

Witness name: Charles Hilary Moore
Dated: 23 April 2012
Filed in response to a notice dated 5 April 2012

The Leveson Inquiry into the culture, practices and ethics of the press

**WITNESS STATEMENT OF CHARLES HILARY MOORE
GROUP CONSULTING EDITOR
TELEGRAPH MEDIA GROUP LIMITED
23 APRIL 2012**

I, Charles Hilary Moore, of Telegraph Media Group Limited, 111 Buckingham Palace Road, London SW1W 0DT, will say as follows:

I make this witness statement in response to the Leveson Inquiry's notice sent to me on 5 April 2012 (the **Notice**), with particular reference to the questions raised in the Notice. In accordance with the terms of the Notice, this statement addresses my experience at TMG.

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

My name is Charles Hilary Moore. I was born in 1956, and graduated from Trinity College, Cambridge.

I was the Editor of The Spectator from 1984 to 1990, Deputy Editor of The Daily Telegraph from 1990-92, the Editor of The Sunday Telegraph from 1992-95, and the Editor of The Daily Telegraph from 1995-2003.

From 2003 until the present day, I have been Group Consulting Editor of the Telegraph Group. This is not an executive position, and in practice chiefly involves me contributing two weekly columns to The Daily Telegraph (as well

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as a weekly column to The Spectator). None of these is a 'Westminster' or 'lobby' column.

GENERAL QUESTIONS ABOUT THE RELATIONSHIP BETWEEN POLITICIANS AND THE MEDIA

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

- a) *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;*
- b) *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;*

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- iv. selectivity and discrimination – as between titles on the one hand, and as between political parties on the other;*
- c) the economic context within which the media operate, and politicians' ability to influence that;*
 - d) 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;*
 - e) media influence on public policy having a direct bearing on their own interests, and the effectiveness of the media as lobbyists;*
 - f) 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;*
 - g) politicians' perceptions 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;*
 - h) the extent and limitations 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.*

Since I have not held an executive position since 2003 (or a lobby post since 1985) and not under the Telegraph's current ownership, I do not feel competent to answer these questions in relation to the 'recent years' about which the Inquiry asks.

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Question 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 inherit in such a relationship? In your view, how should the former be maximised, and the latter minimised and managed? Please give examples.

There is a benefit to the public in a relationship between politicians and senior journalists because it is likely to promote a greater flow of information and understanding than would otherwise exist. Indeed, it is hard to imagine successful reporting and commentary without such relationships. The risk of such relationships is that they are manipulative (on both sides). The right path cannot be legislated for: it is a matter of judgment for those involved.

Question 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.

The position of a senior politician in government is markedly different from that of one in opposition. The minister has a greater duty to accuracy than does a politician in opposition, and specific moral and legal duties to the voter, the taxpayer, Parliament, the Crown and interests of the state. It is more important that he tells the public, when necessary via the press, what is happening, and yet, at the same time, more important that he respects rules of secrecy, confidence and collective responsibility. Most of these duties also bind the opposition politician, but to a markedly lesser degree.

Question 5: 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 have any concerns about the nature and effect of such interactions, 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 who you think the relationship between the media and politicians changes in the run

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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.

The difference between the run-up to elections and other times is one of degree, not of kind. My experience relates to The Daily Telegraph which, while never in any way related to or controlled by the Conservative Party, has, in modern times, always advocated a Conservative vote at general elections. Its position is known, though it is entirely free to change it, and the readers could have no doubt about it. It is also in the public interest, however, to set out fairly the policies of all parties and to criticise them on their merits. The Telegraph has always tried to do this. I cannot imagine that legislation or regulation would assist.

Question 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?

It is important to understand that part of the press' valuable role is informal: it is able to act more freely than official channels, and to use a range of sources not available or permitted to officialdom. Both politicians and the press find the informality of their inter-relationship useful. It can, obviously, be abused, but since much of its virtue consists in its informality, systems of formal governance and oversight would tend to undermine it, thus giving greater power to bureaucracy and legal process and tending to deprive the public of things worth knowing. To take a simple, imaginary example, no official document or process will disclose that relationships between, say, an Chancellor of the Exchequer and a Prime Minister are very poor, but this may well be valuable information for markets and voters.

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

The chief distinction relates to technology. Since newspaper publication is not restricted to a set number of channels, questions of rules about balance, 'slots', franchises and so on are not relevant. It is notable, however, that, because of technological change, such considerations are no longer nearly as important as they once were in non-print media. Indeed, there is a modern danger that attempts to control the print media will reflect an out-of-date position in which print is assumed to roam free whereas television acts under prescribed rules. In reality, the web means that print roams much less freely than many of its modern online rivals.

Question 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?

I have nothing new to add to what has often been publicly said by others.

PARTICULAR QUESTIONS ABOUT THE INFLUENCE OF THE MEDIA ON PUBLIC POLICY

Question 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 timing of decision-making on policies, legislation and operational questions relating to matters such as:

- a) *media ownership and regulation;*
- b) *the economic context of media operations, including the BBC licence fee;*

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- c) *legal rights in areas such as freedom of expression, privacy, defamation and libel, freedom of information and data protection;*
- d) *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;*
- e) *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;*
- f) *any aspect of policing policy or operations relating to the relationship between the police and the media.*

Please provide some examples.

Because, as I say, I have not been an executive since 2003, I feel that my experience of these matters is not relevant today.

Question 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:

- a) *the nature of this influence, in particular whether exerted through editorial content, by direct contact with politicians, or in other ways;*
- b) *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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- c) *the extent to which that influence has in your view advanced or inhibited the public interest.*

- d) *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.*

Again, my direct experience is out-of-date.

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

Again, my direct experience is out-of-date.

I believe the facts stated in this witness statement are true.



Charles Hilary Moore

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