

Witness name: Patrick Hennessy  
Dated: 24 April 2012  
Filed in response to a notice dated 5 April 2012

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

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**WITNESS STATEMENT OF PATRICK HENNESSY  
POLITICAL EDITOR, THE SUNDAY TELEGRAPH  
TELEGRAPH MEDIA GROUP LIMITED  
24 April 2012**

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I, Patrick Hennessy 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***

I am the political editor of the Sunday Telegraph, a post I have held since May 2004.

My career began on the Express & Echo, Exeter, where I was a reporter from 1985 until 1988. I worked as a reporter, consumer editor, city editor and finally industrial editor for The Sun from 1988 until 1992, when I moved to the Daily Express. On the Express I was industrial correspondent, briefly education correspondent, and then deputy political editor (joining the Lobby in September 1992). In 1996 I moved to the Evening Standard, where I was deputy political editor for eight years before taking up my current post.

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**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;*
  - iv. *selectivity and discrimination – as between titles on the one hand, and as between political parties on the other;*

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- 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.*

I believe the media effect on politics has intensified greatly during the 20 years I have been based at Westminster. During that time the rise of rolling 24-hour news, blogging and latterly social media have put politics and politicians more firmly under the spotlight than they had been in the past. In my view this trend has meant the public interest is now better served than in the past.

A free press is universally seen as one of the benchmarks of any democracy - and only a free press can succeed in holding politicians to account. Newspapers,

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broadcasters, bloggers and others are subject to the laws of the land just like anybody else. If the law is too strict then that will impact on the ability of a free press to do its job. However, it is desirable, of course, for systems of regulation to be put in place - such as the Press Complaints Commission in my own field.

The best example in recent years of the press fulfilling its watchdog function that I can think of is the Telegraph's uncovering of the MPs' expenses scandal in 2009.

In terms of the nature of the relationships between senior politicians and senior journalists, I can only speak of my own experience. It is vital for me to have regular personal contact with senior (and junior) politicians and their staff. I could not do my job - covering politics for a national Sunday newspaper - without doing so.

Any personal interaction, other than by telephone or email contact, I have with them will take the form of "typical" business entertaining - lunches, dinners, meeting over coffee, or a drink after work. I would not consider this entertaining to be in any way lavish. These meetings are often sought by politicians - but it is not a one-way relationship.

In my work, I have contacts in all political parties. Throughout my career I have worked for a number of titles which "supported" different parties and again, I would not be doing my job properly if my contacts were not widespread. In political reporting, analysis and comment, I treat all parties equally - whatever the political affiliation of the paper (which in any case is only normally stated outright in the run-up to elections).

Newspapers will obviously seek to influence public policy - through editorials and campaigns for example. In my experience this process is extremely transparent and played out in public. Newspapers have a duty to reflect the wishes of their readers - and any changes obtained would therefore be seen to be in the public interest.

I do not believe that political journalism has slipped from reporting to seeking to influence events. First, it has always sought to influence to an extent. Secondly, as

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far as my own job is concerned - I stand or fall by the quality of political stories I bring in. My overriding priority is political reporting.

Politicians, their advisers, departmental civil servants and political parties will always seek to "manage" the press. The extent they are able to influence journalists depends largely on the robustness of the journalist involved. Both politicians and journalists should guard against their professionalism being compromised by mixing the professional and the personal. In the case of the Lobby, it seems to me it is a system which, by and large, serves the public well. Lobby journalists operate under a well-understood set of 'rules' and conventions and politicians often feel more free to talk openly and frankly when they know they are not going to be identified. The public thus gets a clearer insight into the political scene than would otherwise be the case if sources were identified.

Independent, self-regulation is the best way to regulate the print media. Politicians should pass laws and the courts uphold them - they should not, in my view, seek to establish an over-arching regulatory system for the media. That would be unhealthy for democracy and for free speech. Decision-making bodies within the two sectors (politics and media) should be kept apart. I firmly believe that any form of state imposition could have dangerous consequences for the freedom of the press.

***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.***

As I have stated, the public interest is generally well served by the current system which sees a mixture of formal and informal contacts between politicians and the media. Some critics lazily argue that journalists can develop too "cosy" a relationship with politicians. Any self-respecting, professional political journalist should always guard against this happening. Any evidence of this happening would risk inviting

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ridicule by their colleagues, and could damage the credibility of publications. I have always acted professionally.

An example might be a hypothetical case where a journalist was "close" to a politician who was then at the centre of a scandal - and whose career was in the balance. In some cases the politician might expect the journalist to "go easy" on them. In such a case the journalist would have to guard against favouritism or lack of professional judgment. Even if an individual journalist went easy on a politician, the likelihood is that other journalists from the same and different papers would not do so. My opinion is that the best protection is a truly competitive industry.

***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.***

In broad terms there should be no difference in the way a journalist treats a politician in government and one in opposition.

In narrower terms there is obviously a difference: those in government have their hands on the levers of power and are in a position to distribute information and influence - and propose laws which affect millions of people. Those in government are, therefore, more key when it comes to political reporting. However, opposition politicians do have the ability to set agendas which affect the government.

In the run-up to elections, when the opposition party has a chance of power, such distinctions fade away, however.

***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***

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***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.***

Close interaction between senior politicians and the media obviously matters greatly in the run up to elections and other polls. Exposing and reporting of policies and personalities to media scrutiny clearly helps voters make an informed choice. The current restrictions on broadcasters - such as forcing all reports to carry names of all candidates and forcing a "balanced" coverage – are wholly inappropriate for British newspapers. Not only would this impinge on press freedoms but also basic freedom of speech.

I don't believe the relationship between the media and politicians changes materially in the run up to elections: though it obviously becomes more intense.

Policies are clearly an important factor in what makes a newspaper "support" a particular party in an election - personality is another because a politician's character and judgment are obviously key. A newspaper will more likely support the party whose policies, aspirations and leadership most closely represent the wishes of its readers. It would be strange if this was not the case.

I believe the public is well served by the wide variety of opinions carried by the national press; it enhances debate and democracy. I don't think that in the run-up to an election, the public interest is badly served at all, or is put at risk. On the contrary, the vibrancy of the political coverage and trenchant editorial opinion of newspapers play a major role in elections.

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***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?***

In general I believe the public interest has been well served by relations between politicians and the media. A free, vibrant and independent press is unburdened by obligations to a political party or politician. An obvious example, once again, is the Telegraph's exposure of the parliamentary expenses scandal, which reported on all political parties. I think that the main building blocks of the relationship - such as the Lobby system - are in place and work well.

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

There is obviously a difference in the way newspapers and broadcasters are treated in regulatory terms. I feel the current system works well for newspapers and their political coverage. I don't have any strong feelings on the regulation of broadcasters and how (if at all) it should change, but I note that OFCOM has recommended press self-regulation.

***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 don't have anything to add in this regard.



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**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;**
- 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.**

The media clearly have an influence on any government's media policies - although again I would stress the difference between newspapers and broadcasters, and also

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between privately owned broadcasters and broadcasters which are dependent on the licence fee or other forms of subsidy or public funding.

An obvious example would be the effect of "hacking" revelations at the News of the World and the timing of the government's ruling on the News Corp bid for the 61 per cent of BSkyB it didn't own. But even then what was widely seen as the main reason for News Corp withdrawing its bid was political - a decision by Labour to force a Commons debate on the issue.

The media and their reporting will also have a role in the way the government and parliament treat the BBC - such as licence fee decisions and the appointment of senior figures such as the chairman - but again I don't think that there is anything that goes against the public interest here. A government will seek to reflect public opinion when it makes such decisions and ministers get a wide range of opinion on a daily basis from various media sources.

I am less certain about the media's ability to influence government policy on freedom of expression, privacy, defamation, libel, freedom of information and public interest defences. Most of these fall under the umbrella of the Justice Secretary, who is responsible to parliament for the judiciary and thus also plays a "special" role unlike his cabinet colleagues. In the case of freedom of information, the Act certainly was influenced by a concern among the media and the public that more Whitehall decision-making should be opened up, but this cause was championed by Labour in opposition (in the 1980s and 1990s) and then introduced in its first term in government after 1997. Recently, Jack Straw, the home secretary on whose watch the Freedom of Information Act came in, was quoted as saying he regretted it as it was too loose. Tony Blair wrote in his memoirs: "I quake at the imbecility of it." There is little or no prospect it will ever be loosened - yet most journalists would support such a move.

My views are broadly similar about issues such as injunctions, the reporting of proceedings, disclosure of sources and public funding for defamation and privacy cases. In these areas government ministers such as the Attorney General or the

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Lord Chancellor would take decisions in what they felt was the public interest - without being unduly influenced by what the media wanted. As politicians they would listen to the media attempt to persuade them of the merits of a particular case, but I doubt they would be overly swung by what the media wanted.

Government law officers know they have constantly to strike a balance between media freedom and the public interest. Dominic Grieve, the current attorney general, gave a speech on this issue last December.

I have no experience of the relations between the police and the media.

**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;*
- 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.*

The Sunday Telegraph does seek to influence government policy on behalf of its readers. This is done, on a general basis, through the paper's editorials. More specifically, like other newspapers, we run campaigns. A recent example is our "End

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the Human Rights Farce" drive - focusing on what we see as the abuse of human rights defences in cases such as the deportation of criminals. This, of course, has a clear European dimension as well as seeking to influence immigration policy.

We run such campaigns because our readers want us to - other media do the same on behalf of their readers and viewers who may hold different views. Governments thus, as I have argued earlier, get a representative cross-section of views.

Again, I feel the public interest is pretty well served here. I would also point out that there is a growing trend for campaigns aimed at governments to by-pass traditional media - witness the rise of e-petitions. An example would be last year's Commons vote on a referendum on Britain's future in the EU - which started life as an e-petition.

***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.***

Political reporting and editorial coverage will naturally concern itself with matters such as government (and opposition) reshuffles and the appointment of public figures such as the Archbishop of Canterbury, the chairman of the BBC and the governor of the Bank of England. There is usually a robust public debate on these matters - which in my view is a good thing, particularly in the absence (usually) in Britain of US-style confirmation hearings. Candidates are scrutinised by the media in a way which aids the decision-making process.

It is doubtful, for example, that the recent decision to strip Fred Goodwin, the former RBS boss, of his knighthood would have been taken without public calls for this to happen through the media. Most people would feel the right decision was taken in the end.

Another example, where it is questionable that the public interest was served, is the case of Brodie Clark. He stood down last year as head of the UK Border Force

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Agency under severe pressure both from the media and senior politicians, including the Home Secretary. Some have argued he was something of a scapegoat for wider failings.

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

[Redacted signature box]

PATRICK HENNESSY

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