

IN THE MATTER OF THE LEVESON INQUIRY

WITNESS STATEMENT OF
JEREMY DICKSON PAXMAN

I, **JEREMY DICKSON PAXMAN**, of BBC Television Centre, Wood Lane, London, W12 7RJ,
WILL SAY:-

- A. Insofar as the matters set out in this statement derive from my own knowledge, they are true. Where matters are not within my personal knowledge, they are true to the best of my information and belief and derive from the sources stated.
- B. In order to assist the Leveson Inquiry I have set out the questions asked of me in the letter dated 5 April 2012 and provided my answers beneath them.
- C. The questions asked of me by the Leveson Inquiry require me to give my personal opinions on a number of matters. The view expressed in this statement are entirely my own and not those of the BBC.

1. Who you are and a brief summary of your career history

- 1.1 I have worked for the BBC on a freelance basis for over thirty years. For the past twenty years or so I have presented Newsnight, a news analysis programme which is broadcast five nights a week. While we cover more or less anything, domestic politics are our bread and butter. Before coming into the studio, I had spent a dozen years as a reporter. If asked to describe my current occupation I should say I was a journalist, since programmes from *Strictly Come Dancing* to *Countdown* have 'presenters'. I don't pretend journalists are any better. But they are – or ought to be – different to showbiz people.

- 2. Please describe, from your perspective, how the dynamic of the relationship between politicians and the media has developed over recent years, what effect you consider that to have had on public life, and how far that has been beneficial or detrimental to the public interest. The Inquiry is particular**

interested in the following themes – some of which are developed in further questions below – but you may identify others:

- 2a The conditions necessary for a free press in a democracy to fulfil its role in holding politicians and the powerful to account – and the appropriate legal and ethical duties and public scrutiny of the press itself when doing so. The Inquiry would like the best examples – large or small – of the press fulfilling this role in the public interest.**
- 2.1 I believe my job to be to find things out and to hold people – who are often politicians - to account. I am sometimes asked what entitlement I have to do this. The answer is 'none whatsoever.' Or, put another way, 'precisely as much as anyone else.' The sole difference between my position and that of any member of the public is not one of entitlement but of opportunity.
- 2.2 Studio interviews with politicians do not occur by accident: at 10.30 in the evening we are in a grotty studio in White City, while they are in Westminster, out to dinner or being a dutiful spouse. When studio interviews occur, they are the consequence of production. We decide, either in the morning meeting or during the course of the day, what subjects we want to cover on Newsnight and, if it seems appropriate, we invite politicians to come into the studio to discuss things. Since much of the time we are talking about Government or Opposition policies, these invitations are generally issued via departmental press offices, party officials or politicians' special advisors.
- 2.3 Negotiations with these figures, whose job is to present their boss to his/her best advantage, can become very convoluted. They often involve an attempt to impose conditions. I can't, off the top of my head, recall anyone trying to specify the sort of seats their bosses will be asked to sit upon. But for big set-piece interviews at election times, the spin doctors and spokesmen have certainly laid down conditions about the sort of room, set or building in which the encounter will occur. Prime Ministers and other senior government figures generally expect interviews to take place 'on their turf', in Whitehall.
- 2.4 These sorts of concerns strike me as not especially tricky: they want their bosses to look good, and there is no constitutional obligation requiring ministers to trek out to the television studios. More problematic are the editorial

demands. These are generally along the lines of 'the minister will appear, but only if you undertake not to ask about X or Y' or 'the minister will be interviewed [i.e. questioned by the presenter] but will not take part in a discussion' [will not engage in conversation with others.] This latter condition generally means that he or she considers themselves too grand to talk to people of lesser eminence.

2.5 There may be circumstances in which any one of these conditions is acceptable. An example might be an occasion on which a minister is in the midst of some family drama or tragedy, which is clearly of no public importance. As to conditions about whether they will or will not debate with lesser mortals, it often happens that when one asks the minister face-to-face beforehand, he or she claims ignorance of such rules, blames an overprotective press officer and says 'not at all, I'd love the chance to make my case.' In cases where deals *have* been done, however, I believe it is absolutely essential that audience are told the terms of engagement. I insist upon this rule on *Newsnight*. Sadly, I am not sure that this is always the case elsewhere. We act on behalf of the electorate, not the elected.

2b The nature of professional and personal relationships between individual senior politicians on the one hand, and the proprietors, senior executives and senior editorial staff of national newspapers on the other; including matters such as

- (i) Frequency and context of contacts;**
- (ii) Hospitality given and received, and any social dimension to the relationship;**
- (iii) The perceived balance of advantages, including the ability of politicians and journalists to promote or damage each other's fortunes and reputation at a personal level;**
- (iv) Selectivity and discrimination – as between titles on the one hand, and as between political parties on the other;**

2.6 I don't have knowledge about the nature of relationships between individual politicians and proprietors, executives and senior staff at newspapers.

2.7 Almost all of my dealings with politicians are in the Green Room or in the studio. I do not have politicians as friends - I find it altogether easier that way. The relationship is of course symbiotic, but once you start having political

figures as personal friends, there is a danger that you will go easy on them, become parti-pris, or become just a little too understanding.

- 2.8 If one of my political reporter colleagues were to say that it is a lot easier for me to abide by this rule than it is for them, I should have, I suppose, to agree. They share their working world with politicians and literally breathe the same air. I take politicians to lunch perhaps three or four times a year, always pay, and do not generally claim expenses. Thank you notes from politicians are a very rare event.
- 2c the economic context within which the media operate, and politician's ability to influence that;**
- 2.9 I hardly know a newspaper that is not facing economic trouble, but I do not think that politicians have much influence over this.
- 2d media influence on public policy in general, including how that influence is exercised, with what effect, how far the process is transparent and how far it is in the public interest;**
- 2.10 The media does have an influence over issues of public policy. Too much influence can lead to absurd pieces of legislation, but I think the process is sufficiently transparent.
- 2e media influence on public policy having a direct bearing on their own interest, and the effectiveness of the media as lobbyists;**
- 2f the extent and accuracy of the perception that political journalism has moved from reporting to seeking to make or influence political events, including by stepping into the role of political opposition from time to time;**
- 2.11 The claim that political journalism is seeking to influence political events is a familiar one, generally articulated by politicians, but it is the job of journalists to hold the powerful to account.

2.12 Disclosure is the heart of journalism. It is a core belief of journalists that a healthy democracy is a well-informed democracy. The business of finding things out inevitably involves contact between journalists and politicians. But it is not a relationship in which the cards have been dealt evenly: the journalist is on the look-out for the information with which to discharge his job. The politician controls the flow of information. Sometimes politicians tell you things because they believe disclosure to be in the public interest, sometimes because they think it will help them advance their cause, sometimes they tell you things to settle a score or to do down a colleague (usually on their side of the house.) For the practice to survive – and the citizen to stay informed – the journalist has to keep his sources secret. But we have to remember that in the end, while interests may coincide in disclosure, journalists and politicians are on opposite sides of the fence. They tell us things for their own reasons, noble and ignoble. It is not our job to be *too* considerate, understanding and solicitous for them. Politicians use the media for their own ends. Their motives are not necessarily any business of ours.

2g politicians' perception of the benefits and risks of their relationships with the press and how they seek to manage them, including collectively at party level, through No 10 and other government communications organisations, and in the operation of the Lobby system;

2.13 Well established parties formalise the process of what the Australian political establishment calls 'feeding the chooks'¹ by maintaining official spokespeople and press officers. In all dealings with the political world, I draw a sharp distinction between media offices run by civil servants in government departments and media offices of political parties. I take anything said by the latter with a bucket-load of salt. The increasing politicisation of the government information service has blurred the distinction, but I still believe that if I ask a government department how many nurses work in the NHS, they will do their best to provide an honest answer.

2h the extent and limitation of politicians' willingness and ability to constrain the media to conduct, practices and ethics which are in the public interest, whether by legislation, by regulatory means or otherwise.

¹ Australian slang for chickens

2.14 I do not worry too much about politicians seeking to constrain the media: there are few greater incentives to a decent journalist than being told something is not to be inquired into.

3. In your view, what are the specific benefits to the public to be secured from a relationship between senior politicians at a national level and the media? What are the risks to the public interest inherent in such a relationship? In your view, how should the former be maximised, and the latter minimised and managed? Please give examples.

3.1 Where the media act in the public interest, there is obviously a benefit to the public in the media holding government and politicians including those in opposition to account.

3.2 The public, in my view, understand that most newspapers are politically aligned. That is not a problem. However, I consider there is a potential risk in close personal relationships between politicians and journalists if they are not disclosed.

3.3 The fact that the journalist represents the public means that there's a lot to be said for a bit of ignorance. 'Tout comprendre, ce'est tout pardonner.'

4. Would you distinguish between the position of a senior politician in government and a senior politician in opposition for these purposes? If so, please explain how, and why.

4.1 No, save that there is a machine behind both government and opposition. The government machine – paid for by the taxpayer - is generally bigger and better.

5. What the specific benefits and risks to the public interest of interaction between the media and politicians in the run up to general elections and other national polls? Do you have any concerns about the nature and effect of such interaction, or the legal, regulatory or transparency framework within which they currently take place, and do you have any recommendations or suggestions for the future in this regard? In your response, please include your views on how you think the relationship between the media and politicians changes in the run up to elections, the extent to which a title's endorsement is

related to particular policies, and whether the public interest is well-served as a result.

5.1 At election time the broadcast media operate under quite rigorous guidelines about how candidates and parties are covered. We all chafe under them to some degree or other.

5.2 An academic would be better placed to provide detailed information on the effect of the media on the outcome of elections. But I have a suspicion that both editors and politicians exaggerate the importance of newspaper endorsements at election time. It was not the press which gave the Labour party power in 1997, nor the press which took it away in 2010. On each occasion, the government in office lost energy, lost control of events and lost authority.

6. What lessons do you think can be learned from the recent history of relations between the politicians and the media, from the perspective of the public interest? What changes, voluntary or otherwise, would you suggest for the future, in relation to the conduct and governance of relationships between politicians and the media, in order that the public interest should be best served?

6.1 It might be an idea if all newspapers declared their hand the moment an election campaign was called, rather than waiting until the day before polling. As regards news, all journalists cultivate sources, and if journalists are going to continue to find things out they need to be able to keep their sources confidential.

7. Would you distinguish between the press and other media for these purposes? If so, please explain how, and why.

7.1 It is striking that this inquiry is into the working of the press, rather than the electronic media. Broadcasters operate under rules and conventions and while the distinction between the electronic media and the press is increasingly blurred (websites and the like) some of the historic tension lingers.

7.2 The word in broadcasting is 'impartiality'. I have always had a problem with this, because it is so hard to define it in anything other than dull, mechanistic measures of

minutes broadcast. I do, however, firmly believe in 'fairness,' which, while it is a subjective judgement, one can easily identify.

8. In the light of what has now transpired about the culture, practices and ethics of the press, and the conduct of the relationship between the press and the public, the police, and politicians, is there anything further you would identify by way of the reforms that would be the most effective in addressing public concerns and restoring confidence?

8.1 The British media are recognized worldwide for their vigour and creativity. Recent disclosures have shown that bad things happened. To an outsider, they look the consequence of commercial pressure, journalistic arrogance and bad behaviour by people of whom we're entitled to expect more. The law has been broken. The solution surely is not new laws, but respect for existing ones.

8.2 Only totalitarian states put the media under the control of government. If there is to be a much more vigilant and powerful successor to the PCC, the problem will be one of compelling membership. Since the only thing that seems to concern newspaper proprietors more than articulating their prejudices is accumulating money, I rather like the suggestion that unless you accept the body's authority, you don't get exemption from VAT.

9. In your experience, what influence do the media have on the content or timing of the formulation of a party's or a government's media policies? The Inquiry is particularly interested in this context in influence on the content and time of decision-making on policies, legislation and operational questions relating to matters such as:

9a media ownership and regulation;

9.1 I have no first-hand experience of this subject and will confine myself to a couple of observations. It is frequently asserted within the BBC that the Murdoch press and the Daily Mail both attack the organization for commercial reasons: the more they can discredit a rival, the better for them. How much this is their true motivation, I do not know. But it is certainly not a total explanation. The nation's biggest cultural institution cannot expect to be above criticism.

9b the economic context of media operations, including the BBC licence fee;

9.2 I consider the licence fee to have worked well for generations. It provides a predictable source of income, keeps government at arms' length, and imposes a moral duty on the management to look beyond purely commercial considerations. It is noticeable, however, that the organization feels jittery when the time comes around for the licence fee to be renegotiated. And I find it hard to imagine quite how a tax on the ownership of televisions is going to survive in an age when computers and televisions have merged, and in an environment where young people have got used to getting their viewing apparently 'free.'

9c legal rights in areas such as freedom of expression, privacy, defamation and libel, freedom of information and data protection;

9d any relevant aspects of the substantive criminal law, for example relating to any aspect of unlawfully obtaining information (including hacking, blagging and bribery) and the availability of public interest defences;

9e any relevant aspects of legal procedure, such as injunctions, the reporting of proceedings, the disclosure of journalists' sources and the availability of public funding for defamation and privacy cases;

9.3 As indicated above, if laws have been broken, then laws have been broken. It does not follow that new laws are needed.

9.4 I have not myself been enjoined. But I observe that in general when a wealthy company or individual threatens an injunction – even if my colleagues have satisfied themselves that their story is one hundred percent accurate – the body concerned enjoys one insuperable advantage. A company with deep pockets may be willing to go any lengths to keep its behaviour hidden. The BBC has to balance the cost of expensive QCs and potentially lengthy cases against a multitude of other calls on its cash. Did people pay their licence fee to fund court cases or to make documentaries and run orchestras?

9f any aspects of policing policy or operations relating to the relationship between the police and the media.

9.5 Journalists have always cultivated police sources, generally over beer or meals. Bribery is something else. Equally wrong – and, I believe, pretty commonplace – is the practice of police officers selling stories to the papers.

10. From your perspective, what influence have the media had on the formulation and delivery of government policy more generally? Your answer should cover at least the following, with examples as appropriate:

10.1 The media are the tank in which goldfish politicians swim. Appearing on television allows the political class to communicate with the people whose support they need if they are to gain or retain power. Therefore, politicians worry about the coverage they get. The current government's legislation to reform the National Health Service had over one thousand amendments tacked on to it, partly in response to public campaigning in the media. Even the government claims it has been improved as a result. But to govern in response to headlines is stupid. You end up with knee-jerk pieces of legislation like the 1991 Dangerous Dogs Act.

10.2 I am aware that some people thought the extensive coverage of the extension of VAT to warm Cornish pasties was a focus on triviality. It is true that we all took a great delight in pastie-gate. But it mattered because it illuminated two vulnerabilities in the coalition government – the general out-of-touchness said to afflict most mid-term administrations, and the presence at the heart of power of some ex-members of the Bullingdon Club.

10a the nature of this influence, in particular whether exerted through editorial content, by direct contact with politicians, or in other way;

10b the extent to which this influence is represented as, or is regarded as, representative of public opinion more generally or of the interest of the media themselves;

10c the extent to which that influence has in your view advanced or inhibited the public interest.

10d The Inquiry is interested in areas such as criminal justice, European and immigration policy, where the media has on occasion run direct campaigns to influence policy, but you may be aware of others.

10.3 BBC programmes do not tend to run campaigns, for reasons to do with their unique funding mechanism and consequent special position in public life: a campaign could target people required by law to pay the licence fee. But newspaper campaigns may have an effect on broadcasting, by changing what is deemed newsworthy. The *Daily Telegraph* campaign on MP's expenses is an obvious example.

10.4 Ministers often attack newspapers for running campaigns. Two of the examples you cite – European and immigration policies – are cases in point. But each is an area in which politicians have found it much easier to make grand promises in opposition than to carry them through in government. The newspapers are a vehicle for expressing public anxiety. I see nothing wrong with campaigns.

10.5 There is, perhaps, one particular way by which the electronic media exert influence. It is the power of ubiquity. The existence of non-stop news channels means that stories have lives of their own. It takes a substantial politician and a confident government to ride out a media storm in which each time a beleaguered minister steps onto the pavement they are monstered by a gaggle of photographers and cameramen and a distinctive Cockney voice shouting 'you gonna resign, minister.?'

11. In your experience, what influence have the media had on public and political appointments, including the tenure and termination of those appointments? Please give examples, including of cases in which in your view the public interest was, and was not, well served by such influence.

11.1 As far as public appointments go, the media seem to me have little influence. Quangos, public inquiries and task forces seem to have their members selected by the same faceless mechanism as ever. They are probably better for it than the cheap political stunts which see some familiar-ish face made 'tsar' of something or other, posing for a photo-call and producing a report which washes out of the Whitehall Cloaca Maxima in no time.

11.2 When it comes to the media ending careers, perhaps the people you ought to hear from are those in the hapless position of having been appointed manager of the England football team.

I confirm the contents of my statement are true

Signe

Date

25.10.12

Jeremy Paxman