamed,</p> <p>13 if blamed it is the right word, the culture which had</p> <p>14 been established by those at the top, and he</p> <p>15 particularly identified proprietors, without necessarily</p> <p>16 naming any individual culture.</p> <p>17 If we're looking at the political culture on this</p> <p>18 topic, we're obviously looking to those at the top</p> <p>19 perhaps to change it, because that is how cultures</p> <p>20 change, so if we can move away from the detail of</p> <p>21 ministerial codes and SpAd codes and whatever, how are</p> <p>22 we going to change the political culture, and indeed</p> <p>23 I have to ask the question of you because you're not</p> <p>24 responsible for creating it, but you have the best</p> <p>25 chance of changing it.</p> <p style="text-align: center;">Page 53</p>	<p>1 has failed, what I mean is that this system we have at</p> <p>2 the moment is not working, and we have to put something</p> <p>3 in its place, and what we put in its place will in part</p> <p>4 depend on how newspapers respond to this challenge, and</p> <p>5 that is obviously what this Inquiry is doing, but</p> <p>6 newspapers are currently trying to respond to the</p> <p>7 challenge through the work that Lord Hunt is doing with</p> <p>8 the Press Complaints Commission.</p> <p>9 So there are obviously behavioural changes that</p> <p>10 politicians and media need to make, there are rule</p> <p>11 changes we need to put in place, but what's taken a long</p> <p>12 time to go wrong I suspect will take quite a long time</p> <p>13 to be put right.</p> <p>14 Q. Those behavioural changes relate more, it could be said,</p> <p>15 to the relationship between the press and the public,</p> <p>16 which was Module 1 of this Inquiry, quite a long time</p> <p>17 ago now, but if we're on Module 3, the relationship</p> <p>18 between the press and politicians, how or in what</p> <p>19 respects should the press modify its behaviour so that</p> <p>20 the relationship between press and politicians</p> <p>21 specifically is enhanced or at least moves away to the</p> <p>22 position it's in now?</p> <p>23 A. That's very difficult. I mean, that is -- in a way</p> <p>24 that's a question I think you have to put to the press.</p> <p>25 I mean, me saying to them, "Well, we must have more</p> <p style="text-align: center;">Page 55</p>
<p>1 A. Well, I think that there are the rules that need to</p> <p>2 change, but a lot of it will be trying to get a proper</p> <p>3 respect between politicians and journalists, journalists</p> <p>4 and politicians, trying to create some of this distance</p> <p>5 that we've spoken about, and I think that's going to be</p> <p>6 the key to this, but it needs to be backed up by these</p> <p>7 frameworks and the way we provide transparency and get</p> <p>8 regulation right at the same time.</p> <p>9 Q. Trying to get it, I'm sure, but how are you going to go</p> <p>10 about doing it insofar as it's within your power to do</p> <p>11 so, Mr Cameron?</p> <p>12 A. It's partly how you behave. It's partly -- as I said,</p> <p>13 when I got into Downing Street, I did try to create</p> <p>14 a bit more distance. I think I need to go back and do</p> <p>15 that again, and, you know, yes, you're still going to</p> <p>16 have meetings with editors and proprietors, you're still</p> <p>17 going to try to get your message across, but a bit more</p> <p>18 distance, a bit more formality, a bit more respect on</p> <p>19 both sides that has to be earned and the politicians are</p> <p>20 going to have to do their bit to earn it.</p> <p>21 Q. As far as there's a quid pro quo, what do you expect, if</p> <p>22 anything, from the press, from journalists, in order to</p> <p>23 do their bit, as it were?</p> <p>24 A. I think part of this is going to go to the issue of</p> <p>25 regulation. When I said earlier that self-regulation</p> <p style="text-align: center;">Page 54</p>	<p>1 separation of news and comment and more respect", that's</p> <p>2 not going to work.</p> <p>3 In a relationship like this, the politicians have to</p> <p>4 take their actions to earn respect, which is the</p> <p>5 distance, the formality, the transparency. Perhaps we</p> <p>6 should look at, as Gordon Brown was talking about, some</p> <p>7 of the issues around the lobby, perhaps we should look</p> <p>8 at those issues and see if there's more than can be done</p> <p>9 there, but I think the question for how the press should</p> <p>10 respond has to be a question for them and I don't think</p> <p>11 it's for me to sort of lecture them on that.</p> <p>12 Q. Although the press is very happy to tell politicians how</p> <p>13 they should comport themselves, but you're not going to</p> <p>14 return the favour?</p> <p>15 A. I think the responsibility, first of this Inquiry and</p> <p>16 then of politicians, is to rise to the challenge of</p> <p>17 putting in place a set of relationships and a set of</p> <p>18 regulations that are going to work, and in the past</p> <p>19 what's happened is there's been a crisis, someone</p> <p>20 suggests some changes, the politicians don't really get</p> <p>21 together and sort it out, they play a kind of game of</p> <p>22 regulatory arbitrage, one with the other, and the mess</p> <p>23 continues.</p> <p>24 Now, the last thing you want is a sort of stitch-up</p> <p>25 by the politicians who sort of rub their hands and think</p> <p style="text-align: center;">Page 56</p>

<p>1 this is a great opportunity to get together and clobber 2 the press, and I totally understand the press's nerve 3 about that. You know, I say in the House of Commons 4 a lot: this must not be kind of revenge for the expenses 5 scandal. The expenses scandal was a scandal, and it was 6 good the press revealed it, however painful that might 7 have been.</p> <p>8 So what we need to do is for the politicians on 9 a cross-party, long-term, sensible basis try and work 10 out what needs to be done with obviously the results of 11 this Inquiry.</p> <p>12 Q. That moves nicely into the fifth and last section of 13 your evidence, lessons to be learned for the press. The 14 Inquiry has received a vast amount of evidence about the 15 culture, practices and ethics of the press. Obviously 16 you haven't followed all of it, but do you have any 17 general impressions which you can share with us about 18 the culture, practices and ethics of the press or 19 a section of the press?</p> <p>20 A. I've read some of the evidence that's been put forward, 21 and frankly some of that evidence is incredibly 22 shocking. Some of it is really heartbreaking. The test 23 of a regulatory system is not does that make the 24 politicians happier? The test of the system is: is it 25 going to provide proper protection to ordinary families</p> <p style="text-align: center;">Page 57</p>	<p>1 as a result. It has to have an ability to get out and 2 find out what happened rather than just have sort of 3 self-reported problems.</p> <p>4 If those things can be -- and it has to have the 5 confidence of the public and it has to stop, as I said, 6 the scandals that we've seen. If it can do those 7 things, that's the test.</p> <p>8 Now, I totally understand why the press and people 9 who, like me, care about a free press, have a real 10 concern about sort of full-on statutory regulation. 11 I worked in television where we had statutory 12 regulation. It's a different beast, because television, 13 because of its power, because of the limited amount of 14 bandwidth, you have to have, in my view, regulation for 15 impartiality, and that requires statutory backing, which 16 is what we have.</p> <p>17 Newspapers are different, and we have to respect 18 that and understand that, so if we can make 19 a self-regulatory system work that is genuinely 20 independent and the "self" sort of disappears, that 21 would be fantastic, but what matters is the outcome 22 rather than the title, as it were.</p> <p>23 I've looked carefully at what David Hunt is 24 suggesting. I think he has some very good ideas there. 25 I think they have to be rigorously tested as to whether</p> <p style="text-align: center;">Page 59</p>
<p>1 who, through no fault of their own, get caught up in 2 these media maelstroms and get completely mistreated? 3 And the evidence of the Dowler family and the evidence 4 of the McCann family is incredibly powerful in that 5 regard.</p> <p>6 I will never forget meeting with the Dowler family 7 in Downing Street to run through the terms of this 8 Inquiry with them and to hear what they had been through 9 and how it had redoubled, trebled the pain and agony 10 they'd been through over losing Milly. I'll never 11 forget that, and that's the test of all this. It's not: 12 do the politicians or the press feel happy with what we 13 get? It's: are we really protecting people who have 14 been caught up and absolutely thrown to the wolves by 15 this process. That's what the test is.</p> <p>16 Q. On 6 July of last year you explained to Parliament that 17 in your view the PCC had failed. Does it follow from 18 that that you believe that self-regulation has failed?</p> <p>19 A. Not necessarily. I mean, I -- what matters is that the 20 system that's put in place passes a series of tests, in 21 my view. It must be independent and be seen to be 22 independent. It has to involve all of the newspapers. 23 It can't be opted out of. It has to have real teeth in 24 terms of penalties that, you know, where mistakes are 25 made and bad practice happens, there are real penalties</p> <p style="text-align: center;">Page 58</p>	<p>1 they can deliver independence, penalties, compulsion, 2 toughness, public confidence and all the rest of it. 3 And I think that's -- I'm sorry to have given you this 4 hot potato, but I think that's the test.</p> <p>5 LORD JUSTICE LEVESON: I don't think you sound sorry about 6 doing that at all, actually. But there are some 7 contradictions in there, because if it has to involve 8 everyone, and it has to involve everyone --</p> <p>9 A. Yes, absolutely.</p> <p>10 LORD JUSTICE LEVESON: -- if it has, then it's quite 11 difficult to see how you can have a system that doesn't 12 have some sort of framework because any system that is 13 entirely self-regulatory, use of the word "self" means 14 opting in and opting out.</p> <p>15 A. I think -- it can't be self-regulation, it has to be 16 independent regulation.</p> <p>17 LORD JUSTICE LEVESON: Agreed.</p> <p>18 A. The question is: does it need statutory backing or not? 19 And obviously, in a free society, it would be much 20 better if we could deliver it without statute, but 21 that's the difficult thing we have to examine. But it 22 must be -- as I say, I think the key -- the interim 23 stage is how you get there. What we actually have to 24 deliver is that it is compulsory and has all those 25 things that I said, and I think that's the challenge</p> <p style="text-align: center;">Page 60</p>

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<p>1 that you've laid down, quite rightly, to David Hunt and 2 others: show me how you can satisfy those terms. 3 LORD JUSTICE LEVESON: Well, that's indeed the point, and 4 one could say that one of the concerns -- and I don't 5 know how the idea has developed in the months since 6 Lord Hunt and Lord Black outlined it to the Inquiry, but 7 a contract with a long notice period has its own 8 problems because it's not necessarily compulsory, you 9 don't have to sign it, and signing it under the umbrella 10 of this Inquiry because of the threat that something 11 worse will happen doesn't look at though it's a very 12 good start for a system. I'm not ruling on it, I'm not 13 deciding it, but I'm merely identifying some concerns. 14 Do you feel that -- 15 A. I share those concerns, I completely -- and I don't want 16 to be categorical, because I want -- this is a challenge 17 that's been laid down to this government. It's not -- 18 you know, we have all sorts of challenges we want to 19 meet, but this, I recognise, it's our duty to sort out 20 this set of relationships that have gone wrong. We want 21 to do that. 22 So I don't want to be too categorical today because 23 I want to throw in my ideas and see your result and see 24 if with other political party leaders we can deliver 25 a proper change that will serve the country well.</p> <p style="text-align: center;">Page 61</p>	<p>1 newspapers required to participate, real teeth, 2 et cetera. I think we're also agreed it's also an 3 essential attribute that government should not be 4 permitted to interfere in matters of content, contrast 5 the position of broadcasters; is that right? 6 A. Correct. 7 Q. But if any statute specifically prevented government 8 from interfering in matters of content and, moreover, 9 possessed a number of constitutional safeguards which 10 underscored that, would there be any objection in 11 principle to having such a statutory underpinning? 12 A. I think the -- as I say, I don't want to commit myself 13 too deeply. I think as we go at this, we have to 14 understand the real concern there is about statutory 15 regulation. That doesn't mean you rule it out, but it 16 means try and make everything that can be independent 17 work before you reach for that lever. But, of course, 18 if you had to undertake it, the more undertakings, the 19 more safeguards would obviously be better. That would 20 be my view. 21 LORD JUSTICE LEVESON: I think what Mr Jay is really getting 22 to is not suggesting any form of statutory regulation, 23 but perhaps a system whereby what was required was 24 described by a statute which similarly provided the same 25 constitutional independence for the press that</p> <p style="text-align: center;">Page 63</p>
<p>1 That's the aim of all this. 2 LORD JUSTICE LEVESON: Absolutely. To that extent I hope 3 that you, like I, feel encouraged by Sir John Major 4 making the political point that without a consensus this 5 is very difficult. 6 A. Yes. 7 LORD JUSTICE LEVESON: Then Mr Miliband coming along and 8 Mr Clegg coming along -- I appreciate you're in 9 Coalition with him. 10 A. Yes. Doesn't always mean we agree, but ... 11 LORD JUSTICE LEVESON: So I hope that you can agree with the 12 same broad need for consensus -- 13 A. Yes. 14 LORD JUSTICE LEVESON: -- and a principled response in the 15 way they identified it. 16 A. I agree with every word of that, and it was particularly 17 important that when I set up -- established this 18 Inquiry, we sought political consensus on its terms of 19 reference. I think that consensus is very important, 20 and I thought John Major's evidence about what went 21 wrong with the Calcutt process and the outcome of that 22 in not being able to deliver the changes was 23 instructive, and we have to do better. 24 MR JAY: Mr Cameron, you've identified certain essential 25 attributes of the desirable system: independence, all</p> <p style="text-align: center;">Page 62</p>	<p>1 section 3(1) of the Constitution Reform Act provides the 2 judiciary, and if I occasionally peddle that particular 3 provision it's because it was an idea I had some months 4 ago. 5 A. Right. 6 LORD JUSTICE LEVESON: Which provides the structure onto 7 which a system that is entirely independent of 8 government, of politicians and carries with it perhaps 9 not serving editors but those who have got the 10 experience of the industry as well as independent 11 members would satisfy the criteria which we've been 12 discussing. 13 A. Well, obviously -- not obviously, it's not obvious, none 14 of this is obvious. I suppose it could. I just come 15 back to the point, you know, what are we trying to 16 deliver here? We want to know that if an individual 17 suffered press intrusion, has an inaccurate article 18 written about them, has their life turned around in some 19 way, all these things that have happened, that it really 20 is worth their while going to this regulator, however 21 established, and they know they're going to get a front 22 page apology, they're going to get the newspaper brought 23 to book. That's what doesn't happen at the moment. 24 People just feel: I don't have that ability. 25 So what happens is the legal remedies -- this was</p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)

<p>1 the problem I think with the Calcutt Act -- the legal 2 remedies seem to be there for the wealthy, that they 3 could get redress, they could take out a libel action, 4 hire an expensive lawyer and the rest of it. We want 5 a system that's simple, understandable, that ordinary 6 people can use to get redress. 7 That's the key to it, and of course if you do 8 something statutory you can put in rights and points, 9 but as you were saying, I can sort of see that we might 10 end up in a lot of judicial review cases and what have 11 you rather than what we really want to see, which is 12 rapid, swift action for proper redress -- 13 LORD JUSTICE LEVESON: I am absolutely opposed to trying to 14 create a system that generates more work for lawyers. 15 A. Right. That's a great relief. 16 LORD JUSTICE LEVESON: You can trust me on that. And 17 I entirely agree that swift redress is extremely 18 important. Of course, that redress must be capable of 19 being enforced. 20 A. Yes. Yes. You can't opt out of it. You can't have 21 a situation now where people don't go to the PCC because 22 they feel they're going to have to relive the nightmare 23 all over again and probably not get a reasonable outcome 24 at the end of it. But I think this is the space we're 25 in. How do we deliver that? Is it possible to do it</p> <p style="text-align: center;">Page 65</p>	<p>1 doesn't work for the Dowlers, or the McCanns. That's 2 the test. 3 LORD JUSTICE LEVESON: I understand. 4 A. I'm sorry I don't have the whole answer, but I think the 5 question you've challenged the industry with is the 6 right one and we have to see: is there some way of 7 saying, "If you're not part of this, you're not in the 8 lobby, you don't get any information from government, 9 you don't get this or that", and is there a way of 10 making it that it becomes effectively compulsory? 11 Because I totally accept we can't say it's the 12 last-chance saloon all over again. You know, we've done 13 that. 14 LORD JUSTICE LEVESON: It's quite difficult to see how the 15 government can withdraw favours, as it were, like the 16 lobby, unless you tell me differently. 17 A. Well, I'm just, you know, trying to think of are there 18 ways of encouraging a system that everyone takes part 19 in, but short of this quite understandable neuralgia 20 people have about statutory regulation when we're 21 talking about a free press. 22 So that's the challenge. I don't think I have the 23 answer, but David Hunt knows what the question is and if 24 he can't convince you or the political leaders who all 25 know we have to sort this out, then that's going to be</p> <p style="text-align: center;">Page 67</p>
<p>1 without statutory backing, with statutory backing, with 2 statutory backing with guarantees? That's I'm afraid 3 the -- 4 LORD JUSTICE LEVESON: It's quite difficult to see how it 5 can be dealt with purely contractually, because 6 contracts by definition can be stepped away from. 7 A. We've set -- you've set I think David Hunt the 8 challenge. 9 LORD JUSTICE LEVESON: Yes, well -- 10 A. And let's see what he comes back with. 11 LORD JUSTICE LEVESON: I'm not ruling it out. 12 A. No. 13 LORD JUSTICE LEVESON: I'm not ruling any possible solution 14 out. I made it abundantly clear to the editors and to 15 Lord Black and Lord Hunt that it is the problem of the 16 press just as much as it's my problem, but their 17 solution has to work for me. 18 A. Yes. 19 LORD JUSTICE LEVESON: And what you essentially have 20 identified in slightly different words, but with exactly 21 the same fervour, are the criteria that make it work for 22 me, and if it doesn't satisfy the type of requirements 23 that you've just spoken of, then it doesn't work for me, 24 whatever. 25 A. It doesn't work for me either. But the point is it</p> <p style="text-align: center;">Page 66</p>	<p>1 the problem, but that's the challenge. 2 MR JAY: Mr Gove expressed some views in February of this 3 year about the chilling effect of this Inquiry on 4 freedom of speech and the dangers of regulation. Are 5 those views which you associate yourself with or not? 6 A. Well, we have a slightly different view. I mean, 7 Michael comes from a print press background. He was 8 news editor of the Times. I think he's right to make 9 the point there is a danger if we don't get this right, 10 that you could have a chilling effect. We don't want 11 that. But we all put our points in our own way. 12 Q. Okay. As for the future of press regulation, you've 13 adumbrated your ideas. Is there anything else you would 14 like to add to that, Mr Cameron? 15 A. I think that is -- I think we've discussed the overall 16 challenge and that's what we need to meet, and we 17 should, as I say again, bear in mind who we're doing 18 this for, why we're here in the first place, and that's 19 the real test. If the families like the Dowlers feel 20 this has really changed the way they would have been 21 treated, we would have done our job properly. 22 Q. Is there any aspect of your evidence which you feel we 23 haven't covered? Obviously you've supplied detailed 24 evidence in writing. I haven't gone to every single 25 paragraph, but if you think there's a salient omission,</p> <p style="text-align: center;">Page 68</p>

<p>1 we will address it now.</p> <p>2 A. No, I think we've covered the waterfront.</p> <p>3 LORD JUSTICE LEVESON: Could I suggest that it's not just</p> <p>4 the Dowlers, but really encompasses all those whose</p> <p>5 privacy or rights have been intruded upon without any</p> <p>6 sufficient public interest. Would that be fair?</p> <p>7 A. I agree with that, but I think those of us who put</p> <p>8 ourselves in the public eye -- that doesn't mean you</p> <p>9 give up all your rights to privacy, of course it</p> <p>10 doesn't, but I think it is different, and politicians</p> <p>11 have to accept a greater level of questioning and all of</p> <p>12 that, and that's why I think focusing on the regulatory</p> <p>13 system is better than focusing on privacy laws or other</p> <p>14 legal remedies, which can tend to favour the powerful</p> <p>15 rather than people who just get caught up in this storm,</p> <p>16 and it completely changes their lives.</p> <p>17 LORD JUSTICE LEVESON: On the basis that they don't have the</p> <p>18 resources or the equipment to take on the press.</p> <p>19 A. Yes.</p> <p>20 LORD JUSTICE LEVESON: It's actually why I used the phrase</p> <p>21 "sufficient public interest", because you'll be the</p> <p>22 first to recognise that being in public life, the</p> <p>23 threshold for what might be an invasion of privacy for</p> <p>24 somebody who isn't a politician is going to be different</p> <p>25 for somebody who is.</p> <p style="text-align: center;">Page 69</p>	<p>1 background I might not see, which you, from your</p> <p>2 different perspective, might well appreciate.</p> <p>3 A. Okay, I will certainly do that. Thank you.</p> <p>4 LORD JUSTICE LEVESON: Thank you very much.</p> <p>5 Right. Mr Jay, what else?</p> <p>6 MR JAY: Nothing today.</p> <p>7 LORD JUSTICE LEVESON: We read in the evidence of the</p> <p>8 Treasury Solicitor so he can go on today's website.</p> <p>9 Fine.</p> <p>10 We're deliberately taking a pause, although we shall</p> <p>11 return to parts of Module 3 in a week's time, but so</p> <p>12 that it's understood, it's not so that we can have</p> <p>13 a holiday. There's a fair amount of work to be done,</p> <p>14 but it's rather so that we can consider in measured time</p> <p>15 the very important evidence that we've heard from the</p> <p>16 politicians, and in particular this week to have had the</p> <p>17 benefit of four Prime Ministers and any number of</p> <p>18 Secretaries of State puts the onus on getting it right</p> <p>19 rather high. Thank you very much indeed.</p> <p>20 A. Thank you.</p> <p>21 (3.57 pm)</p> <p>22 (The hearing adjourned until</p> <p>23 10 o'clock on Monday, 25 June 2012)</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 71</p>
<p>1 A. Yes.</p> <p>2 LORD JUSTICE LEVESON: Or somebody who has celebrity status</p> <p>3 for some other reason. There is still a threshold. It</p> <p>4 isn't zero, but it's a different threshold.</p> <p>5 A. Totally. They could probably safely leave their child</p> <p>6 in the pub and not have the same attention focused on</p> <p>7 them, which I don't complain about at all, I think</p> <p>8 a perfectly legitimate point has been made.</p> <p>9 LORD JUSTICE LEVESON: Well, it was rather interesting, the</p> <p>10 number of those in the newsrooms who reported it who</p> <p>11 said, "Well, actually that happened to me", or "I did it</p> <p>12 to my child".</p> <p>13 A. I heard a number of stories from Members of Parliament</p> <p>14 who had been left in motorway service stations, outside</p> <p>15 butchers' shops, and it helped me understand some of my</p> <p>16 colleagues a lot better.</p> <p>17 LORD JUSTICE LEVESON: I suppose that's a very convenient</p> <p>18 place to leave it.</p> <p>19 Prime Minister, you've mentioned that there were</p> <p>20 some ideas that you wanted to pass to me. I'd be very</p> <p>21 interested in seeing them, and indeed any thoughts that</p> <p>22 you might have that you want to convey. I would welcome</p> <p>23 them, not merely to play back your thoughts, but because</p> <p>24 it's obviously going to be easier if I have had the</p> <p>25 chance to consider the possible traps that from my</p> <p style="text-align: center;">Page 70</p>	

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