

Dear Lord Justice Leveson,

Although you have not requested them I hope you don't mind me offering some views that may be relevant to your inquiry, as Jeremy Hunt's immediate predecessor as Culture Secretary and as a journalist before I entered politics.

I also sat on the recent Lords/Commons joint committee that looked at the press, privacy and "super" injunctions.

I will be brief and broad brush. You have heard in detail on most of the issues I wish to highlight and from people who know a lot more about the subject than I.

Firstly and most importantly, for self regulation to work it must have some sort of statutory underpinning or back-up. Otherwise we will be left "in the last chance saloon" again. Without that underpinning or back-up there will be nothing to stop another Desmond walking away and no meaningful powers for the new regulator to insist its rulings and sanctions are obeyed. In this context the proposals of Lord Hunt - however well meaning (and I have doubts about that given the long history here) - are inadequate. They appear to be the last attempt by elements of the industry to fend off meaningful regulation and would essentially be the continuation of the discredited Press Complaints Commission by another name.

Of all the submissions you've received, I find that of the Media Standards Trust the most persuasive. It is sensible and balanced, recognising the need for a statutory "backstop" while emphasising the importance of press freedom and a strong "public interest" defence. Incidentally I see no reason why this "backstop" could not be provided by Ofcom. I know they say they're reluctant to take this on (which they have to for political reasons) but they have an excellent record on broadcasting regulation and it would make sense to try to avoid a "patchwork" of regulatory regimes, given the complexity and challenges of regulation in a digital world.

The Media Standards Trust's credibility is enhanced by its past reports - which now read prophetically - including its 2009 review of press accountability, which led the way in calling for PCC reform.

I worry that after last year's public and political outrage following the Milly Dowler revelations, which helped lead to the establishment of your inquiry, there are already warning signs of a return to business as usual.

Having called last July for "a new system entirely" Mr Cameron seemed to be backing away from radical change in his oral evidence to you.

Then there were the comments of Michael Gove.

On the Lords/Commons Privacy and Super-injunction Committee votes had to be taken on many of our recommendations and on the final report as a whole - which is very unusual. The divisions were broadly, though not wholly, along Party lines. The division on the DCMS Select Committee's recent report was even more stark.

The point I'm making here is to encourage you to make clear recommendations based on the evidence you have heard, without fear or favour and without any eye to the potential political fall-out. Any ambiguity or "last chances" - even if strictly time-limited - will risk resulting in more back-sliding with politicians eager to curry favour with powerful media interests.

I followed Jeremy Hunt's evidence and the issue of the BSkyB bid with great interest.

Personally, I have never doubted that the Government changed its policy on the bid to be more favourable to News Corp. This was obvious at the time to those who had followed the policy closely. I was sceptical of Mr Cameron's assertion to you that "nobody knew anything about a bid" at the time he was having so many contacts with News Corp representatives before and following the last general election. Murdoch's desire to take full control of BSkyB was well known about before the election and one of the most commented upon media stories. We had expected a bid in Government until it became clear (again widely reported at the time) that News Corp were holding off making a formal bid in the hope they'd get a more favourable reception from a Conservative Government.

The evidence provided to your inquiry confirms what I said at the time - that Jeremy Hunt bent over backwards to help News Corp avoid a full referral to the Competition Commission - in contravention of Ofcom's original advice. Far from acting impartially as his "quasi-judicial" responsibilities required - his office provided a back-channel for News Corp and in effect negotiated on their behalf with Ofcom to seek to avoid the full referral which James Murdoch had made so clear he would not tolerate.


Incidentally, the handling of the BSkyB bid is by no means the only media policy that changed after the change of Government in ways that were in line with the expressed views of News Corp and News International.

Two examples of this (there may be more that I haven't spotted) were the shelving of implementing the recommendations of the David Davies review of listed events, which included making Test Cricket available on free to air TV - something James Murdoch hated. The second is the scrapping by the Government of the regional news consortia Labour was set up to secure quality news on ITV in the nations and regions. Again, they had been strongly and publicly criticised by Mr Murdoch as an unwarranted interference in the broadcasting market.

I would be happy to provide fuller explanations to your inquiry for any of these comments if you'd find that helpful.

Please find attached my statement of truth.

Yours sincerely,

Statement of Truth
I believe the facts stated in this witness statement are true.
Signed 
Date 27 Feb 2010

The Rt Hon Ben Bradshaw MP. Secretary of State for Culture, Media and Sport 2009 - 2010.