

Witness statement of Sir John Major to the Leveson Inquiry

Date: 14 May 2012

Exhibits SJM 1-10

**IN THE MATTER OF THE LEVESON INQUIRY INTO THE CULTURE,  
PRACTICES AND ETHICS OF THE PRESS**

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**WITNESS STATEMENT OF SIR JOHN MAJOR KG, CH, PC**

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I, SIR JOHN MAJOR KG, CH, PC, of  will say as follows:

**Introduction**

1. I was elected the Member of Parliament for Huntingdon in 1979 and remained a Member of the House of Commons for 22 years. I joined the Government Whips' Office in 1983 and was appointed a Junior Minister in 1985, a Minister of State in 1986 and joined the Cabinet as Chief Secretary in 1987. I served in the Cabinet as Foreign Secretary and Chancellor of the Exchequer before becoming Prime Minister in November 1990. I remained Prime Minister until May 1997.
2. I welcome the opportunity to assist Lord Justice Leveson's Inquiry into the culture, practices and ethics of the press. I should caution, however, that the events about which the Inquiry has sought my views, occurred some 15 to 21 years ago. I have endeavoured to provide accurate answers to every question asked, and so have checked facts where I can in the time available. Where official records are inadequate I have relied upon my recollection of events. Where I have little – or no – memory of these I have said so.

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3. When I became Prime Minister in November 1990, the Conservative Party had been in Government for 11½ years – a long time by modern Parliamentary standards. My predecessor, Margaret Thatcher, had won three General Elections but, by mid-1990, she and a large part of the Conservative Parliamentary Party had grown apart over policy (notably the Poll Tax and Europe). The Conservative Party was also trailing badly in the opinion polls. As a result, Mrs Thatcher was challenged from within the Party and, after a ballot, made the decision to resign as Prime Minister.
  
4. So far as I could see, Mrs Thatcher had enjoyed a generally supportive relationship with the right of centre press. The left of centre press had largely been hostile. Insofar as Mr Rupert Murdoch and Mr Conrad Black were concerned, their support – and that of their newspapers - was based in part on her record in office – notably trades union reform, tax reform and the Falklands conflict – but also upon broadly shared ideological convictions. She made their political convictions/prejudices into political flesh, and they admired her for it. She, in her turn, admired buccaneering businessmen.
  
5. As Prime Minister, I did not inherit – or seek – a close relationship with any part of the media. I did not go out of my way to engage with the press. This was my own choice, made in part by natural instinct, and in part because the Black and Murdoch press were wedded to a more ideological type of Conservatism than my own. Nor did I engage closely with the Maxwell press or other centre or centrist left titles. This decision was, to an extent, quixotic, since the press are a daily route to the electorate. Nonetheless, a close engagement did not feel comfortable or proper to me and I left relationships with the media largely to the No 10 Press Office – then staffed exclusively by civil servants – and, where appropriate, the Party machine. The attached record (**SJM 1 pages 1 to 10**) shows the extent of my contact with proprietors and editors. I did not offer any peerages or knighthoods to any national newspaper proprietors or editors - as is

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clear from the attached list of honours awarded to the members of the media during my time as Prime Minister. (SJM 2 pages 1 to 2).

6. I suspect that my lack of a close relationship with any part of the media may have been a contributory factor to:

- (a) the hostile media the 1990-97 Government often received;
- (b) the mistaken judgements made by the media about the 1990-97 Government, its instincts, policies and priorities; and
- (c) the very close relationship with the media sought by my immediate successors.

7. It may be that my relationship with the media was too disengaged. Even so, in retrospect, I would not change it. In any event, the Conservative Government's policies on issues such as Europe and Northern Ireland, together with our positive consideration of the Calcutt Report on press reform, would have caused friction. I also accept that some of the adverse reporting between 1990-1997 might have been fair comment, not least given the divisions which – at that time – were rife within my Parliamentary Party.

8. My view is that a high quality press enhances our national life and our democratic system. At present, some parts of the print media apply journalistic standards that fall far short of what should be expected. The virtue of exposing their shortcomings is that, once they are fixed in the public gaze, there will be widespread support for change. I have no doubt that reform of present practices is necessary, and should be undertaken with the objective of eliminating abuses, and raising the general standard of journalism to that of the very best.

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**A. 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 from your time in office.**

9. In terms of democratic accountability, the best relationship between the media and senior politicians is one of constructive tension. It should be neither too cosy nor too hostile, but this happy medium is rarely achieved.

10. The media is an important forum for public debate. It is the conduit to the electorate. To report, comment and criticise, is the legitimate prerogative of a free press. The converse is the obligation for them to report accurately, comment fairly and, to correct inaccurate reporting when, as is inevitable, mistakes occur.

11. The principal benefit to the public of a constructive relationship between senior politicians and the media is that complex policy – if explained properly to the media – can be reported fairly and accurately. This helps both the public and the media understand complex issues, which is an important contribution to the democratic process.

12. The risk inherent in too close a relationship between senior politicians and sections of the media is that the relationship can be perverted by self-interest. The press, in particular, want "inside" stories and "scoops", and the politicians want favourable coverage. The trade-off is obvious and undesirable. It is this interaction of self-interest that often prompts anonymous denigration of other politicians, "leaks" of government policy, or stories of "disputes" within Government that are

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often illusory. Such "disputes", in reality, are often merely lively discussions and debate during the process of policy making, but are rarely presented as such. The culprit can often be identified by concurrent favourable publicity. One (of many) examples of this might be the many leaks and stories during the European disputes – specifically during the passage of the Maastricht Bill - of the early to mid 1990s.

13. Briefly, the way to maximise the benefits of the relationship between senior politicians and the media, and to minimise the risks, seems to be for a relative distance to be maintained between the two. This removes temptation. By this, I mean senior politicians should not seek to curry favour with particular media proprietors and editors, and the reporting of politics should rely on hard facts which have been properly researched and verified and not on salacious or malicious gossip. Too often unattributable quotes and generalised assertions are used to bolster or even manufacture a story, and promote a particular agenda.

**B. 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.**

14. The role of a senior politician in opposition is very different to that of a government minister. When in opposition, the role is to oppose government policy – hopefully not frivolously – and expose any shortcomings in it. There is never any obligation to follow through with alternatives (although it is more effective when that happens). However, a senior politician in government must advocate policy and defend the government's position in every matter. He, or she, is expected to use all interactions with the media to promote support for, and better understanding of, government policy and decision-making.

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15. I was a senior politician in opposition for only 3 weeks after the 1997 General Election. Thereafter, as a back-bencher, between June 1997 and my retirement from the Commons in 2001, I was relatively detached from the contemporary controversies of day-to-day politics. I cannot, therefore, speak with much personal experience of the opposition's relationship with the press. Government politicians, however, can use a close relationship with the media to provide "hard" news rather than comment, which affords them greater opportunity to influence the daily news agenda.

16. One relatively new element in political/media relations is the development of party political appointees taking on the role of Press Secretary to the Prime Minister, and elsewhere in departments across Whitehall. These appointments (often made from *within* the media of individuals who are *of* the media) have changed the dynamic of relations between government and the press. Objective truth can be a casualty of the new relationship. Individual journalists or papers are favoured with early or exclusive information. I thoroughly dislike this development which can be used to "manage" how good and bad news is disseminated, and to whom and when. The loser is the public interest and dispassionate, honest journalism. I return to this point at paragraph 32 onwards.

This situation did not apply when Press Offices across Whitehall were staffed by civil servants rather than Party political appointees. This tradition changed in 1997, and a new – and, to my mind, unattractive – pattern was set.

**C. In your experience, what are 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 (or did you) have any concerns about the nature and effect of such interactions, or the legal, regulatory or transparency framework within which they take place, and do you have any recommendations or suggestions for the future in this regard?**

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17. The press are powerful and influential opinion-formers and, in the run-up to general elections, it is in the public interest that there should be full, clear and unbiased reporting of the campaign, so that electors can make an informed choice at the polls. During a general election, when a relationship between a political Party and a section of the media is particularly close, the risks to the public interest are that:

- a) worthy, factual – but perhaps un-newsworthy comment – is pushed aside in favour of more newsworthy and dramatic copy or political stunts; and
- b) the political allegiance of sections of the media will colour their reporting, resulting in the provision of an unbalanced opinion to their viewers/ listeners/readers. This situation can be exploited by politicians, who may seek to use their relationship with the press to make inaccurate allegations about their opponent's policy. Often this can be simple misunderstanding, or fair comment. Nothing can or should be done about that. Sometimes, however, the statement can be totally untrue and known to any informed and dispassionate observer to be untrue.

18. An example of such an untrue assertion would be the claim by the Labour Party in the 1997 General Election, that the Conservatives – if re-elected – planned to abolish the State Pension. Labour knew that this was wholly untrue, but made the charge anyway – prompted by an opinion poll that suggested their hitherto large lead in the poll was disappearing. The electorate was misled. But since it was such a good story it was widely reported. It is hard to believe the media did not know this was nonsense.

19. It is difficult to see how such behaviour can be policed. Nor is it easy to see how it can be stopped: as Mr Harold Wilson once remarked: *"A lie can be halfway*

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*around the world before truth gets its boots on.*" That is why it is so important that the press check their stories and, as far as possible, verify the facts before printing. The judgment exercised by the press is crucial in helping a fair and balanced report of events to be placed before the electorate.

20. There are competing interests in the relationship between politicians and the media. Both have their own agenda. They always have had, and always will have. The public interest is to have the unbiased truth laid before them. This depends on the personal instincts and standards of the protagonists.

21. In his evidence to this Inquiry, Mr Rupert Murdoch said: *"I have never asked a Prime Minister for anything."* By this, I assume him to mean that he has never asked for anything that would benefit either him personally or his company. In my very limited contact with Mr Murdoch his statement is, on a strict interpretation, literally true: certainly he never asked for anything directly from me. But he was not averse to pressing for policy change. In the run-up to the 1997 election, in my third and last meeting with him on 2 February 1997, he made it clear that he disliked my European policies which he wished me to change. If not, his papers could not and would not support the Conservative Government. So far as I recall, he made no mention of editorial independence but referred to all his papers as "we". Both Mr Murdoch and I kept our word. I made no change in policy, and Mr Murdoch's titles did indeed oppose the Conservative Party. It came as no surprise to me when soon after our meeting, *The Sun* newspaper announced its support for Labour.

22. I have set out at paragraphs 41 to 48 my suggestions regarding reform of the conduct and governance of relationships between politicians and the media. I hope that any such changes would improve press standards during a general election. However, I would not seek to restrict criticism of politicians during a general



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election. Politics is a tough business, and unfair political criticism is par for the course.

**i) Please include in your answer, in particular, your thoughts about the impact of the media on the conduct and outcome of the 1992 General Election. In his resignation speech following defeat in that election, Lord Kinnock quoted the following sentence from an article in the *Sunday Telegraph* by Lord McAlpine:**

*"The heroes of this [general election] campaign were Sir David English, Sir Nicholas Lloyd, Kelvin MacKenzie and the other editors of the grand Tory Press".*

Lord Kinnock continued to say that:

*"This was how the election was won and if the politicians, elated in their hour of victory, are tempted to believe otherwise, they are in very real trouble next time."*

The Inquiry would welcome your comments.

**ii) To what extent do you consider that the switch by several newspapers – including The Sun - from supporting the Conservatives to supporting Labour played a part in the conduct and outcome of the 1997 General Election?**

23. After some 13 years in Government, most commentators expected the Conservatives to lose the 1992 General Election. Opinion polls supported this view. I did not agree. Throughout the campaign, I was confident of a majority. In 1992, the response on the streets and at meetings reinforced my confidence. In fact, at that election, the Conservative Party polled the largest number of votes in Parliamentary history – although electoral boundaries that favoured Labour, and a mal-distribution of the vote, dissolved a huge plurality of votes into only a tiny majority of seats. This changed the character of the 1992-97 Government and its relationship with the

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media. It did so because a tiny majority is vulnerable to disputes/rebellions that can force governments to change policy. This gives the impression of indecision and leads to charges of U-turns. Politically this is very damaging. With a larger majority such disputes/rebellions have little impact and the government can see them off and be seen to be resolute.

24. After the General Election of 1992, there was a great scramble among pollsters and commentators to explain how and why their forecasts were so wrong. The most popular explanation was that it was a late swing after an over enthusiastic display of premature triumphalism by Labour at a celebratory rally held in Sheffield on 1 April 1992. There may be some credence to this but, in my view, only at the margins. I believe that confronted with the real prospect of a Labour government, many people in Britain decided to support the Conservatives again.

25. I do not agree with Lord McAlpine's assessment of why the Conservative Party was successful in the 1992 election. In my view, his comment is nonsense.

26. The psephologists John Curtice and Michael Steed could not find any analytical evidence to support the idea that the tabloids "won" the 1992 election. MORI carried out an analysis that suggested that the proportion of voters who trusted the views of newspapers on politics actually fell in 1992. In my view, press coverage – at most – may have accentuated what was happening in the 1992 and 1997 elections – but did not create it. The principal reasons that the 1997 General Election was lost were that, after 18 years of Conservative rule the country wanted a change;

- a) divisions within the Conservative Parliamentary Party over European policy had been very unappealing. Electors do not vote for a divided

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Party; and our internal divisions persuaded many that we did not merit re-election; and

- b) the fear factor of a Labour Government had disappeared, as they adopted more centrist policies – some of which were indistinguishable from Conservative policy (i.e. public spending plans 1997-99). Our internal squabbling had allowed Labour to occupy our natural ground.

**D. 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?**

27. The lessons are evident. Some parts of the press and some politicians are too close and the institutions of government and press (less so other media) have both been damaged by the relationship. Where parts of the press become, in practice, part of the political process, this damages the public interest. It is also inimical to the public interest if press proprietors/editors are too close to senior politicians. The press must express their views – no-one wishes to curb that – but, if critical objectivity is lost, then they no longer perform the valuable functions of holding governments to account.

28. I have set out in some detail at paragraphs 41 to 48 my suggestions for reform of press relationships with politicians, the public and police. However, I do believe that the conduct of some politicians and parts of the media over a long time has damaged the reputation of both sides. Public trust has been lost in them both. Insofar as the politicians are concerned, scandals – notably financial scandals – have seriously damaged public perception of their probity.

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29. Insofar as the media are concerned, the revelations over hacking have exposed criminality on top of the harassment and intrusion into privacy that has long been commonplace behaviour, especially (but not exclusively) by the tabloid newspapers. This inquiry has been given multiple examples of this and I need not add to them. The public have also observed that the freedom of the press did not encourage the press to use that freedom to expose the criminality in their own profession, that many of them must have been aware was taking place. Nor, surprisingly, did any investigative journalism seem to notice the criminal activities of the late Robert Maxwell.

30. One lesson to be learned from press intrusion is that many very capable people, who could make a valuable contribution to politics and serve the national interest, are choosing not to do so for fear of intrusion into their personal and family lives. The pen and ink assassination of public figures – which goes wider than politicians – is a real disincentive to entering public life.

31. In my view, the public interest is best served if there is a degree of formality – and distance – between the media and the government, but this will be very difficult to achieve, not least because there are genuine friendships and respect between some journalists and politicians. This encourages informality and the exchange of information to favoured sources, and friendly reporting of the informant. Amid the public dissatisfaction with politicians and the media (especially the print media) it should be acknowledged that there are many people of high quality and unquestioned probity who work in both these professions, and who emphatically do serve the national interest. We should not lose sight of that due to the misbehaviour of others.

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32. The advent of party political appointees since 1997, such as press secretaries and special advisers who speak to the media, has had the disadvantage that the word of the government spokesman is now less likely to be automatically accepted as dispassionate and accurate. I dislike it too, since press secretaries receive a security clearance, and are likely to become familiar with highly sensitive material. If they return to journalism, the temptation among their peers to access that knowledge could place them in an invidious position.

33. However, minor improvements to public perception would result if:

a) The Government Information Service was once again fully staffed by civil servants;

b) Press lunches and private contacts were logged and published regularly;

These two changes a) and b) above, would be palliative only and easily bypassed. However, they might have some small impact on behaviour. I believe that items c) and d) below would have greater effect.

c) If action were taken to curb press excesses, this would improve the reputation of the press, and be in the public interest. I address this at paragraphs 41 to 48; and

d) It is in the interests of good journalism that bad journalism is eradicated. The most important improvement would be if proprietors and editors were determined to improve the veracity of stories, and imposed standards on their own journalists to do so. In such circumstances, if applied at all times, any argument for statutory controls would then be rendered unnecessary. At present, however – and for many years – no such control has been exercised, and the behaviour of some elements of the press has been unacceptable.

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

34. There is one very clear distinction between the press and other media. The electronic media now generally operate a 24-hour cycle and is, therefore, first in announcing "hard" news. The print media, published daily or weekly, is largely left to comment or find a subsidiary angle to the news. This inevitably leads to more sensationalism and more pressure for comment. Newspapers are fighting for their commercial life and this can and does undermine standards. The advent of the internet, Twitter and blogs add to their difficulties and I do not see how these outlets can be easily monitored or brought within a suitable Code of Practice.

**F. Please explain the approach you personally took to engaging with media proprietors and senior editorial and executive staff within the media while you were in office as Prime Minister. Your answer should cover at least the following - indicating as appropriate whether the information relates to that capacity or a private capacity:**

- i. an indication of the nature and frequency of contacts of this nature, whether formal or informal, who initiated them and for what purposes;**
- ii. details of any relevant hospitality you gave, received or participated in;**
- iii. the value of these interactions to you;**
- iv. the extent to which political support by the media for any individual, party or policy was discussed at such interactions;**
- v. the extent to which the existence and nature of such interactions are or are not placed within the public domain and the reasons for that.**

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35. I attach by way of exhibit (**SJM 1**) a table detailing all contact by way of meetings and hospitality offered to and received from the media during my period as Prime Minister. This table has been compiled from the definitive version of my No. 10 diaries. It details all meetings held with senior media and editorial figures, but does not record any press, TV or radio interviews which I was required to provide in the ordinary course of business. I should say that, at that time, neither the records of any such meetings with the media were required to be held separately, nor to be made public.

36. As is apparent, I did not hold regular meetings with media proprietors. As an illustration, I met Rupert Murdoch on only 3 occasions in 1992, 1993 and for dinner in February 1997. I met Conrad Black on 7 occasions and Lord Stevens only twice, although I also attended 4 social events at his invitation. I cannot recall any meetings with Robert Maxwell although he occasionally telephoned No. 10 to pass on intelligence information that had come to his notice. I met Mr Murdoch and Mr Black mostly with my Press Secretary. I attach a copy of a Minute from my Press Secretary, Gus O'Donnell, dated 3 August 1993 attaching a copy of an invitation from Mr Murdoch to a "special celebration" (**SJM 3 page numbers 1 to 2**). As is clear from my annotation of the Minute, I did not believe that it was prudent for me to accept his hospitality, and was discouraging other Cabinet members from doing so.

37. Meetings with editors and political editors were occasional and typically in the company of my Press Secretary. My recollection is that – where an invitation to No. 10 was proffered to an editor– it was at the suggestion of my Press Secretary, my Political Secretary, or Conservative Central Office, and usually for the purposes of explaining a particular policy.

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38. I attach also a guest list for a press luncheon at Chequers held on 3 December 1995 for members of the press (SJM 4 page numbers 1 to 2). So far as I can discover or recall, this is the only such event that I ever held for the media during my period in office.

39. I have annexed to this statement at exhibit **SJM 5 (page numbers 1 to 25)** briefings I received from my Press Secretary Gus O'Donnell, and officials at the Department of Trade and Industry and the Department of National Heritage, in preparation for my meeting with Mr Murdoch on 19 August 1993 when I wished to express my concern at the way in which his newspapers had been attacking government policy. Attached to Mr O'Donnell's briefing of 18 August 1993 are press cuttings demonstrating the nature of the contemporary Murdoch press. Despite the briefing and the newspaper clippings, I have no recollection of that meeting. Clearly, if the meeting took place, it had little or no effect.

40. The briefing attached at **SJM 5** is in fact the only briefing for a meeting with the press that it has been possible to find in the No. 10 archives in the time available.

**G. 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, are you prepared to offer a view as to the reforms that would be most effective in addressing public concerns and restoring confidence and, if so, what is your view?**

41. The PCC – or a replacement body with similar powers – is no longer a credible regulatory body. It does not, and would not, command confidence. Any replacement body should be equipped to deal with the discontent that is now widespread about how (parts of) the press behave.



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42. I agree that freedom of the press is vital. It does need to be protected. I do not wish to damage that. But freedom to report and comment cannot mean licence to do so without responsibility for what is said or printed. Whatever their right to report, the press cannot be absolved of liability for what they print. Freedom of the press cannot be allowed to override or ignore the rights of individuals.

43. The subjects of media comment do need protection from unfair or malicious reporting. The reparation for abuse of the privileges of journalism must be a deterrent. In this regard, I recommend the following options:

- a) an apology in a position of equal prominence to the original article;
- b) a (nominal) cash payment to the aggrieved party (although I do not favour large sums in compensation if a credible apology is prominently offered);
- c) sanctions (i.e. fines, or loss of VAT exemption for a period, for example) for serious or repeated abuses;
- d) cash compensation or fines could be levied directly on the offender, or on the industry generally from an industry contribution fund; and
- e) proprietors and editors should be made personally liable for the content of press reporting in their titles.

44. The State cannot regulate the content of the media or press: but I do not see why it cannot frame a law to back up a credible system to hold the media to account. A statutory body could be established, which agreed a new code of conduct with the press, and which was then enshrined in law, with the statutory body being given teeth to impose sanctions such as those detailed in paragraph 40 above. Such a statutory body should, in my view, be independent of proprietors and editors, being comprised predominantly of lay members. It would be possible, and perhaps desirable to include press representatives on this statutory body, but any such

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members should be in the minority. It would be desirable if this statutory body had power to resolve cases on defamation that would otherwise go to court, as well as privacy claims. Present libel law is unsatisfactory in a number of ways, and a better system is needed to protect those who cannot afford to challenge the deep pockets of media proprietors, or face the prolonged publicity of a court case.

45. The new body could be funded by a statutory levy on the press.

46. It would be desirable if the statutory body that agrees a Code of Conduct with the press also offers guidelines on privacy, and what constitutes fair comment, harassment and intrusion. None of this is easy, and I have no immediate definitions to offer. But we must provide more clarity on these issues both as guidance for the press and as protection for the individual. It is important that this body has deterrent as well as enforcement powers.

47. I believe that the responsibility for any press misbehaviour must lie ultimately at the very top of the newspaper. Proprietors or editors could easily stop unacceptable practices. It is not credible that they do not know how their journalists obtain a story. It is often said that proprietors do not interfere with editorial content. That may be so on a day-to-day basis. However, there is no need for them to do so. Editors do not need instructions. They know their proprietor's mind. I am sure some editors do pursue a line independent of their proprietor's views, but such independence is not universal. Moreover, proprietors can (and do) replace editors in order to install someone of similar views to themselves. Proprietors and Editors cannot set a climate of competition to produce stories, and yet not take responsibility for the methods used.

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48. Sole proprietors (i.e. where ownership is largely concentrated in a single individual or organisation) have enormous influence. In many ways, sole proprietorship is inherently undesirable. Power without hindrance is bound to be poorly exercised. It is doubly important to protect against abuse of power when it concerns the rights of others or information provision, and triply so when it is directly allied to opinion-forming about our democratic process. One man, one vote is a principle we have long accepted. One man, many newspapers (plus satellite television ownership) is a very different principle. It is important that such great power is not abused.

**H. In your experience, what influence do the media have on the content or timing of the formulation of a party's media policies? Please describe, with examples, your party's approach to consultation with, and the handling of representations by, media interests in the formulation of policies directly affecting the media, during your Premiership.**

49. As far as I can recall, the press made no direct or formal representations to the last Conservative Government on matters affecting the formulation of policy on the media itself. I have no doubt that we would have listened to any such direct representations which, if we felt them to have been justified, might in turn have informed our policies. We were, however, regularly exposed to media views on all issues - including media policies - through their editorials. I deal with some of these issues in the later sections of my statement which deal with the Calcutt Report.

**I. In your experience, what influence have the media had on the content and timing of government decision-making on policy or operational issues directly affecting the media? Please provide some examples.**

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50. I refer to media influence on government decision-making when I consider the Calcutt Report later in my statement, where their views were of importance since they were potentially the subject of legislation. That apart, although we were interested in views expressed in the media, they were not able to unduly influence Government policy. During my period as Prime Minister, media opinion was only one consideration out of many, and was often firmly resisted. Examples would be our position on Europe, and long-running opposition to the peace process for Northern Ireland. Opposition to the peace process often crossed the boundary of fair comment. One example would be when sensitive documents about the Framework Agreement negotiated with the Irish Government in 1995 were leaked to *The Times* – I believe from a Unionist source – and with a very hostile brief. The No 10 Press Office was asked to comment only very close to the print deadline. They advised *The Times* that:

(a) its slant on the Framework Agreement was incorrect, not least since it had been sourced from a malicious brief; and

(b) if it published the story it could do great harm to the peace process.

Nonetheless although the story was inaccurate, *The Times* did publish it, including merely the briefest rebuttal from the Government.

**J. From your various perspectives, 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:**

- i. the nature of this influence, in particular whether exerted through editorial content, by direct contact with politicians, or in other ways;
- ii. the extent to which this influence is represented as, or is regarded as, representative of public opinion more generally or of the interests of the media themselves;

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

51. Of course, the last Conservative Government took account of well-argued policy from every source, including the media. Generally, policy came from our manifesto, the policy unit or, the relevant Secretary of State. I should draw a distinction between the media's role in reflecting public opinion, and the use of its power to pursue either narrow self-interest, or only one side of a complex argument.

52. There are specific examples where the press affected the delivery of policy:

a) There was a secondary influence of the press through editorials and articles.

b) One specific example of press influencing the delivery of policy related to the "Back to Basics" policy I announced at the Conservative Party Conference in 1993. I said:

*"We must get back to basics. We want our children to be taught the best; our public service to give the best; our British industry to be the best. And the Conservative Party will lead the country back to these basics right across the board: sound money; free trade; traditional teaching; respect for the family and the law. And above all, lead a new campaign to defeat the cancer that is crime."*

Clearly, this had nothing to do with a puritanical moral crusade, but the press chose to interpret it as such, contrary to all the evidence that was available. It resulted in many lurid stories, which not only caused great hurt to individuals caught in the undertow of their coverage, but wholly undermined a worthwhile policy. So effective was their barrage, that even some Members of Parliament criticised me for introducing a policy on morality. Sloppy columnists did so for many years.

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c) Similarly, a policy to improve the culture of public service was launched under the title "Citizens' Charter". This policy was aimed at improving public services, ensuring courtesy to the taxpayer who paid for them, and improving the esteem in which public servants and public services were held. The press undermined this campaign from the outset, through a total misrepresentation of the facts behind it – led by journalists who seemed to have no experience of public service and little care for it.

**K. 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 cases in which in your view the public interest was, and was not, well served by such influence.**

53. The press had no influence on the appointment of Ministers. I made appointments, after consultation with the Whips' Office, who advised on performance and promotion.

54. The press did have an indirect influence on the resignation of Ministers. I did not routinely dismiss Ministers who were being hounded by the press, but there were occasions where Ministers accepted that factors such as pressure from the press, and subsequently from backbenchers and – most importantly, the Executive of the 1922 Committee – left them with little choice but to resign.

**L. The Conservative Party manifesto for the 1992 General Election stated that:**

**"The Press Complaints Commission is now in operation, and we will monitor its work carefully to see if self-regulation succeeds".**

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**Please describe the extent to which that monitoring was undertaken during your Premiership and with what results.**

55. Please see my answers regarding the Calcutt Commission at paragraph 72 onwards below. I was not involved in the day-to-day considerations, these having been dealt with in Cabinet sub-committee. Having said that, as I make clear from paragraph 72 onwards of this witness statement, the Government consistently made clear that the PCC needed to improve and strengthen self-regulation if it were to reach the stage of being an effective regulator.

**M. What views did you take during your time in office as Prime Minister of the issues raised by cross-media ownership and, in particular, the involvement of Rupert Murdoch and Robert Maxwell in both newspapers and satellite television? Please describe any policy consideration given to these matters, and any decisions or steps you took. What view, if any, do you take of these matters now?**

56. I do not recall any policy discussions during my period in office regarding cross-media ownership. I have expressed my views regarding sole proprietorship of the media in paragraph 48 above.

57. In response to the Inquiry's question as to what my current view is of these matters, my view is that Parliament should set a limit:

(a) on the percentage of the press, and of the electronic media, that can be under the ownership of one individual or company; and

(b) on the sum total of cross-media ownership by one individual or company.

The aim of such a restriction should be to ensure a diversity of ownership and minimise undue influence. I have made no study of what such limits might be, but

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my instinct is that they should be in the 15-20% bracket. I would not wish to set such a low threshold that it inhibits fresh capital investment.

**N. The Conservative Party manifesto for the 1997 General Election campaign included the following commitment:**

***“We will maintain a strong, free and competitive broadcasting and press environment at both national and local level, while continuing to be vigilant in monitoring whether action is needed to curb breaches of standards, and prevent unacceptable press intrusion.”***

**Did you have any specific examples of “unacceptable press intrusion” when you made that commitment? What measures did you intend might be introduced in order to prevent unacceptable intrusion?**

58. I can recall a number of examples of unacceptable intrusion into the private lives of public figures during my time as Prime Minister. One striking example was Stephen Milligan's death in February 1994. The circumstances of his death had nothing to do with his performance as an MP, yet the press thought it justifiable to report the death in graphic detail. The content and timing of the media reports were merciless, and handled with absolutely no sensitivity or consideration for his family.

59. The question of intrusion into the private lives of members of the Royal Family in terms of the unauthorised taking of photographs and eavesdropping on their telephone conversations was also an issue of concern at that time.

60. My own family also faced examples of intrusion. The list below is merely illustrative of the intrusion and false reporting that I recall. It is by no means exhaustive:



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a) there were unsuccessful attempts to access my bank accounts;

b) before I arrived for a family holiday, *The Sun* talked/bribed their way past a non-English speaking housemaid to enter our holiday home, rearranged the furniture, took photographs and published a story. When, unbeknown to me, my wife telephoned the Editor to ask for an explanation, Kelvin McKenzie told her that she and I "*had no right to any privacy*". He hung up on her;

c) on another occasion, my office received a telephone call purporting to be from the A&E Department of a hospital. The caller explained that my son's then girlfriend had been involved in an accident and that emergency surgery was necessary. However, before this could be carried out, it was vital to know whether she was pregnant. Even though, on the face of it, this enquiry was clearly an urgent one, before giving any response my office made immediate contact with my son's girlfriend, who was entirely well and in a meeting. For the record, she was not pregnant;

d) In circa 1996/97, my son was followed repeatedly by an individual on a motorbike, with a long piece of equipment attached to his bike. My son became very alarmed, since this was at a time when Northern Ireland was a much larger security concern than it is today and – through his rear view mirror – he believed the equipment might be a rifle. My son followed the security procedures he'd been taught to follow, in order to "shake off" his pursuer, but to no avail. He therefore continued to drive, and requested assistance from the Cambridgeshire Armed Response Unit who flagged down the motorcycle and pulled it over. It turned out that the rider was a photographer for the News of the World, and the equipment was a telephoto lens. The motorcyclist had been instructed to follow my son "*day and night*", in the hope of providing a story.

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e) Following the General Election of 1997, I was on a private holiday. Following a picnic on the beach, I tossed an empty bottle to my wife, who was immediately beside me, tidying up. The following day, a series of photographs appeared in one of the British tabloids (from all of which my wife had been airbrushed), accusing me of tossing the bottle onto an empty beach, and thus being a "litter lout",

For the sake of record, I should add that – except where stated – I cannot identify the culprits. I assume they were journalists, but have no evidence to confirm that. As for action, I was still inclined to rely on the Calcutt proposals.

**O. In his diaries, the former MP Chris Mullin describes two conversations with you where you are reported to have spoken in favour of a ban on foreign media ownership. In the second of these conversations, on 5 December 2000, you are recorded as having said that you were "provoked by the continual attacks on [you] by the Murdoch press and in the Telegraph, which is owned by Conrad Black, a Canadian".**

**Can you confirm your views at the time of foreign media ownership? Have your views changed?**

61. Several questions follow that relate to reported comments of mine recorded in Mr Mullin's diary. I respond to them individually, but should like to point out that the bald quotations provide an unbalanced representation of my attitude to Mr Murdoch. Some of the quotations would suggest that I was responding to a point put to me, rather than commenting gratuitously. Nevertheless, they do reflect my views at the time.

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62. I was not an admirer of Mr Murdoch but I did recognise:

- a) that he rescued *The Times* and *The Sunday Times* when they faced a bleak future; and
- b) he built up *Sky*, which offers a variety of high quality programmes to the viewing public.

My criticisms should be set against my acknowledgement of this contribution to our national life.

63. I do not recall the comment to which Mr Mullin refers, nor the context in which it was made (which was obviously a private conversation), but the words Mr Mullin quoted could have been something I might have said.

64. Such a comment would have been based on personal instinct rather than intellectual judgement. Intellectually, I can see no credible reason to oppose foreign ownership of media companies any more than foreign ownership of other companies. This is part of the age in which we live. However, I did – and do – have concerns about sole proprietorship of the media/press as this can lead to the proprietor having excessive influence over editorial lines. It is to me especially unattractive if a proprietor has no natural tie to our country as a tax-payer or voter. I did not invest time in examining how to prevent this. As to my views, they have not changed.

**P. Please describe the relationship you had at the time of your Premiership with Rupert Murdoch. Your answer should in particular comment on the following:**

- i) the view you took at the time you came into office of the likely benefits and risks of a close relationship with Mr Murdoch, and any insights you had**

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**gained from observing the way in which your predecessor had worked with him;**

**ii) reports of your having said that you "paid a price for not coming to an arrangement over policy with Rupert Murdoch";**

**iii) Mr Mullin's record of a conversation with you in 1997 during which he "asked what could be done given that [Rupert Murdoch] would unleash the full force of his empire against anyone who tried to tame him" and your recorded reply that: "The only way is a two party alliance".**

**Did you seek to develop such a consensus?**

**iv) Mr Mullin's further report that you said on more than one occasion that any political move against Mr Murdoch or other foreign newspaper proprietors would have to be "fatal"**

65. I saw at first hand Rupert Murdoch's relationship with Margaret Thatcher, but did not have – nor wish to have – a similar relationship. I recognised Mr Murdoch's remarkable success in business, but did not admire much that was in his newspapers, nor his methods or his political philosophy. Listed in exhibit **SJM 1** are my very limited contacts with Mr Murdoch. I gather Mr Murdoch does not recall his conversations with me. Nor do I recall mine with him, save for our meeting in 1997 which I have already detailed. Despite re-reading the briefing for my meeting with him in 1993 (**SJM 5**), I cannot recall this meeting with Mr Murdoch, nor indeed that held with him in 1992. Plainly, these two earlier meetings were not memorable to either of us.

66. It is possible that my relationship with Mr Murdoch may, on his side, have been affected by the Government's consideration of Calcutt, and our attempts to reform the PCC. None of this was welcomed by any part of the press.

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67. I believed that some of the irresponsibility of the press (which was certainly not restricted to the Murdoch titles) stemmed from a circulation war at a time when overall newspaper sales were falling by a million a year. It seemed that sensational and exclusive stories sold extra copies, whereas accurate reporting – which might be more boring – did not.

68. Negative reporting was not restricted to policy. As to editorial policy, there was talk in 1994 of a challenge to my leadership and Mr Andrew Neill, Editor of The Sunday Times, was reported as saying: *"I've always supported (Michael) Heseltine and I'll be proved right. As to endorsing him, we shall see. I have to discuss that sort of thing with Rupert [Murdoch]."*

69. In 1997, before the General Election, I had been urged by party officials to "woo" newspaper proprietors. I was reluctant to do so since the media had been brutal in its treatment of the government and some of my Ministers, and I did not care for the way that Labour seemed to be flattering the egos of the proprietors. I had no wish to compete with them in that endeavour. But, against my better judgment, I invited Mr and Mrs Murdoch to dinner on 2 February 1997. As a guest, I found him to be reticent. However, despite his low key manner, it was at this dinner that I had the exchange about policy in Europe as set out in paragraph 19. I recall no reticence in the way he set out how Government policy must change in order to earn the support of his newspapers. The point was softly put – but crystal clear.

70. I cannot recall saying that I *"paid the price for not coming to an arrangement over policy with Rupert Murdoch"* but I agree with this sentiment. It is something I might have said. I believe that New Labour learnt from my "mistake" in this regard, and developed a very close relationship with him which – for a long time – benefitted them enormously in terms of favourable press coverage.

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71. Although I have no recollection of the discussion, Mr Mullin's reference in his diaries to my suggestion that a two party alliance would be necessary to deal with the influence of Mr Murdoch on British politics is certainly something I believed to be true. However, I knew that I had no hope of securing such a consensus with Mr Blair, and so could not realistically pursue this option.

**Q. Please assist the Inquiry with an as full as possible account of the Government's response to the Second Report of the Calcutt Commission, published in January 1993. The Report contained serious reservations about the effectiveness, and the potential for effectiveness, of self-regulation by the press and recommended that the Press Complaints Commission (PCC) be replaced. It made further recommendations for a particular form of statutory regulation. The Government announced in July 1995 that it was not minded to accept this recommendation and that the PCC would remain. Please explain this sequence of events in full. In particular, your account should address the following matters:**

- i. when the report was received in January 1993 the Government said that it agreed with the report that the Press Complaints Commission, as constituted, was not an effective regulator of the press. Did that view change by July 1995, and if so, in what way and why?**
- ii. to the extent that the Government accepted that the Report identified any cause for concern, full details of what steps it took to address them and whether it considered other forms of regulation to replace the PCC;**
- iii. all consultations the Government undertook and all representations it considered in relation to these matters, specifying in particular consultations with and representations from representatives of media interests;**

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- iv. all of the considerations the Government took into account in announcing its conclusions on the Report's recommendations, and why that decision was not taken until July 1995.**

**Do you consider with the benefit of hindsight that the Government's response to the Second Calcutt Report represents a missed opportunity?**

72. I should make clear at the outset that I did not chair the Cabinet sub-committee which considered the Second Calcutt Report in detail. I make this point only to emphasise that my answers on this issue have largely been prompted by reviewing contemporary Cabinet Office papers. I do not have the clear-cut memory of someone involved closely and continually in the sequence of events.

73. There is background to the Second Report of the Calcutt Commission, with which the Inquiry will be familiar. I exhibit the Report to this witness statement as **SJM 6**. The first Calcutt report pre-dated my appointment as Prime Minister. That report recommended, amongst other things, that the Press Council should be replaced by a Press Complaints Commission ("PCC") which would have 18 months to demonstrate that non-statutory self-regulation could be made to work effectively. Mrs Thatcher's Cabinet accepted this recommendation, and it was announced that her administration would review the performance of the PCC 18 months after its inception.

74. In December 1989, David Mellor QC MP, at that time the Home Office Minister of State remarked that the popular press was drinking in the "last chance saloon" as far as self-regulation was concerned. His remark accurately summed up the views of the Cabinet at the time. In January 1991, by which time I was Prime Minister, the PCC was established.

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75. The Government decided to follow through the commitment of the previous administration, and conduct a review of the PCC after its first 18 months of operation. It invited Sir David Calcutt to conduct the review as a follow-up to his previous report.

76. Page 49 of the Second Calcutt Report summarises the "significant differences" between the PCC recommended by the first Calcutt report, and the one that was, in fact, set up by the industry. The overall assessment of the Second Calcutt Report was that the PCC was not an effective regulator of the press: it did not hold the balance fairly between the press and the individual, and it was, in essence, a body set up by the industry, financed and dominated by the industry, and operating a code of practice devised by the industry, which was over-favourable to the industry. It was a damning assessment of the PCC, with which I agreed.

77. The central recommendation of the Second Calcutt Report was that the Government should introduce a statutory complaints tribunal to address the shortcomings of the PCC. It also recommended that new criminal offences should be enacted and that consideration should be given to the introduction of a new tort of privacy to address the issue of intrusion into personal privacy by the press. The Report also recommended that the law on interception of telecommunications, the Data Protection Act, and non-identification of minors be reviewed, to identify relevant gaps in the then existing legislation.

78. In January 1993, following publication of the Second Calcutt Report, the Government accepted the case for new criminal offences to be introduced. Subject to further examination of the details of the proposed offences, including consultations with practitioners in the criminal justice and civil law fields, it would bring forward legislation. The Government also accepted the recommendation that further consideration should be given to the introduction of a new tort of infringement



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of privacy. It also committed to reviewing existing privacy legislation as recommended by the Report with a view to identifying any gaps.

79. In relation to the central recommendation, although the Government agreed that the PCC had shown itself to be an ineffective regulator of the press, it stated from the outset that it was extremely reluctant, on grounds of principle, to go down the statutory tribunal route without further reflection. Clive Soley's Private Members' Bill on Freedom and Responsibility of the Press was due to have its Second Reading at the end of January 1993, and the National Heritage Select Committee on Privacy and Media Intrusion was due to publish its report and minutes of proceedings in Spring 1993. The Government considered that it would be appropriate to take account of the outcomes of these and to reflect further before reaching a concluded view. The Government had not at that stage definitively ruled out a statutory tribunal.

80. The National Heritage Select Committee on Privacy and Media Intrusion published its report on 23 March 1993. I have exhibited the Select Committee report to this witness statement as **SJM 7**. The report rejected the Calcutt recommendation for a statutory tribunal, but recommended legislation to introduce a tort of infringement of privacy and new criminal offences, along the lines recommended in the Second Calcutt Report. Having rejected the case for a statutory tribunal, the Select Committee recommended that a statutory press ombudsman be set up as a second-tier "long stop" complaints body in the event of dissatisfaction by a complainant with a PCC ruling.

81. Government work on framing the proposed new criminal offences and the proposed new tort of privacy had in the meantime, been continuing. This work was taken forward in a Cabinet sub-committee chaired by the then Lord Privy Seal (The Right Honourable The Lord Wakeham). As I have stated, I am not familiar with the

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detail of the discussions that were undertaken, not having been involved in the work on a day-to-day basis. From having reviewed relevant papers, however, it is apparent that there was extensive and detailed inter-departmental work and cross-government consideration on the framing of the scope of the proposed new offences and tort between 1993 and 1995, including a joint consultation exercise undertaken by the Lord Chancellor's Department and the Secretary of State for Scotland in July 1993 on the proposed new tort. The various issues raised were complex, and the work took considerable time to complete.

82. Although I was, in principle, strongly in favour of new criminal offences being introduced, these ultimately proved very difficult to define, as did the proposed new tort of privacy. As well as the problems of framing legislation that would be workable – legally and practically – there was unease from a philosophical perspective about how to strike the balance in legislation between privacy and freedom of expression. We did not wish to censor the press and fetter legitimate investigative journalism. But we did wish to safeguard individual privacy effectively. This consideration took place in the wider policy context of open government. It became apparent that members of the Cabinet sub-committee were uneasy about enacting the Calcutt proposals. In these circumstances, it was considered that such unease would have been magnified in Parliament, and that it would have been difficult, if not impossible, to secure the passage of any Bill through Parliament, particularly given that the Government had a majority of only single figures in the House of Commons.

83. In addition, although it appeared that the press perhaps accepted that new criminal offences were inevitable, it was clear, through editorial comment, that they were opposed to the proposed tort, being of the view that this would be likely to undermine legitimate investigative journalism and reporting in the public interest. The proposed tort was also portrayed as likely to protect only the rich and famous in the absence of the availability of legal aid. I attach at **SJM 9** a selection of press articles which are illustrative of press views following publication of the July 1993

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consultation document on the proposed new tort. Some of the concerns raised in these articles mirrored issues being considered by the Government, and highlighted some of the very difficult issues that the Government was seeking to resolve.

84. It was also relevant that the Labour Opposition could not be relied on for its support in seeing any legislation through. In addition, there was a minority of Ministers arguing for the status quo. Some had concerns about the desirability and workability of the legislation, while others argued that the press would have a "field day" at the Government's expense if civil or criminal legislation on privacy were introduced. This latter consideration suggests that the press did influence the attitude of some colleagues (but not the Government as a whole).

85. Furthermore, although the results of the 1993 consultation on the proposed tort demonstrated a degree of support for statutory intervention in this area, a significant proportion of respondents were either against the proposal or expressed no strong view. In considering the results of the consultation (which included responses from sections of the media), the Government drew two conclusions. First, it did not believe that there was sufficient public consensus on which to base statutory intervention. Secondly, it strongly preferred the principle of self-regulation.

86. In relation to statutory regulation of the press (by means of a statutory tribunal or statutory press ombudsman), the Government was philosophically uneasy. Although the Government had not definitively ruled it out, it had made clear, on publication of the Second Calcutt Report in January 1993, that it was extremely reluctant to go down the statutory tribunal route. It remained of that view. The advantages and disadvantages of a statutory tribunal or statutory press ombudsman (in addition to the other forms of statutory intervention which I have mentioned) were considered in Cabinet sub-committee. I was briefed on those considerations although, as I have said, I was not involved in the detailed day-to-day deliberations. The Government

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considered that, with the possibility of enactment of the three new criminal offences, and with the possibility of a new statutory tort of privacy, as well as with the application of pressure on the PCC to strengthen self-regulation (partly as a result of the Government not having definitively ruled out a statutory tribunal), the PCC could be encouraged to reach a position of effective self-regulation without a statutory tribunal or statutory press ombudsman needing to be brought into effect.

87. The Inquiry has asked me whether the Government's view that the PCC was not an effective regulator, as stated in January 1993, had changed by July 1995. I believed that the PCC lacked the authority (or perhaps the will) to investigate effectively the excessive behaviour of the tabloid press. I was in favour of change. That change could come about by either the press reforming its own behaviour, to conform with more stringent self-regulation, or by legislative imposition. Obviously, the former was preferable although – previously – three Royal Commissions and subsequent reports had concluded that self-regulation was not effective.

88. It is fair to note that the PCC did take a number of steps to strengthen and improve self-regulation following publication of the Second Calcutt Report. For example, the Press Board of Finance (Pressbof) outlined a number of measures in May 1993, as set out at paragraph 2.8 of the Government's July 1995 Response to the House of Commons National Heritage Select Committee Report on Privacy and Intrusion ("July 1995 White Paper"), which is exhibited to this witness statement as **SJM 8**. These steps were welcomed by the Government at the time, although the Government made clear that they did not, in its view, go far enough.

89. The PCC announced further strengthening and improving measures during 1993. On 20 January 1994, it announced the appointment of one of its lay members, Professor Robert Pinker, as Privacy Commissioner. Professor Pinker was given

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special powers to investigate urgent complaints about privacy and bring them to the PCC for decision under the PCC Code of Practice [paragraphs 2.10-2.11 of the July 1995 White Paper]. The appointment of Professor Pinker followed a number of calls by the Government for the industry to establish a voluntary press ombudsman, but, although welcome, his appointment still did not go far enough.

90. In March 1994, I wrote to the Secretary of State for National Heritage to ask whether, in his view, the PCC was capable of self-reform and whether the industry would permit it. In response, I was advised that the PCC was capable of improvement, but only extremely slowly; that the PCC would be unlikely to introduce any powers to compensate or impose fines but that, under sustained pressure from the Government, it had tightened self-regulation. The Secretary of State was confident that improvements would continue to be made, but that each improvement would be prompted by a failure in the system.

91. On 1 January 1995, Lord Wakeham, a former member of Mrs. Thatcher's Cabinet and mine, was appointed Chairman of the PCC. He stressed the importance of a Commission independent of the newspaper industry, of building up public confidence, and of the need for rigour and consistency in dealing with PCC issues. Further steps were taken to improve self-regulation up to July 1995, as outlined at paragraph 2.12-2.14 and Annex A of the July 1995 White Paper. The Government nevertheless looked towards yet further improvements being made, to ensure that self-regulation could be made to work. The appointment of Lord Wakeham, a respected Conservative figure, to chair the PCC made it even less likely that Conservative Members of Parliament, would support statutory regulation.

92. By July 1995, the Government had reached the position set out in its July 1995 White Paper. It decided that the press would be left to self-regulate, and that no new criminal or civil statutory regime or provisions would be introduced. The reasons for

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reaching this decision are set out at paragraphs 78 of this witness statement onwards. Further explanation of the Government's reasoning is set out at paragraphs 2.5-2.6, and at Chapters 3 and 4 of the July 1995 White Paper, and in the Hansard extract of the House of Commons debate on privacy and media intrusion, which took place on 17 July 1995 on publication of the July 1995 White Paper. I exhibit the Hansard extract to this witness statement as **SJM 10**. The Government ultimately took the view that the system of self-regulation had not broken down completely, such as to justify statutory regulation; however the press would be encouraged to continue to strengthen and improve self-regulation, including by strengthening its Code of Conduct and incorporating into it the provisions set out at Annex B of the July 1995 White Paper. These were the draft provisions for the proposed tort that the Government had ultimately decided not to introduce by way of legislation. The Government nevertheless made it clear that it wished to see strengthening and improving of self-regulation, and did not rule out legislating in the longer term. Thus, although improvements had been made, the Government still considered that the PCC had work to do if it were to be – and be seen to be – an effective regulator.

93. Throughout the 1993-1995 period of consideration, I cannot recall any lobbying by the industry that came to me. There may have been lobbying to members of the sub-committee or to MPs generally, but I have no knowledge of any such lobbying. Having said that, there were a number of critical leaders in the press, to which I have referred earlier in this statement, and which are exhibited as **SJM 9**.

94. I am asked by the Inquiry why the Government did not take a decision until July 1995. The reason for this is that there was extensive inter-departmental work, and consideration on complex, inter-related issues, which took a long time to complete, including a public consultation exercise.

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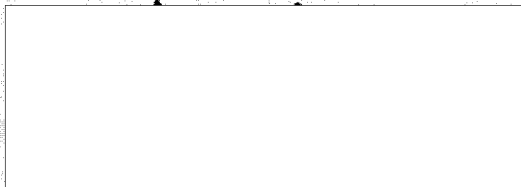
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95. In answer to the Inquiry's question as to whether, with the benefit of hindsight, the Government's response to the Second Calcutt Report represented a missed opportunity, I am strongly of the view that it did. However, I have outlined the complex reasons in this witness statement why no action was taken. I was not- and am not happy at the outcome but, in the parliamentary circumstances of the time, I am not sure any more robust outcome could have been obtained. Since that time, press misbehaviour has continued and worsened. In these circumstances I think it appropriate for the present Government to disinter the Calcutt recommendations, and reconsider them alongside any recommendations made by this Inquiry Report or witnesses giving evidence to it.

**Statement of Truth**

I believe that the facts stated in this Witness Statement are true.



Sir John Major

Dated: 14 May 2012

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