

Digital, Culture, Media and Sport Committee

Oral evidence: The work of the BBC, HC 257

Tuesday 15 June 2021

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Members present: Julian Knight (Chair); Kevin Brennan; Steve Brine; Alex Davies-Jones; Clive Efford; Julie Elliott; Damian Green; Damian Hinds; John Nicolson; Giles Watling.

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Witnesses

[I](#): Tony Hall, The Lord Hall of Birkenhead, former Director-General of the BBC.

[II](#): John Birt, The Lord Birt, former Director-General of the BBC.

[III](#): Tim Davie CBE, Director-General, BBC; and Richard Sharp, Chairman, BBC.



Examination of witness

Witness: Lord Hall.

Q1 **Chair:** This is the Digital, Culture, Media and Sport Select Committee and a special hearing into the work of the BBC in the light of the Bashir scandal. We are joined today by three panels and four witnesses. The first panel witness is Lord Hall, former Director-General of the BBC. In the second panel we have Lord Birt, former Director-General of the BBC. We are joined in the third panel by Tim Davie, the current Director-General, and Richard Sharp, the current Chairman.

Before I start, I am going to quickly go around the Committee to see if there are any interests to declare.

Giles Watling: I am an erstwhile employee of the BBC and sometimes in receipt of royalties.

Chair: Lord Hall, welcome back.

Lord Hall: Good morning.

Chair: It is not too long since your last appearance before us. Without the benefit of hindsight, but considering what you knew at the time, why did you report to the BBC board of governors that you believed that Mr Bashir was an honest and honourable man?

Lord Hall: Let me start off, if I might, by acknowledging how hard the Lord Dyson investigation has been for the royal family and the two princes, and I am sorry for the hurt caused. But at the core here I trusted a journalist, I gave him a second chance—we, the team, gave him a second chance—and that trust was abused and misplaced. I don't think that the words "honest" and "honourable", 25 years on, look appropriate at all, but let me give you some context.

Uppermost in our minds then was: had the interview with Princess Diana, the decision that she made to be interviewed, been done fairly or not? That was absolutely uppermost in our minds. The first investigation we did before Christmas under Tim Gardam talked to all the people concerned and produced a letter where she said very clearly that she had been shown no documents by Martin Bashir, she was not made aware of anything by Martin Bashir that she didn't already know and she had no regrets, underlined, by the interview. It is quite interesting that Lord Dyson himself says that an interview of some sort would probably have taken place anyway. At that point in our inquiries, in our investigations with Tim Gardam, we came to an end that there was no case to answer.

The second investigation was not, therefore, into whether Princess Diana had been misled into agreeing to the interview but was the second issue, which was had the producer guidelines been breached and particularly the producer guidelines on straight dealing. That investigation was under a separate team. There was continuity with Tim Suter, who was a managing editor, very excellent, and Anne Sloman had come in as acting



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head from a very distinguished career as head of radio current affairs, to look at all the arguments again. I took what I think is an unusual step of saying I would take part in the investigation and interview Bashir myself. Why? Because I had to establish whether I believed Bashir, whether I should therefore give him a yellow card or dismiss him, and that was what I was trying to work through.

In the end we came to a judgment about his lack of experience, that he was out of his depth, that he was contrite, and we gave him a second chance. We trusted him, and it turns out we couldn't. In that light I understand why I was using words that, when you look at them now, just seem wrong, but it was me trying to work out could I trust this man or not.

Q2 Chair: You very quickly went through the first investigation, the one by Mr Gardam. I understand that, as head of programming, he wrote in his own handwriting a description of what Mr Bashir had done, including creating fake documents. That was then sent to your office. What did you do subsequent to that? Surely that is evidence enough, is it not? Really, to be honest with you, why on earth did you need to go into a second one? You should basically have had him in the office and said, "Did you fake documents? If the answer is yes, there is the door, get out."

Lord Hall: Tim Gardam left his report before he went off to Channel 4. At that point I set up a fresh inquiry to look into what Martin Bashir had done with the documents, why he had produced those documents, and to examine whether or not this was—

Q3 Chair: Sorry, Lord Hall, were you aware at that point that he had faked the documents? You have the documentation to say that he had faked the documents.

Lord Hall: Yes.

Chair: You were aware?

Lord Hall: We knew in December that he had faked some documents. The difference between the inquiry in December—

Q4 Chair: How many documents being faked is acceptable to the BBC? Is it just one or is it a plethora of documents? I will be frank with you, as a former BBC journalist myself back in the mists of time in Italy, I am almost speechless at the idea that anyone at the BBC could be found by a senior manager to have faked documents, that information passed on to you and then not face instant dismissal. That is absolutely crazed. It is completely against the ethos of the BBC.

Lord Hall: In the second inquiry we examined why he had faked those documents, where they had been used and his evidence for those documents. What he told us at the time was that they were a collation of information that he was gleaming. We had at least an hour and a half with him when he ended up contrite and in tears, saying that he understood



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he had made a mistake. We decided at that point that there was a breach of the editorial guidelines on straight dealing with people who are prospective candidates for a programme. What he had done had not gone anywhere near air. If it had gone anywhere near air, that would have been an extremely serious offence. We decided that we would give him a second chance because he was so contrite and because he understood the mistake he had made on the guidelines on straight dealing.

I went on from there to ensure that the new guidelines that were being drawn up by the BBC had very clear lines on the production of fake documents. Fake documents came out in the guidelines as being forbidden from then on. They were not in the guidelines at the time when they needed to be, and I made sure that they were.

Q5 Chair: You said that your response, once you found out that he had faked documents, was to set up another inquiry into the extent of the faking of documents, which helped effectively trick a mentally vulnerable woman into giving a TV interview. We can debate whether or not that had further consequences, but that is the upshot of it. Your other response was to effectively blackball the person who faked up the documents and then said that they had done so and came clean about it, Mr Wiessler. Where is the morality in any of this?

Lord Hall: When I look back in hindsight at the—

Chair: It doesn't have to be in hindsight. It is a simple question. You can't blackball someone because they have undertaken work that they find out has been used for nefarious purposes and then have tea and sympathy with the person who perpetrated all this. This is not just a failure of management, it is a failure of morality.

Lord Hall: May I stress that it was not tea and sympathy with Martin Bashir. It absolutely was not. It was a very tough and hard interview. Mr Wiessler was a freelance graphic designer. We were dealing with a very difficult and unhealthy programme culture. Steve Hewlett, the editor of the programme, who I trusted, and still trust, to manage the programme made that absolutely clear. We had had two inquiries into all the evidence around Martin Bashir when everybody had been spoken to. In the heat of all that, of course I regret the language that we used about Mr Wiessler and I think we could have managed that better.

Chair: Well, not just the language, it is the action. It is not just a question of language. It is basically putting someone's career on ice for no good reason whatsoever, in fact for doing the right thing. I have another question from Steve Brine on this particular issue before I carry on with mine.

Q6 Steve Brine: Lord Hall, very briefly on this issue, looking back and following on from what the Chair is discussing, I was once a very junior reporter for the BBC; I left before I became anything more. But immediately after this interview questions were raised about the way in which Mr Bashir had secured the interview. Did it not raise any alarm



bells when the scoop of the century, which this undoubtedly was, was granted to a very junior reporter at the time? I can't imagine that when I was working for BBC Radio Surrey as a junior reporter, as a young man, I would have scooped an interview like this and BBC management would have said, "Good for Steve." Did it not raise any alarm bells at all that suddenly she agreed to this interview, as to how he managed to secure it? It seems incredible.

Lord Hall: I knew about the interview about a fortnight before it took place. The interview and Bashir was being managed by Steve Hewlett, the editor of the programme, who I trusted enormously. It was also being looked after by the controller of editorial policy, Richard Ayre, and it was also being looked after by Tim Gardam, the head of current affairs. News, by its very nature, is devolved, as you know. We have hours and hours of coverage each day, and your trust, therefore, in the teams that are pulling together programmes, or in this case this interview, must be very strong. I trusted Steve Hewlett, the editor of the programme, to manage Martin Bashir and the interview properly, as I did Richard Ayre, the controller of editorial policy, and Tim Gardam too. It is based on trust.

I went through the questions with Martin—well, not actually with Martin but with the team of Hewlett, Ayre and so on—and I briefed the Director-General about this because there was an issue about whether or not the Chairman should be briefed, given that he was married to a lady-in-waiting to the Queen. On all of this there was a very close relationship between the Director-General right the way down to the programme editor. That trust you have in each other's judgment and being honest with each other about what is going on is how you build programmes and, in this case, win an interview and make sure it is properly done.

Q7 **Steve Brine:** I think we all understand that, but you were either very close to it or it was just devolved. Which was it? Are you seriously saying that nobody questioned how an interview with the wife of the heir to the throne was granted to a junior reporter? Did that not cross your mind, Lord Hall?

Lord Hall: Yes, we asked about how it had come about, of course we did, but I go back. You trust the team of Tim Gardam as head of programmes for current affairs, the editorial policy controller and Steve Hewlett the editor—who is sadly no longer with us because he would have a lot to say about this, I am sure—to ensure that the interview was properly got and that it was also properly done, as indeed it was. One other thing I want to say on this is that Lord Dyson is very clear quite high up in his report that an interview would have happened anyway. Indeed, he mentions the fact that the princess was going to meet with Nick Witchell at the end of August. That never took place because Steve Hewlett said, "No, we are going to go down a route of Martin Bashir." The context, now we know, was that an interview, according to Lord Dyson, was very, very likely. In this sense, Martin Bashir got it first.

Q8 **Chair:** Let's turn to more recent matters and, for me personally, a little



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bit more concern, the rehiring of Mr Bashir under your watch. I read with interest the report about this produced by the BBC yesterday, and for me it raises more questions than it answers. If I may, I am going to put some of those questions to you as the person in charge at the time. At what point were you personally aware that Mr Bashir had been rehired by the BBC? What did you think of that, given his history in the organisation?

Lord Hall: I knew after the appointment had been made. I think Mr MacQuarrie said in his report, the BBC said it in its report, yesterday that Bashir was not rehired because of some sort of cover-up. He said that was entirely unfounded and there was absolutely no evidence of me being involved, which there wasn't, in the appointment prior to the appointment, and that is exactly the case.

Q9 **Chair:** Putting aside Mr MacQuarrie's supposition that it is entirely unfounded that Mr Bashir was rehired, effectively, to keep him quiet, could you as the man in charge comment on the process of rehiring? I find it utterly extraordinary. Three internal candidates were interviewed for the post and deemed unsuitable. The job was then advertised externally and 18 CVs were received, but only Mr Bashir's was selected from these external candidates. I have spoken to some people at the BBC in the interim, and they have never heard of such a situation where only one candidate gets selected from a very expensive process of advertising externally. Can you shed any light for the Committee on why only one candidate from 18 was interviewed and that one candidate was Mr Bashir?

Lord Hall: I can't shed any light on that because when you are running an organisation as big and as complex as the BBC—

Q10 **Chair:** Do you think it is right that that was the case, that 18 CVs were received—presumably these were not chancers; pretty serious people would be applying for this—and only one person was granted an interview?

Lord Hall: I really can't comment on that. I think the person who was in charge of this was Jonathan Munro, the head of news gathering then, now deputy head of news. He would be able to amplify what the process was. I go back, Chair. I was running an organisation of 20,000-plus people. You can't be across every detail.

Q11 **Chair:** No, but this man is a known liar and he has come back through your door. Even if you found out about it afterwards, you didn't think about enquiring how the process actually occurred?

Lord Hall: I go back, it is not for me to second guess directors or people who are running large departments. Again I go back, you trust them to make the judgments, to do all the soundings-out that need to be done. I read in Mr MacQuarrie's report that Jonathan Munro had spoken to Steve Hewlett, the former editor of *Panorama*, someone whose judgment you would trust. They came to their own decision about the rehiring of Martin



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Bashir and, as I say, it is also clear that if we knew then what we know now then, of course, he would not have been rehired.

Q12 Chair: Okay, we will take your word for that. Eighteen CVs were received, which is one element of this. Let's look at a further part of the rehiring process. As I understand it, internal candidate X, who had failed to make it through, was reintroduced into the process and joined by candidate Z, another internal candidate who later withdrew. It is quite interesting that they later withdrew. After the external advertising campaign, Mr Bashir only had to beat someone who had already been deemed unsuitable for the job. It was a complete charade on your watch. I understand what you say about trusting people, but they badly let you down here by interviewing only one other person against Bashir, and that person had already been deemed unsuitable for the job.

Lord Hall: I understand that the then director of news, James Harding, did not want to see more than two people and that is his prerogative. But I go back, I am not going to second guess their judgment. He was running News, Jonathan Munro was running news gathering. Their judgment about the best person to fill that role was theirs and I—

Q13 Chair: Was it right for Mr Bashir to be given what have been termed—and this is by people within the BBC—a series of cappuccino interviews before the job was advertised internally and then externally and then during the hiring process? He was chivvied along throughout. A cynic would suggest, frankly, that the process was entirely concocted to have the resolution at the end of the day that Mr Bashir would get this job.

Lord Hall: By looking at the report yesterday, and I can only read it as you can, I can see no reason to say that I think this was a shoo-in for Mr Bashir. They were looking for the right person to do a very important job, taking over from someone who had done a stunning job as religious affairs correspondent. As a bit of context for you, we were at the time under some external pressure to improve our religious and ethics coverage, not just in News but right across the BBC in radio and television. I asked James Purnell, who was then the director of radio, to look at that and to write a report for me on how we could improve our coverage. I suppose that is a bit of context for you on how—

Q14 Chair: Against having to improve your coverage of religious affairs, your answer was to employ a known liar?

Lord Hall: That was not my answer.

Chair: The answer of your team. The answer of the BBC team was to employ a known liar?

Lord Hall: According to the report that I read yesterday, alongside you, processes were gone through and they came to that conclusion. As I said to you, I am not going to second guess my director of news on that.

Q15 Chair: How much was Mr Bashir paid, first as a correspondent and then



as religion editor?

Lord Hall: I am sorry, I can't answer that question either. I don't know.

Q16 **Chair:** My information is it is likely to be between £80,000 and £120,000. He was employed for three years after his rehire. We are talking over £250,000 in salary, even by conservative estimates. Were you aware of his output at the BBC at that time? What did he do for his money is what I am asking you.

Lord Hall: Honestly, Chair, I am sorry to be unhelpful, but I think these questions are better asked of the BBC, the people who ran him at the BBC.

Q17 **Chair:** But you were the DG and also, frankly, you can't be unaware that if you come before a parliamentary Select Committee you are going to be asked these questions. I will go a little bit further with this and see if you can provide any comment for me. He was employed for about three years, probably earning about £250,000. We did a trawl through the BBC News website and BBC Outlook, and we found that he appeared on air and on the website about half a dozen times during that time. That is about £40,000 a time. It is quite nice work if you can get it, isn't it, Lord Hall?

Lord Hall: Well, that is not an effective use of a correspondent, I completely agree with you. That is not a good record, but you are telling me things that I am afraid I don't know, Chair.

Q18 **Chair:** Do you know why Mr Bashir was not put on to a fixed contract, as recommended by News, and was just given the job, this known liar?

Lord Hall: I am really sorry to disappoint you in my answers on this, because I really don't know. If you run an organisation as large as the BBC, I go back to my point, you devolve responsibility for the hiring, the terms and conditions, the rates of pay, the management of their output. You devolve that and these are questions—

Q19 **Chair:** One thing that you may not have devolved, which I found absolutely extraordinary as well—and I know this sort of thing goes to Director-General level—is why Mr Bashir was allowed to moonlight for ITV while working as a BBC staff editor. Freelancers are allowed to work outside, of course they are, that is the definition of a freelancer. But to have a major news editor working for a rival network in his spare time—and it seemed he had a lot of spare time, didn't he?—isn't that an indication that Mr Bashir was allowed to come and go as he pleased? He was given this wonderful sinecure and he was also effectively allowed to go and earn money elsewhere? As DG, would you not be across the fact that a major news editor was working for the opposition on the quiet? Not on the quiet, sorry, with permission.

Lord Hall: Not permission from me. Let me say again that these are judgments and issues you devolve to News management, and you have to ask those questions of the people who were running Martin Bashir until



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recently. The notion, Chair, that a decision about where Martin Bashir is deployed—

Q20 **Chair:** No, not deployed, that is a complete misrepresentation. It is not about deploying. You were not deploying him. He was moonlighting and he would have had to get permission to do that. As religious affairs editor, that would have come across your desk or someone very senior in the organisation, so why was he allowed to do so?

Lord Hall: Not across my desk, Chair, and I think that is a question for the then or current management of BBC News. I simply can't answer that. I use the word "deploy" in its broadest sense, so I don't mean in any way to suggest otherwise. How he was used, where he went to and what he did is a matter for news gathering management and not for the Director-General.

Q21 **Chair:** You would not imagine that, if a really fine journalist like Laura Kuenssberg, for instance, suddenly popped up on another network, it would not be a matter for the Director-General?

Lord Hall: I can't imagine for one moment that the news gathering operation would allow Laura Kuenssberg to do that.

Q22 **Chair:** Exactly, so why was the religious affairs editor allowed to? It is a senior position within the BBC.

Lord Hall: I am really sorry, but you will have to ask the current news gathering management.

Chair: Okay, that is fine. We are getting absolutely nowhere.

Q23 **Alex Davies-Jones:** Lord Dyson has surmised that you were not entirely open-minded when you conducted your investigation into Martin Bashir in 1996. What do you make of that assertion?

Lord Hall: It is not true. The minute on which he bases that assertion, if I recall, goes on to say that I reported that the documents played no part in her decision to do the interview, that she had written to us absolutely saying that.

But let me go back, the second investigation that we did under Anne Sloman, supervised by me, opened up again all the lines into Martin Bashir's behaviour. Let me stress, this was not an investigation we would do now because it was done within the line. As I think Lord Birt would have agreed, it was done within the management line to work out what to do about Martin Bashir. None of the people involved in that investigation was either easy to fool or closed-minded. We were not like that. Tim Gardam had left by that point. Tim Suter, Anne Sloman and John Birt himself are journalists, so none of us were closed-minded, we really weren't.

One bit of context for you is that we had been brought in to reform standards at the BBC, to bring order to BBC current affairs and news. We



were not the sort of people who would be closed-minded about things. John Birt, if he doesn't mind my saying so—I know he is on next—was unpopular for ensuring that standards were being maintained. We were a group of people seeking after the truth. I came back into the BBC in the Savile crisis to sort out the BBC and its response to a real, big crisis. I was open-minded and I wanted to get to the truth. My whole time as a public servant working for the BBC—35 years—has been about integrity and ensuring getting to the truth.

I was open-minded in this. We had had the letter from the princess, from which we knew that the interview itself had not been got in some deceitful way, but we were not closed-minded about the rest of what Bashir had done.

Q24 Alex Davies-Jones: Why were you so ready to accept Bashir's unsubstantiated claims, given that you knew he had already lied at least three times?

Lord Hall: He had lied, when pressed very hard, about whether he had shown these documents to somebody else, and it was on the third time that he said he had shown them to Earl Spencer. Anne Sloman and I quizzed him really hard for an hour and a half, at which point—the thing I remember most vividly about this—he ended up in tears. We believed he had been introduced to the Princess of Wales by Earl Spencer, that the documents he had made were from information from the Princess of Wales and Earl Spencer—of course we know now that that was not the case—and that these documents were for a later programme and he saw Earl Spencer with the documents after he had already been introduced to the Princess of Wales and he was putting together a file. One of the difficulties, looking back over 25 years, is that it appeared to us at the time that he was contrite, that he was inexperienced and out of his depth. That is why in the end, rather than sacking him—and I can see the reasons for that—we gave him a second chance.

Q25 Alex Davies-Jones: Do you think the outcome would have been different if the process had been part of a formal disciplinary hearing?

Lord Hall: We took a judgment then and working really closely with the then Director-General, because we worked very closely as a team, to look at this in the line, as a management issue within the line: had the guidelines been broken or not, and then what should be the penalty for that? When you look back at how you manage these sorts of issues now—and remember that I came back into the BBC with the Savile crisis to look at a whole raft of issues around this—I think you would come to a very different way of running this 25 years on. You would take an issue like this away from line managers and have an outsider look at it. I think you would involve HR teams, who are much more used to doing these sorts of inquiries now. I think you would have a very strong role for editorial policy. The BBC has an excellent director of editorial policy, and they would have a role in this, too. Now there is a complaints procedure



independent of the line, and Earl Spencer could have raised a complaint independently of management.

When you look back at it, you think maybe we could have done some more of that then, but the whole problem with this is looking back from 25 years' distance at what you did. Of course you think we could have done something better, but nothing was done without us trying to get to the truth and determined to be fair-minded about it.

Q26 Alex Davies-Jones: Do you agree with Lord Dyson and his conclusion that your investigation was woefully ineffective?

Lord Hall: I think the first investigation had established that the princess was not deceived into actually doing the interview. Lord Dyson is very careful to say in his report that he does not question that, but questions the way in which Bashir got to the princess. In the second investigation we gave Bashir a yellow card. We did not get to the bottom of the lies that Bashir had told us. We were not trying to conceal anything, I really want to stress that, but we were lied to and our trust was misplaced. Bluntly, Bashir took us all in from the Director-General down to the programme editor, Steve Hewlett, someone we trusted greatly.

Q27 Alex Davies-Jones: Is it true to say that you consciously decided not to approach Earl Spencer for fear of what he might say?

Lord Hall: No, it is not. Our records show that Earl Spencer and Steve Hewlett, the editor of *Panorama*, no longer with us, did speak around the weekend of *The Mail on Sunday* story. Earl Spencer briefed Steve on the draft statement he wanted to make to *The Mail on Sunday*, which seemed to say, according to Tim Gardam's record at the time, that Bashir had come with allegations about specific journalists and that led him to introduce Bashir to the princess. In the event, Earl Spencer made no comment at all. We thought, wrongly, that sort of dealt with the issue, looking back at it.

I accept Lord Dyson's recommendation that, in the light of what Earl Spencer has said, of course one of us should have gone back to Earl Spencer to pin down exactly the facts about the fake documents. I accept that as a mistake, 25 years on, but we were trying to do our best and be as rigorous as we could with what we had then, but we were confronted with someone who I have not come across in my 35 years at the BBC. You basically trust your reporters and your editors to tell the truth, and in this case that trust was misplaced.

Q28 Alex Davies-Jones: But, Lord Hall, only seeking one side of a story would not have been acceptable for a BBC journalist, so why was it acceptable for a senior manager at the BBC?

Lord Hall: I think the focus of our second investigation was quite narrow and it was not an inquiry, as I was suggesting to your other question, of the sort that we might have into this now. It was narrowly focused on what was the breach of editorial guidelines and had Bashir knowingly



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breached them, did he understand that he had breached them and would he not do that again. These documents were used in front of Earl Spencer, he was shown them. That was an offence against the straight dealing guidelines, but the documents never went anywhere near air. That would have been an even more serious breach of the guidelines. Our judgment then was it is about Bashir: is he remorseful, does he understand that he has done something wrong? That is what we concentrated on. In retrospect, maybe the inquiry should have been bigger, but that is what we were trying to get an answer to.

Chair: I am sorry, my jaw just dropped when you said about whether or not he was sorry. This has been described as one of the scoops of the century, and it is found to have been obtained, let's be honest about it, through faking documents, fraudulent means, and you are more concerned about whether or not he is sorry. That is absolutely priceless.

Q29 **Clive Efford:** Lord Dyson's report states that Martin Bashir does not seem to accept that he acted in breach of BBC guidelines. In how many ways did he breach those guidelines?

Lord Hall: He breached the guidelines on straight dealing. He should not have put fake documents in front of Earl Spencer. We now know, because of Lord Dyson's inquiry, that there were other things that he did, too. I, frankly, was astonished to read Lord Dyson's report saying that Martin Bashir had not understood the gravity of what he had done, because certainly to me and to Anne Sloman he understood the gravity of what he had done.

Q30 **Clive Efford:** He produced these fake documents in a peculiar way as well. He did not take it through any of his senior management. He made a visit to Mr Wiessler's home, which led him to be concerned about whether this was going through the proper procedure. Later on he lied to the BBC on at least three occasions, according to Lord Dyson. He breached the guidelines pretty much all the way through. How did you come to the conclusion that he was an honest individual?

Lord Hall: As I said earlier, I think to the Chair, I regret the use of those words now, but I go back to the interview that Anne Sloman and I conducted with him 25 years ago for over an hour and a half. We pushed him really hard on the guidelines and his breach of the guidelines on straight dealing, and he was contrite. We thought he was out of his depth, and that is why we did two things. One was to ensure that he was properly, carefully and closely managed going forward by Steve Hewlett, the editor of the programme, whom we trusted hugely and I still trust, and I wish he was here to talk more about this but alas he is not. The second—

Q31 **Clive Efford:** You are repeating yourself. In that room you could have put him under a spotlight, stabbed him with a cattle prod, but the fact is that there were all these breaches of the guidelines. There was the way he got those documents made, the lies that he repeated when he was



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questioned about it, the fact he used the fake documents to gain access to the Princess of Wales and get that interview. All of that surely must have added up, to you, to a serious breach. I think the Prime Minister got sacked for less when he was working for the *Telegraph*. How is it that you came to the conclusion that he was an honest and honourable man?

Lord Hall: It was a breach of the guidelines, there was absolutely no doubt about that. The decision we had to make—and it is a decision lots of managers have to make in all sorts of different places—is if someone breaches the guidelines and it is the first time they have done it, do you say, “That’s it, farewell, you’re sacked,” or do you say, “All right, you’re remorseful, you understand it; we’ll give you a second chance”? That is what we did and we did it, having listened to him, having talked to him 25 years ago. In the light of what I know now about Bashir, was that the wrong judgment? Well, yes, it was, but we trusted him and we clearly should not have done.

Q32 **Clive Efford:** You say wrong judgment. I say it was a failure to acknowledge the facts that were in front of you. Can I take you back to something you said to the Chair at the beginning of the meeting? You said that you produced guidelines on how to produce fake documents. Is that what you really meant?

Lord Hall: No, I am so sorry. If that is how it appeared, that is not really what I meant. There were two consequences to this, and I won’t repeat one of them, which was to do with management of Bashir. The second one was that we were in the middle of revising our editorial guidelines. I ensured that the then controller of editorial policy, Richard Ayre, amended the guidelines to include some paragraphs on the faking of documents to make sure it was clear that this was not acceptable. That was not in the guidelines at that time.

Q33 **Clive Efford:** The BBC, as an organisation, needs guidelines to tell its reporters not to produce false documents?

Lord Hall: The guidelines are there to tell reporters and producers, to act as the wisdom of how to conduct themselves across all the things that they are doing. It is an important set of documents. Before I left the BBC, nine or 10 months ago, I got a new set of guidelines that reflected where we were there on editorial policy to be published and go around to the staff.

Q34 **Clive Efford:** Do you think with hindsight that Mr Wiessler should have been treated as a whistleblower? I know legislation on whistleblowers may have followed on from then, but shouldn’t he have been treated more in that way by the BBC? Shouldn’t it have been grateful for him coming forward with his concerns about those documents and how they might have been used?

Lord Hall: I think that is right. Some context is that there had been two investigations when everybody had been spoken to—first, the Gardam investigation and, secondly, the Sloman investigation. There was a



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difficult programme culture that Steve Hewlett was dealing with. But I absolutely accept the point that Mr Wiessler should have been spoken to and listened to as what we would now see as a whistleblower. But he was listened to, that is the point. He was listened to by Tim Gardam and in the second investigation, I understand, but I have already said how I feel about the treatment of Mr Wiessler, and I regret the language we used.

- Q35 **Clive Efford:** I don't think there has ever been a satisfactory explanation from Martin Bashir as to why he had these false bank statements made up. Couldn't it have been, and did it ever cross your mind, that given that Earl Spencer and the Princess of Wales were concerned that they may have been being conspired against, that these documents could be used just to feed that theory to obtain the interview? Did it ever cross your mind that that is why they were produced? It was peculiar to go so far to confirm what they believed to be facts of information that had been supplied to Martin Bashir.

Lord Hall: The timeline we were working on, which Martin Bashir told us—and remember we were talking all the time to people like Steve Hewlett, the editor of the programme, who worked closely with and supervised Martin Bashir—was that he had been introduced to the princess by Earl Spencer and that the documents he had drawn up came from information gained from the Princess of Wales, that he took those later to Earl Spencer, having been introduced to the Princess of Wales. We know now that that timeline was wrong because of the very strong evidence that Earl Spencer has come up with, but at the time we were lied to about that as well.

- Q36 **Clive Efford:** Yes, but what amazes me is that, at the time of Martin Bashir and also the time of his reappointment to the BBC, all these top journalists have a remarkable amnesia when it comes to remembering the facts about what they did and did not know about Martin Bashir. For instance, is it likely that these journalists who interviewed Martin Bashir about being employed in the BBC knew nothing of the scandal that surrounded Martin Bashir when he was employed at the BBC previously? Seriously, is that likely?

Lord Hall: What I understand from the report from the BBC that I read yesterday is that the head of news gathering had spoken to Steve Hewlett, the former editor of *Panorama*, and had been briefed by him, and then the judgments about Martin Bashir's re-employment were made by him and James Harding. In that sense, that was his due diligence.

- Q37 **Clive Efford:** Let's just go to the conclusion of the BBC's report into the re-employment of Martin Bashir that was published yesterday. Right at the end it says, "I have no doubt that if any of the individuals involved in the appointment of Martin Bashir in 2016 had been aware of what is now publicly known as a result of the Dyson Report, Martin Bashir would not have been reappointed to the BBC." But you did know. You had done the inquiry. You knew he lied to the BBC on several occasions, you knew he had produced that false document, you knew he had certainly shown the



false documents to individuals, yet you allowed him to be re-employed by the BBC. Before you come back and say you didn't know—because it is remarkable how much people in the BBC don't know about very important decisions—is it likely that, when they were about to appoint Martin Bashir to such a sensitive position back in the BBC, no one knocked on your door and said, "We're about to re-employ Martin Bashir" or "We are interviewing Martin Bashir"? No one did that?

Lord Hall: Well, they didn't. To go back, my own view is exactly the view contained in the MacQuarrie report that you were reading from just then, which is that we did not know, 25 years ago, the scale of what Martin Bashir had done to gain access to the Princess of Wales through Earl Spencer. You go back to the fact that we didn't know 25 years ago what we know now. If we knew what we now know about Martin Bashir through Lord Dyson, of course he would not have been re-employed. That is my view.

Q38 **Kevin Brennan:** In your view, were the allegations against Martin Bashir that were made in the press, post the interview, in the public interest? Were they of public interest?

Lord Hall: They are in the public interest, of course.

Q39 **Kevin Brennan:** Do you think they were of public interest at the time?

Lord Hall: I think they were of public interest.

Q40 **Kevin Brennan:** Why didn't the BBC report on them at the time if they were of public interest?

Lord Hall: It is interesting, because Lord Dyson asked me about this and referred to a particular piece by Paul Donovan in *The Sunday Times* where Paul Donovan raised the issue of why didn't the BBC report on this. All I can say is that there was absolutely nothing from me that said it is not to be reported upon, completely not, not least because I know in all my experience at the BBC that the best way to get a story covered about the BBC is to say, "Don't cover it."

Q41 **Kevin Brennan:** Were you relieved it was not reported at the time?

Lord Hall: I can't recall at all. I don't think I would be relieved or not relieved. I can't remember anything about that.

Q42 **Kevin Brennan:** Were you surprised that it was not reported at the time, given that you say you believed it was of public interest?

Lord Hall: Again, I can't recall 25 years ago whether I was surprised or not surprised.

Q43 **Kevin Brennan:** Can you recall the feelings that you had at the time about it not being reported after you had done your investigation? Can you recall any reaction to that or thinking anything about it at the time, or is it all a blank?



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Lord Hall: All I can say to you is it is very difficult looking back over 25 years, but I have never, ever in all my years in the BBC, 35 years in the BBC, tried to stop a story about the BBC.

Q44 **Kevin Brennan:** I am sure that is true, Lord Hall. That is not what I am asking. I am asking whether you can recall any feelings, thoughts about the fact that this story was not being reported by the BBC despite it appearing in *The Sunday Times* and other publications at the time?

Lord Hall: I want to answer honestly, and I can't remember what I felt 25 years ago. My apologies.

Q45 **Kevin Brennan:** In his report Lord Dyson does not believe the BBC's story on this that all the news editors individually decided autonomously that the Bashir story was not newsworthy, and he believes that *The Sunday Times* story about there being an official line not to report it is true. Is he wrong?

Lord Hall: I think he is wrong. I know how I would have behaved then, because this is what I believe profoundly. The way in which BBC editors report on the BBC and the independence within which they report on the BBC is an important part of our contract with the public. I don't understand quite how it was not reported at the time but I would put it down to judgments by individual editors. That is the only way I can understand it.

Q46 **Kevin Brennan:** How do you feel about Prince William's statement that his mother was "failed not just by a rogue reporter but by leaders at the BBC who looked the other way rather than asking the tough questions"?

Lord Hall: I regret deeply that we did not get to the bottom of Martin Bashir and what happened 25 years ago.

Q47 **Kevin Brennan:** You have said that. I am asking you about Prince William's quote. When he says "not just by a rogue reporter but by leaders at the BBC", he is talking about you there, isn't he?

Lord Hall: We did what we thought was right at the time, investigating Martin Bashir not once but twice. I have a huge amount of respect for the prince. I have worked with him on various things in the past, and I am deeply sorry for the hurt this has caused him. I really do want to make that clear.

Q48 **Kevin Brennan:** Have you spoken to him to express your deep sorrow and regret about it?

Lord Hall: No, I haven't. I wanted to have this session with you all before I think of what I do next.

Q49 **Kevin Brennan:** On the reappointment of Martin Bashir, it is quite surprising to me, as someone who has a degree of respect for the BBC, that its recruitment and hiring policy seems to be less rigorous than the policies that I would deploy to employ a parliamentary researcher. When



I appoint a parliamentary researcher, I advertise the job externally, often get more than 200 applications, always go through all the CVs, throw out the ones that can't spell my name and keep the rest, and then create a long list and a short list and work with some of the people at interview, have some little practical exercises to see if they are suitable for the job, and appoint the best person for the job. It really surprises me, as someone who regards themselves as a supporter of the BBC, that this kind of chumocracy approach was taken to an appointment of somebody who was a proven liar, with a very dodgy background. You have made it clear that you were not involved, but what was your reaction when you heard that he had been reappointed?

Lord Hall: I didn't know then what I know now. I remember thinking and, I think, saying to James Harding that I hoped he delivered against his brief. But I go back to you, it was not for me to second guess James's procedures for finding the right people, for finding the talent that he wanted to come and join News. That was for News to run through and do.

Q50 **Kevin Brennan:** Did you sort of kick the cat when you heard he was appointed, or turn the air blue with frustration that this could have happened, knowing what you knew about his record? Even if you didn't know everything you know now, you knew enough to be perhaps concerned about his reappointment. Would that be fair, or did you just shrug your shoulders about it?

Lord Hall: No. I go back, you have to say in the end that this is an appointment made by James Harding and Jonathan Munro in news gathering. I support them in their decision. I go back to the point that this is a highly devolved organisation and you trust the people to find the right talented people to come and—

Q51 **Kevin Brennan:** All right, you have said that. Do you personally believe now, having been apprised of further information through all these inquiries, that Martin Bashir never actually showed those forged documents to Princess Diana?

Lord Hall: We had a letter from Princess Diana.

Q52 **Kevin Brennan:** I know that, and we have that on the record. Do you personally believe, though, that it is true? Given that we know Princess Diana was in a vulnerable position and that Martin Bashir was a deceiving, manipulative liar, isn't it entirely credible and possible, or do you think this is not true, that he might have manipulated Princess Diana into writing that letter to cover his own tracks?

Lord Hall: I can't say, but 25 years ago a letter in her own handwriting from the princess saying what she said, that she was not manipulated, that Martin Bashir told her nothing that she didn't already know, that she had no regrets at all, was very powerful. When Lord Dyson also says that it was very likely she was going to do an interview somewhere, I take that seriously, too.



Q53 **Clive Efford:** I want to follow up on that, because this goes back to the point I was trying to make earlier: what was the conceivable purpose of those documents being created in the first place? Isn't it likely that if he showed those documents to the Princess of Wales—she says she was shown no documents that told her anything of which she was not previously aware. If she already thought that that sort of coercion and bribery to gain information on her was happening, she would be able to write that. It doesn't actually say that she was not shown those statements.

Lord Hall: Our understanding back then of why Bashir had produced those documents was as part of a file to do a story that he never pursued—and Steve Hewlett said this at the time—looking at a whole raft of allegations around the royal family to do with bugging and all sorts of things like that. That was the reason he produced them, and that is a reason that seemed credible to us at the time.

Clive Efford: An acceptable explanation also?

Lord Hall: Well, credible.

Q54 **John Nicolson:** Lord Hall, have you any idea how utterly implausible it is that you were not closely involved in the monitoring of the rehiring of Martin Bashir, someone that you knew to be a serial liar? This wasn't any old rehiring; this was the talk of the newsroom of the BBC. People were wandering around saying to one another, "Can you believe it, Martin Bashir is back and as religion correspondent?" and you knew nothing about this. Come on.

Lord Hall: Mr Nicolson, I ask you just to consider the number of things that come across the desk of any Director-General.

Q55 **John Nicolson:** Yes, but this is on a different scale, level and importance. This is Martin Bashir. He had been sacked twice in America for wrongdoing. You knew he was a serial liar and he pops up at the BBC. The idea that you were unaware of this and not closely involved with it is just implausible.

Lord Hall: I was not involved in the rehiring of Martin Bashir, Mr Nicolson, as yesterday's report makes clear.

John Nicolson: Yes. Well, the report is a whitewash.

Lord Hall: I don't think it is because it is reporting what I know to be the case as well, and it has been produced by a very independently minded person, namely Kenny MacQuarrie.

John Nicolson: A long-term BBC staffer.

Lord Hall: No, I was not constantly asking for briefings about one correspondent in one part of the news operation, neither would I expect to be. Running the BBC, you have a whole raft of things to do, negotiating a charter, running new services like BBC Sounds, moving more of the BBC out of London.



Q56 **John Nicolson:** We know what the job involves. Let's examine what you knew and when you knew it. Martin Bashir produced forged bank documents intended to make it look as if Diana's closest aides were corrupt and working against her. He showed these forgeries to groom Earl Spencer to secure an introduction to Diana. He lied about the way in which these documents had been used. Why didn't you pick up the phone and call Earl Spencer yourself and ask for his side of the story?

Lord Hall: I think I have said it already, but I will repeat that I accept Lord Dyson's conclusion that we should have picked up the phone to Earl Spencer.

Q57 **John Nicolson:** But why didn't you?

Lord Hall: At the time we were doing two things. One is that Steve Hewlett had spoken to Earl Spencer. As I said before, he had spoken to Earl Spencer when *The Mail on Sunday* story came out.

Q58 **John Nicolson:** What about you? I want to know why you didn't pick up the phone. This is basic rookie journalist stuff. There is a controversy. There is obviously two sides to the story. You ask one person their view and then you pick up the phone and you ask the other person their view. You are a disciple of Birtism. This is the very basis of Birtism; you do some research. You did not do any research at all, did you?

Lord Hall: Well, Anne Sloman and Tim Suter did the research.

Q59 **John Nicolson:** So it was all their fault?

Lord Hall: No, they did the research. Anne and I then interviewed Martin Bashir. The point is that we were looking at something narrower and in retrospect, in terms of Dyson, that was a mistake. The narrow point we were trying to make was had Bashir breached these guidelines and then what do we do about that.

Q60 **John Nicolson:** You should not have set such narrow parameters. You should have gone where the story led you. Of course, worse, you painted Earl Spencer as a co-conspirator with Bashir, involved in falsifying the content of forged bank statements. You will understand Earl Spencer's outrage at this. I have in front of me here the document that you wrote. You said that Earl Spencer had shown some documents to Martin Bashir, including a bank statement. Earl Spencer did no such thing. Martin Bashir showed the forged documents. You wrote this and gave it to the board, and it was false and it has your name on it.

Lord Hall: I accept that it is false because we were lied to by Martin Bashir.

Q61 **John Nicolson:** You did no research. You met Martin Bashir and reported back to John Birt that he is an honest and honourable man, but you knew he was not. Let's look back at the Tim Gardam memo. He was the head of weekly programmes and he had given you this memo. It had told you that Martin Bashir had lied three times. What happened to the memo that



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he gave to you?

Lord Hall: I acted upon it. Tim Gardam made it very clear in his memo, which you have in front of you, that we should look into this all over again. We did exactly that with Tim Suter and Anne Sloman. We looked at—

Q62 **John Nicolson:** Where is the memo?

Lord Hall: I presume you are reading the memo given by Tim Gardam to Lord Dyson.

John Nicolson: Yes, but where is the original copy that was given to you?

Lord Hall: I am sorry, I don't know, but I am reading—

Q63 **John Nicolson:** This is a very important document. Did you place it in the BBC's files with the other Bashir notes?

Lord Hall: I cannot tell you. This is 25 years ago, Mr Nicolson, and I cannot tell you what happened to the various documents that—

Q64 **John Nicolson:** It has gone missing. Did you destroy it?

Lord Hall: Absolutely not. Can I just go back to my position and the way that I looked at all these things? I approached this in an open-minded way, trying to get to the truth. We, not just me but others, were lied to by Martin Bashir, and that is at the root of it. We were in no way trying to cover up something.

Q65 **John Nicolson:** You knew he had lied to you, so you are not telling us something that is new. You knew that at the time. Fortunately, this missing document, which is so key to the Dyson inquiry, found its way to Lord Dyson. You will understand why this document is so important. It predates all your assurances to the board about Bashir's honesty. It shows that you knew he had lied to secure the interview, because a senior colleague had told you that. This document has disappeared. Fortunately, its original author had kept a copy of it, which is why Lord Dyson got it. Lord Dyson called you "woefully ineffective" and, even more damningly, Prince William said that you chose to look the other way. Do you know how much the Dyson inquiry cost?

Lord Hall: No, you will have to ask the BBC that.

Q66 **John Nicolson:** I can tell you. It cost £1.4 million—that is 9,000 licence fees—directly as a result of your negligence. Lord Hall, it is very hard to believe that you were once thought of as a safe pair of hands. Having presided over the BBC equal pay cover-up, the pensioners' TV licence fiasco and now this scandal, don't you think perhaps that a forfeit of some of your lavish BBC pension would be appropriate?

Lord Hall: Let me just say that I have been a public servant for 35 years at the BBC running news. I then left and did public service running the



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Royal Opera House, which at that time was in crisis. I rescued the Cultural Olympiad for the Olympics in 2012 and I came back to the BBC, which I never thought I ever would do or wanted to, in 2013 to rescue the BBC from the crisis involving Savile.

Twenty-five years ago, myself and everybody believed Bashir. We made a mistake, but please don't let that colour the other things that I have done, and which I can enumerate but obviously will not, in my record of public service over 35 years. I have done a hell of a lot for the BBC and, I think, for the arts, and I regret this one thing that we all got wrong because we were lied to by Martin Bashir 25 years ago.

Q67 John Nicolson: Some rescue, Lord Hall. It was clear that you were negligent in the way you carried out this investigation. You say that you believed Martin Bashir but, in fact, you knew he was a liar. The key witness in all of this, Earl Spencer, you did not bother to pick up the phone to ask him some questions, something a rookie journalist would have done. There has been a BBC cover-up, which is why you and the other witnesses are now here. Back to you, Chair.

Lord Hall: Can I just make a comment on that, Mr Nicolson? First, I accept we should have spoken to Earl Spencer. I accept that conclusion from Lord Dyson's report. One of us should have gone back to Earl Spencer on this issue of the documents. I accept that.

Can I also say that we have not tried to conceal from the public or anyone any of the conclusions we came to around this 25 years ago? The notion that there has been some consistent line that we have drawn under this, trying to conceal something from the public, is not true. We thought we had come to a conclusion 25 years ago, an honest conclusion based on somebody who was contrite and was prepared to see he had made a big mistake, someone we thought was inexperienced and out of his depth. We got that wrong. We believed him, and I am sorry for that.

Q68 Giles Watling: Lord Hall, there is one thing I do not quite understand. You have repeatedly said to the Chair, Kevin Brennan and, just now, Mr Nicolson that there is a great deal that the Director-General has to devolve, and that is understandable with 20,000 employees and so on. As you just said, you were brought in to deal with the fallout from the appalling Savile affair. Coming in on the back of that, I do not understand why you were not more on your mettle and put mechanisms in place to ensure the honesty, openness and truthfulness that we all expect from the BBC, because damage has been done. I would have thought you would have been all over that on your arrival, and then the Bashir thing happened.

Lord Hall: Yes, when I came back into the BBC to deal with the Savile crisis, and it was a real crisis, there were three investigations going on into what should be done. I accepted all three. When it came to the final report by an eminent judge on how this had happened, I spoke to survivors and I then ensured that we had the policies in place to ensure



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that such a thing could not happen again. The same thing happened with bullying and harassment. The same thing happened with equal pay, which again was an issue that we were dealing with.

When I came back to the BBC I brought in changes to the way that people were employed, terms and conditions and so on, that had not been done for a generation. We were reforming the culture of the BBC to make it a better place to work, a place where people could say what they felt and did not feel they would be bullied or cowed in some way into submission. That is because, fundamentally, I believe in teams and I believe in people giving of their best in the workforce, I really do. When I came back to the BBC, that is what I wanted to achieve.

Q69 **Giles Watling:** I appreciate all that, and it is all very worthy. It is just that having come in on the back of such an enormous crisis, with such far-reaching effect, you did not put into place mechanisms whereby the Bashir affair could never have happened.

Lord Hall: I don't think the Bashir affair, as I said to one of your colleagues earlier, would happen in the same way now, or rather the way that we would investigate it, had it happened, would be very different. I did bring in policies around whistleblowing, which were very clear. If you want to whistle blow now, and if you are still not satisfied, it goes right up to the board level. There is a board member who is responsible for whistleblowing. We had whistleblowing policies. We had ways in which you could complain about behaviours and so on. Editorial policy is now much stronger within the BBC and is much more powerfully felt within the BBC and people use it properly, so there is that, too. I think we have, all in all, better controls.

You would know that when you are dealing with thousands of decisions being made each day, which are difficult editorial decisions being made from a local radio station through to the World Service, you need people to understand the guidelines. You need people to understand what is good and what is bad, what is good journalism and what is bad journalism. I think we did a huge amount in my time with James Harding and latterly with Fran Unsworth to ensure that those guidelines and what we wanted from our journalists was understood.

Giles Watling: I just think that perhaps there was too much devolution, but thank you very much.

Q70 **Chair:** I know that time is running short, Lord Hall, and we appreciate the fact that you volunteered today. Not everyone wishes to volunteer to come in front of our Select Committee, I have to say.

I am wondering whether or not, first of all, you received any other complaints regarding Martin Bashir's journalism during his time at the BBC, perhaps in relation to Terry Venables and the faking of documents in that case.



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Lord Hall: Yes, there was an issue around the Terry Venables *Panorama*, which was dealt with at the time. I cannot remember the details now, but I think I mentioned it in my report to the governors.

Q71 **Chair:** That was two years before the Princess Diana faked documents, so he was a faker of documents of long standing then?

Lord Hall: I cannot remember the details of the Terry Venables case—

Q72 **Chair:** The details are in the public domain. What happened was that there was a payment and loan to Terry Venables and this was graphicised, or graphics were brought up in order to show this loan, but those graphics were fake. Effectively, it showed a bank statement that was fake, and that was broadcast on *Newsnight* two years prior to Princess Diana being shown or having been involved with fake documents by the same reporter.

Lord Hall: Yes, and that is why I was clear about bringing in guidelines to make sure that these fake documents—that hit air, from what you are saying, this document or these documents—

Chair: It was 30 years ago when that happened, nearly 30 years ago, when he was faking documents at the BBC, and two years prior to Princess Diana.

Lord Hall: Sorry, the question is, Chair?

Chair: The question is that you then say you introduced new editorial guidelines, at a much later date, obviously, with Mr Ayre, I think it was, the gentleman you mentioned.

Lord Hall: That is right, that was after this faking of documents and the Princess Diana issue.

Q73 **Chair:** Okay, but were you aware that he had also faked documents for Terry Venables?

Lord Hall: I cannot recall. This is going back a very long time, but obviously the Terry Venables *Panorama* is something that myself and Mr Gardam would have known about at the time.

Q74 **Chair:** Okay, fine. If you had been DG at the time that Lord Dyson revealed his report, would you have resigned?

Lord Hall: Well, I wasn't Director-General. I had left long before it so—

Chair: Well, not so long ago. You could say that it was actually very timely, your leaving. You obviously resigned from the National Gallery, but do you think it would have been the morally right thing for you to have resigned at that point?

Lord Hall: I really cannot answer that question. I left the BBC some nine or 10 months before to take up the chair of the National Gallery. I obviously did not know that this was about to emerge on to the scene.



- Q75 **Chair:** You were not aware that it was going to emerge on to the scene?
Lord Hall: No, of course not.
- Q76 **Chair:** Finally, I have one question for you. Do you think that what Mr Bashir did was criminal?
Lord Hall: I don't know. I am not a lawyer, and it would not be for me to say whether what he did was criminal or not.
- Q77 **Chair:** The definition of fraud is financial gain through false pretences. He gained financially.
Lord Hall: I do not think he gained from this financially at all, but lawyers better—
- Q78 **Chair:** In terms of his career? He got the biggest interview in British TV history almost. That is a big thing to gain, is it not? It therefore has a financial consequence down the line.
Lord Hall: Martin Bashir did not gain from that financially. The BBC might have done, and I think some of the moneys went to charity as I recall, but I do not think Martin Bashir gained from it.
Chair: Okay, we will leave it there. Thank you very much, Lord Hall. That concludes our first panel. We will take a short adjournment of two minutes while we prepare our second panel.

Examination of Witness

Witness: Lord Birt.

- Q79 **Chair:** This is the Digital, Culture, Media and Sport Select Committee and our special hearing into the work of the BBC in light of the Bashir scandal. On panel 2 we have Lord Birt, former Director-General of the BBC. Good morning, Lord Birt.
Lord Birt: Good morning.
Steve Brine: Good morning, Lord Birt. Thank you very much for joining us. For those watching, you were obviously Director-General of the BBC from 1992 to 2000. The interview with Princess Diana took place in November 1995, so that was during your tenure, just to be clear.
Lord Birt, at what point did the BBC management board develop awareness of the allegations against Martin Bashir?
Lord Birt: That, of course, depends on what allegations you mean. The report from Lord Hall, which has already been discussed, went to the board of management and the board of governors, and it was on the basis of those reports that an understanding was reached.
- Q80 **Steve Brine:** The allegations that I refer to are that the interview was



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secured under false pretences. There were questions being asked pretty soon after it was broadcast, and obviously it led to a number of investigations. What were your personal feelings, as the leader of the organisation, when that report from Lord Hall landed on your desk?

Lord Birt: I obviously followed the proceedings with Lord Hall. If I may, I think a little context might be helpful to the Committee to try to understand these events, because I do not think a clear understanding has emerged from the discussion so far. It is a very difficult story to understand, and I might say that I have only understood some of the most important aspects of this story in recent weeks.

The backdrop is of a reporter who deceived on a very significant scale, and I do not think the scale of his deception has remotely been understood in the public discourse. There were two completely different deceptions, and you cannot understand what happened unless you understand what those two deceptions were.

The first deception, which was cunning and callous, was the one that he meted out to, first, Earl Spencer and to Princess Diana to persuade them that she was a victim of betrayal and espionage. If you read a very important document, Richard Kay's interview with Earl Spencer, you will see that Martin Bashir came to the table with literally scores of examples and allegations. He alleged to her and to Earl Spencer that her phones were tapped, her letters were opened, she had a tracker on her car, a driver and her friends were leaking and, most importantly, that Prince Charles's private secretary was marshalling a campaign against her. Over and beyond that are very large numbers of stories about the press and about Prince Charles's private life.

The documents were obviously the only tangible evidence that Bashir offered Earl Spencer. We all know now that they were fakes and we know what that is, but you have to understand the second deception if you are to understand how events then played out. If it were not for the fact that Matt Wiessler came forward, I suspect we would never have known any of this. After he came forward, Martin Bashir had a problem. He had to ensure that he escaped detection for his wrongdoing by his bosses. He promptly created another long, complex narrative. If you look at the document in Lord Dyson's appendices you will see it there, the document being Lord Hall's long-form report of his interview with Martin Bashir. He named individual officers of the security services and GCHQ whom he said alleged a concerted campaign, again of surveillance and interception, marshalled by Prince Charles's private secretary. He alleged that a friend of Princess Diana's had driven him around and shown him the junction box. If you watch John Ware's *Panorama*, you will find that that friend says she never met Martin Bashir.

This is absolutely critical. Unless you understand this point, you cannot understand what then happened. He said that when he met Earl Spencer, Earl Spencer gave him copies of the bank statements of his head of security, Alan Waller. That was the prime basis for the documents. That



information from Earl Spencer was supplemented by information that he then said he got from Princess Diana about the two payments on the documents, one from News International, the other from—and here he made a big mistake. He made up a name but said it was a front for the security services and that Waller was in their pay. This was extensive, cunning, considered and deeply callous because of the impact it had on many of the individuals concerned. He was utterly oblivious to the harm he was causing.

That was the backdrop he presented, and the essence of the story from my point of view. By the way, I have only understood the story I just recounted over recent weeks and months. The essence of the story is that he fooled the BBC executives concerned. You have just given Lord Hall a very hard time. You have to remember that there were five extremely seasoned BBC executives, none of them faceless bureaucrats: Steve Hewlett, whom you probably all know, Tim Suter, Tim Gardam, Anne Sloman and Tony Hall himself. The sad fact is that they believed his story. Unless you understand that, you cannot understand what subsequently happened.

When it was presented at the board of management and board of governors, the so-called document was presented as something that was essentially authored by Earl Spencer himself. That helps you to understand the answer to why nobody thought it right to go back to Earl Spencer because they thought he was the prime author, which we now know is complete nonsense. But unless you understand all of that, you cannot understand how events played out.

Q81 Steve Brine: Yes, thank you. What a guy you had in your team. I am glad you mentioned the board of governors. There was a lot of tension at the time between yourself and Duke Hussey, wasn't there, as chairman of the board? They were quite strained, those relations?

Lord Birt: Yes.

Q82 Steve Brine: Obviously, he had very close relationships with senior members of the royal family. The allegation was that the board was kept out of the loop about the planning of the interview and in the aftermath of it. How did the relationship between the chair of the board of governors and the royal family influence how you, as DG, dealt with the allegations at the time? You see, the reason we ask this is because we are interested in getting to the truth of decision making and how decisions were made, and scrutinising that. This seems to me to be a rather interesting part of the plot, Lord Birt.

Lord Birt: It had no impact whatsoever. Tony Hall reported up his best understanding, we now know a completely flawed understanding, of what exactly had happened, and we all believed that was an honest account. That was one that was shared by the board of management, the board of governors and, by the way, one that I believed for the best part of 25 years. It came as a great shock to me when I read Tim Suter's account



well after Lord Dyson's inquiry started, in which I learned for the first time that Martin Bashir had lied.

It simply is not the case that anybody set out to deceive, other than Martin Bashir himself; as you say, quite a guy. Unless you understand that this was a serial liar on an industrial scale, you simply cannot understand the story. Moreover, in fairness to some of the people involved, in 100 years of BBC journalism can we think of anybody else who behaved in that kind of way? Yes, they all believed him, hardened and experienced though they were, and we know they were wrong to believe him, but we also can see some of the reasons why: the aura of Princess Diana, her letter.

You only have to look at the interview itself and other work that Martin Bashir has done to see that he is a very skilled confidence trickster. He uses emotion. He is very persuasive. He cried in his interview with Tony Hall and Anne Sloman and fessed up to the fact that he had shown the documents to Earl Spencer. He did not fess up to the fact that he had created those documents from his own information, and he continued to argue, as I think he still does, that Earl Spencer as well as Princess Diana were the prime suppliers of the information to those fakes.

Q83 Steve Brine: Lord Birt, I am just going to interrupt because, as always, time is pressing. This is your chance to give your version of events and the world is watching, and you are giving a very compelling argument that you were all naively deceived by a clever man. It reminds me of the people who appear on the radio to talk about a fraudster who phoned them up and tricked them into giving their bank details. Of course, two years previously the Venables case came up, which our Chair was raising with Lord Hall, who for the record we did not give a hard time to at all—that was us being very benign. Were you not aware of the Venables debacle two years previously, when this same confidence trickster had seemingly used the same MO?

Lord Birt: I simply don't know. I cannot overstate enough the difficulty of trying to remember things. You are a young man. In 25 years' time, you will find that you struggle to remember the detail of lots of things in your life. I have almost no memory whatsoever of the things we are talking about. Everything I have learned is from a close study of the documents. From my understanding from the documents, not from my memory at the time, the Venables document is not a parallel. I can stand corrected on it, but my best understanding is that it was not just Martin Bashir; there was a *Panorama* producer involved. My best understanding, possibly not true, was that that document was compiled on the back of somebody reading into a tape recorder a document that actually existed that they had seen and that they had then created. It was a facsimile of a real document. If you look at the evidence that is now available, the producer and, I presume, Martin Bashir himself were scolded for not making it clear on air that the viewers were not seeing an original document. They were seeing something that was created. My



understanding—and, as I say, it may be imperfect—was that that was a facsimile of a document that really existed.

Q84 **Steve Brine:** Okay. I have a couple more, and then I will close and hand back. We will come on to that in more detail. I just want to return to the question that I asked Lord Hall at the very start. You were the DG at the time. The fact that a very junior reporter landed the scoop of the century, I know your memory is vague but presumably you remember thinking that that was an incredible feat that he achieved, don't you? Did it ring any alarm bells at all, Lord Birt?

Lord Birt: No, absolutely none. I think you can overstate the "junior." He was in his early 30s. He had worked in the BBC for a number of years. He had worked on other current affairs programmes. He had risen up the ranks to *Panorama*. What I did understand and is embedded in my memory is that he did not—I think he probably did set out to get an interview with Princess Diana, but that is not the story we were being told. What he set out to do was to make a *Panorama* on the surveillance of Princess Diana and the royal family, not an unreasonable thing to do because, remember, in the previous couple of years two private phone calls, one from Princess Diana, one from Prince Charles, had been intercepted and published. It was not fanciful to assume that there were difficulties around surveillance and bugging of members of the royal family. My understanding is that that was the journey he set out on. Now, given what we now know about how he thinks and how he calculates, and given the skill with which he assembled the yarn that he took to Earl Spencer, I think we can be reasonably suspicious that he had that as his objective all along.

Q85 **Steve Brine:** You did not think, "Why has Nick Witchell not got this?"

Lord Birt: No, absolutely not. Why would one? You would not stare a gift horse in the mouth. Just as Lord Hall said, he only knew a couple of weeks before. I knew even later.

Q86 **Steve Brine:** You said something very interesting there: you would not look a gift horse in the mouth. I have a funny feeling that my Chairman might return to that.

Finally, can I just ask you this, Lord Birt? I am interested in your personal feelings about this now, given the recollection that you have learned in recent months about this—

Lord Birt: Not recollection, new knowledge.

Steve Brine: Yes, your new knowledge. With your new knowledge, you were the boss, you were the DG when this went on. An interview with one of the most famous people on the planet was attained under false pretences. Reputations were trashed—Matt Wiessler as an example—and in the words of the Duke of Cambridge, this, "made lurid and false claims about the royal family which played on her fears"—his mother—"and fuelled paranoia". So, her fears and paranoia, which it is not a great



stretch to say sparked a train of events that less than two years later would see the events in that underpass in Paris. Reflecting now, with the passing of time and your learned knowledge, the many things that you have done since, remember you were strategy adviser to Prime Minister Tony Blair for five years, is this your Iraq war, Mr Birt?

Lord Birt: It is a tragic occurrence. It is an absolute horror story and it should never have happened, and it is a complete embarrassment that it did happen. None of us can speculate. My heart goes out to the sons of Princess Diana, but none of us can truly speculate and understand what the consequences were. What we can understand is that this was a plane crash. It should not have happened, and you will probably want to discuss how it might have been avoided and what the BBC might do to ensure it never happens again.

Steve Brine: At that point I will hand back to the Chair.

Q87 **Julie Elliott:** Good morning, Lord Birt. You have answered, in some part, what I was about to ask you, about the board of governors meeting on 15 April 1996 and about Lord Hall's update to that meeting. I wanted to know what you made of it. You have expressed what you think of that and a reflection of what else you said. Can you actually remember the board meeting and know what you thought at the time?

Lord Birt: No, absolutely not. I don't remember it. The Committee may find that surprising, but I have not met anybody who does remember it. There may be people who do, but Lord Dyson does not appear to have surfaced them. However hard it is to understand, it is because of the nature of the report that Lord Hall made, which we have exhaustively discussed so far, about what the origin of those documents was, a recognition that those documents should not have been created, the reprimanding of the reporter concerned, and the letter from Princess Diana. All of these things were reported to the board, and it is embarrassing to say it now but it did not have the consequence at the time because of that very limited and wrong understanding of events. It did not have the impact that, in hindsight, you might think it would have done. There were some very weighty people around that board table, as there were around the board of management table, and there was no record of anybody seriously challenging it because it was a completely wrong but convincing yarn at the time.

Q88 **Julie Elliott:** There are two things there. I accept that it is 25 years ago. I remember some things I did that year; I do not remember everything. Most people remember things of personal significance. However, the Princess of Wales interview was such a huge thing, probably one of the most memorable things that I can remember watching on television in my life, so it was not that it was an insignificant thing that you were talking about. That is why I am very surprised that you have no recollection of the event.



Lord Birt: I did not say I had no recollection of events surrounding the interview because, you are quite right, this was an extremely important event in my life and that of everybody else concerned.

I have a reasonable recollection of those things where I myself was, so to speak, in the lead. For instance, in discussion of the interview itself, I led the discussion about whether it was legitimate to do it and, if we did do it, what it was reasonable to ask Princess Diana and what we should not ask Princess Diana. I do not have a detailed understanding of that meeting but I can remember the occasion and I can remember some of the things we said. I can clearly remember what I thought at the time.

I had to make a decision. Princess Diana only imposed one condition, which was that she and only she should inform the Queen when the interview was done. I had to think about that and agree it. I can clearly remember because my main problem was, as has already been alluded to, I had had an excellent relationship with the Chairman of the BBC over the best part of 10 years but it had deteriorated over the previous year. I do not particularly want to go into what had happened to him as the years went on, and so on, but he became more and more difficult and unreasonable. He had, and everybody knew it, very strong views about the royal family and—things I would not repeat—about Princess Diana.

The hardest thing for me, and which I clearly remember, was having to decide what to do about that. In the end, I decided that he would be told essentially seven days before transmission but not before the interview, because I judged that if he were told he would frustrate it and that would have been wrong for the BBC. That was a very difficult decision for me, and in making it one that I said to my wife at the time I expected I would lose my job on the back of, but I thought it was the right decision.

I can remember clearly the events that followed, because he made a great fuss at the board and I had further meetings with members of the board. In the end, they supported me. All those things I remember but, self-evidently from Lord Hall's account, this investigation was conducted not just by Lord Hall but by all the other people we have mentioned in line. That was reported up to me and I have a very limited memory of that.

Q89 **Julie Elliott:** You had no reason to question Lord Hall's evidence to the board of governors?

Lord Birt: Absolutely not, the same as everybody else. Lord Hall has talked about trust. I knew all five people in that line. They are all people of real integrity, ability and experience. If somebody tells me that those five people are standing behind it, believe me, I am going to believe it and I did.

Q90 **Julie Elliott:** If we move on to the BBC's internal investigations into the allegations around Martin Bashir. Without being approached by the BBC, how could Earl Spencer have presented himself for questioning in that



process?

Lord Birt: I think Earl Spencer has been asked why he did not come forward, and I respect his answer, which was he was very concerned for the welfare of his sister and, after the interview went out, he did not want to undermine her by revealing all his doubts about the process that he had been involved in. I think that when he did talk to people—as Lord Hall has already mentioned, he talked to some members of the BBC—he raised other issues, not the documents. My best understanding is that Earl Spencer himself did not understand the documents were fake.

I discussed this at length with Lord Dyson. If we had gone to Earl Spencer, we would have understood—and I think there were very good reasons why it did not occur to people—the complete incompatibility between Martin Bashir’s narrative and Earl Spencer’s. What Earl Spencer says is, “Martin Bashir showed me these documents at the beginning of the process in late August, early September.” What Martin Bashir told his colleagues in the BBC is that these documents were created, as I have said, on the basis of information from Earl Spencer and Princess Diana just very briefly in October, not long before the interview was conducted. It is that disparity in the evidence that finally, when Earl Spencer did come forward, started to unravel Martin Bashir’s story because it was not unravelled until then. Indeed, for reasons you will not want to go into because there were subplots, it was not even then unravelled satisfactorily because there were some difficulties in reconciling the two accounts.

Q91 **Julie Elliott:** You would accept, I think, that if Earl Spencer had been interviewed at that point by the BBC’s internal investigations, this would have come to light long before it has done?

Lord Birt: Without a doubt, and I discussed this with Lord Dyson, of course. If Earl Spencer had come forward with the account that he finally came forward with last November, in the interview he gave Richard Kay, it would have blown Martin Bashir’s account apart immediately, and the history would have been different. I am very sorry that it took 25 years for this terrible story to emerge.

Q92 **Julie Elliott:** Finally, you obviously would have been aware of Martin Bashir at the time. You, I am sure, would have met him.

Lord Birt: No, absolutely not. No, I did not meet him at the time and, as far as I know, I never met him since. I doubt that I was even aware of him.

Q93 **Julie Elliott:** You were not aware of him?

Lord Birt: I doubt I was aware of him. As Lord Hall keeps saying, the BBC is a very big organisation.

Julie Elliott: The person who did the biggest interview—



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Lord Birt: No, sorry, I thought you were asking whether I was aware of it in advance, was I aware of him before this interview. I do not accept I was.

Q94 **Julie Elliott:** In the time that you were Director-General, which was after this interview as well, you will have been aware of Martin Bashir. Was there anything, just a gut feeling or anything, that rang alarm bells about this man at the time—before, after, during that period?

Lord Birt: I am not sure I entirely understand the question. Absolutely no alarm bells at all, for all the reasons I talked about earlier: his quiet, gentle, emotionally sympathetic manner that you see in the interview itself. No, there were no alarm bells. Frankly, alarm bells rang subsequently big time with me when he got into trouble in America and the appalling things he said about Sarah Palin and his ill-judged comments about “Asian babes.” To be honest, and nobody else has mentioned this, I felt very uneasy about what he did with Michael Jackson. That was the first time that my doubts started to kick in. Indeed, you cannot be definitive about what he did with Michael Jackson, but I never liked the smell of that and the failure to reach proper conclusions in that. I did subsequently think, “Goodness me, I am not sure about this person.”

Q95 **Clive Efford:** Lord Birt, you have read Lord Dyson’s report and you have listened to Lord Hall’s evidence this morning. Is there anything, looking back on that period, that you feel let down by?

Lord Birt: If you have read Lord Dyson’s report, you will see—because he and I met at the very end of his deliberations—that he and I had a very good conversation about all of this and he fairly reports it in his report. He also reveals that he and I disagreed. I think he judges my former colleagues too harshly, given the circumstances that I shared with the Committee earlier.

If you say, “Do you have regrets?” then I don’t know how many of these people you have met, but Steve Hewlett had a “take no prisoners” personality. He was not a man you got on the wrong side of. He was extremely forthright. Tim Gardam has one of the sharpest minds of anybody I have ever met. Tim Suter went on to very important jobs. Anne Sloman, as has already been mentioned, was a significant figure in radio. None of them spotted it. Maybe another person might have spotted the discrepancies in his testimony, and there is a mystery about why Tim Gardam’s report never informed subsequent deliberations.

Yes, it would have been terrific if one of them had spotted flaws, had dug deeper and so on, but I have to say as the Director-General at the time that this was my team and these were people who I respected and were and are people of real integrity. Of course, we can all completely agree that what happened is deeply regrettable, but it is better to understand how it happened and then to work out what you would do to make sure that it never happens again, recognising that this is probably a one in



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100-year occurrence of having a rogue reporter who is willing to be deceitful on this scale.

Q96 **Clive Efford:** It is not the first time the BBC has been deceived on a massive scale, but it is probably best if we do not go down that rabbit hole.

Lord Birt: Well, perhaps you would remind me of those other occasions, because I cannot recall any.

Clive Efford: Jimmy Savile would be a big one that would jump out at me.

Lord Birt: We are talking about—

Q97 **Clive Efford:** I know there is massive amnesia at the BBC, but I am sure you have not forgotten that.

You have said that this was a very devious individual who misled everybody and that the BBC and all its officials and all its hot, top reporters were all just bamboozled by this individual over a long period of time. Mr Wiessler came forward after the broadcast. What happened then? Was that brought to your attention?

Lord Birt: Only in the context of Lord Hall's report, and you have already talked to Lord Hall about that. He reports and, indeed, the documentation, which we can all study, is completely clear about what happened when Matt Wiessler came forward. He was respected as a whistleblower by Tim Gardam. Tim Gardam acted with real despatch and vigour and immediately confronted Martin Bashir about it. He got the story. Tim Gardam got the letter from Princess Diana, and he was reassured by that letter. He went back to Matt Wiessler to say, "Don't worry." It was perfectly legitimate for Matt Wiessler to come forward, and he was given the assurance, I see from the documentation—I knew nothing of this at the time—by Tim Gardam that they had checked that the documents were not shown to Princess Diana and he should feel reassured.

Q98 **Clive Efford:** Let's get this straight. We have a fairly junior reporter at *Panorama* who Lord Hall has just told us faked these documents and, when interviewed about it, disclosed that he was investigating all sorts of things around the royal family and the Princess of Wales. It goes beyond just those fake documents and you have said that yourself, that he gave a litany of evidence.

Lord Birt: That was the journey he was on, and his editor had followed that journey with him. It may have in Martin Bashir's mind, but in everybody else's mind it started off as a *Panorama* about surveillance of the royal family.

Q99 **Clive Efford:** Lord Dyson said there was an irregularity in the fact that he did not have his hand held by a producer, which was quite strange for somebody who was as junior as that. He discloses to the head of news,



Lord Hall, that he has not only produced fake documents but he is also investigating lots of things around the royal family. Given the sensitivities of that information, shouldn't someone have come and knocked on your door?

Lord Birt: No, honestly, I think you fail to appreciate the sequence here. He is under the stewardship of his editor, Steve Hewlett, and Steve Hewlett, as far as I understand it, does understand that Martin Bashir over many months is doing a programme about surveillance of the royal family. If that had turned into a *Panorama*, somebody would have knocked at my door because, as everybody will be aware, it was my practice when there was a really difficult *Panorama* that raised either severe legal or public policy issues. From the moment I arrived at the BBC, first as deputy Director-General in charge of news and in charge of actually forming BBC News for the first time—it had previously been five separate divisions—I am sorry, I have lost my way. Please remind me of your question.

Clive Efford: Let me take you back. You just said—

Lord Birt: Oh, sorry, do forgive me, I do understand, I remember the question. If that had turned into a *Panorama* about the surveillance of the royal family, a red flag would have gone up and it would have come to me. As with other difficult *Panoramas* I would have reviewed it personally. I would have seen the programme. Very often, I would be accompanied in that process by a leading QC.

Clive Efford: Sorry, I missed the beginning of what you said. Could you repeat that? What did you say right at the start of that sentence? If it had been what?

Lord Birt: Sorry, if the programme that he set out to make about surveillance of the royal family had turned into a real programme, then there would have been a red flag. As was my practice, any programme that raised significant legal or public policy issues—and there were only a handful of *Panoramas* a year that would do that—would come to me and I would personally review it. I would often do it accompanied by a leading QC to sign it off. Why did I do this? Because when I arrived at the BBC, the reason I was invited into the BBC, the first person at that level since the second world war, is because an awful lot of things had gone wrong. In particular, a *Panorama* had gone wrong, where the BBC had lost a major legal action in court. To be honest, the BBC's processes for managing difficult programmes were terrible, and I changed those processes. It would have come to me, but it would not have come to me until it was a real programming prospect.

Q100 **Clive Efford:** I am a little bemused by that. So, if it had been about security surveillance of the royal family, that would have come across your desk, but the scoop of the century, this one-to-one interview with the Princess of Wales with all of the international news interest, no one bothered to come and tell you, "We are about to secure this interview"



and later on saying that there may be some issues about how that was obtained? No one came to you as Director-General and said any of that?

Lord Birt: They are two different issues. I have already said that people did come to me; it was seen as a highly sensitive programme. I was involved, as I have already said, in the discussions about that programme, its legitimacy, its purpose and what it should contain.

Your second question is completely different. When I became aware that there was a problem is when the *Mail* published the false documents in the following year. That launched Tony Hall and Anne Sloman's investigation and, to the best of my knowledge and memory, that was the first time I was aware of it. Then Tony properly reported that up to myself, the board of management and the board of governors.

Q101 **Clive Efford:** Given your rigorous approach to news and making sure people check all sides of stories, did you question anyone about why no one, particularly Anne Sloman and Lord Hall, contacted Earl Spencer?

Lord Birt: I have already said. I think I have answered that question.

Clive Efford: I do not think you have.

Lord Birt: We are talking about five people I trusted, who had dealt with this issue, and I believed what they told me. I not only believed what they told me, I believed in their integrity, which I still do.

Q102 **Clive Efford:** You maintain that this is all the fault of Martin Bashir, who is a very believable individual but a liar none the less, and that you from the top of the BBC, through the head of news, all those investigative journalists at *Panorama*, in spite of the fact that Mr Wiessler had come forward stating that they faked the documents, that there was evidence that Martin Bashir had lied, all of that, you were all just innocents abroad, completely deceived by it?

Lord Birt: I have already said that, on the one hand, he was beguiling and persuasive; on the other, of course, we would wish in a better world that somebody or other had smelled a rat, but they did not. Remember the importance of the letter from Diana and the impact that would have had not on me but on the people concerned. I am not suggesting for a minute it is not highly regrettable. It is an appalling event and, yes, of course, it would have been terrific if people had spotted the flaw at the time, but they did not. It is important now to understand the lessons, 25 years on, and how we could avoid it happening again.

Q103 **Clive Efford:** Anne Sloman and Lord Hall were conducting this investigation in March 1996. Lord Hall was aware of the Tim Gardam email. They were also aware of the fact that Mr Wiessler had come forward and made clear the dates on which he had produced the statements on behalf of Martin Bashir. The question has to be asked why that did not come across your desk and how it was that you accepted a report that said that he was honest and honourable. How can you do



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that?

Lord Birt: Honestly, forgive me, you do not understand how a very large organisation works if you say that.

Clive Efford: That is easy for you to—

Lord Birt: You delegate things to the right level. By the way, it is not the case that Matt Wiessler was clear about the date. Indeed, I referred earlier to complex subplots. If you read the *Mail* of March 1996, you will see that Matt Wiessler says in that that he created the documents in October. Twenty-five years later, in the very same edition that Richard Kay writes the long-form and hugely valuable report of Earl Spencer's experience, Matt Wiessler is still saying he created the documents in October, which is consistent with what Martin Bashir told us. That was obviously a lie, and was inconsistent with Earl Spencer's own account. I am sure that was a completely innocent mistake on Matt Wiessler's part, but it was a mistake and that did confuse matters for quite some time.

Q104 **Chair:** I have heard victim blaming before, but my word.

Lord Birt: Will you expand on that? Will you say what you mean by that?

Chair: That is what I am going to do. You stated before that Mr Wiessler was respected as a whistleblower. That is what your statement was before. Lord Hall's report to you, Lord Birt, stated the following, "The final point concerns the actions of those who leaked material to the press. We are taking steps to ensure that the graphic designer involved, Matthew Wiessler, will not work for the BBC again (when the current contract expires in the next few weeks). In addition, between now and the summer we will work to deal with leakers and remove persistent troublemakers from the programme."

That is instituting a witch hunt. Secondly, when it comes to Mr Wiessler, you stated to this Committee before that he was respected as a whistleblower. No, he was not. Under your watch he was blackballed and did not work for the BBC again. Do you owe Mr Wiessler an apology?

Lord Birt: Let me explain the circumstances.

Chair: No. Do you owe Mr Wiessler an apology?

Lord Birt: I am going to explain the circumstances. The circumstances, as I have already said, are that, and I have to repeat that my understanding comes from a forensic reading of the documents, no memory whatsoever of what happened at the time. When I talk about him being respected as a whistleblower, you can see from the documentation that Tim Gardam did respect him as a whistleblower and that is the reason for my reference. You will have to ask Lord Hall why he used the language he did. My reading of that—

Q105 **Chair:** Why did you allow the language to be used?

Lord Birt: Hang on. Please let me—



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Chair: I am really sorry. Order, order. You are not answering the question at all, and the point is—

Lord Birt: I am answering the question.

Q106 **Chair:** You stated he was respected as a whistleblower. You say that is with Mr Gardam, et cetera. We can accept that. However, you received a document. You have read this document. You say yourself it is a forensic document. You have read it. You have no personal recollection at the time. You have read that document. What do you think as an individual who was in charge of the BBC at this point, when your subordinate comes to you and basically says, "I tell you what; the person who leaked that story, we are going to fire them. We are going to get rid of them." You think it is acceptable for you to have green-lighted that, or at least to have stood idly by. Is that acceptable?

Lord Birt: You put your finger on the issue but, honestly, this is a matter you should discuss with Lord Hall because, as I keep saying, I was not involved in the detail of this. If you read the document, it is clear that everybody involved, starting with Steve Hewlett, believed that there was a massive problem of leaking on the *Panorama* team, which Steve Hewlett addressed, the documents tell you Steve Hewlett addresses it to the team. Anne Sloman is obviously very concerned about it. Tony Hall was indignant about it. I am not in a position to tell you why exactly they included Matt Wiessler in that, but plainly they were thinking about him as the leaker, not as a whistleblower, because the record is clear that he was respected as a whistleblower.

Q107 **Chair:** The organisation respected him as a whistleblower. However, the person who conducted this inquiry referred to him as a leaker and wanted to get rid of him. I return to my first question to you, Lord Birt. Do you owe Mr Wiessler an apology, as you were Director-General when it came across your desk that he should lose his job for, as you say, being a whistleblower? Do you owe him an apology?

Lord Birt: I am not in a position to. I do not understand enough of what happened and of what Tony Hall and Anne Sloman knew to be sure about that. I completely recognise his value as a whistleblower. If he had not come forward, as I said earlier, I doubt very much we would know anything about this matter.

Q108 **Chair:** You would not have been able to deal with the matter, would you?

Lord Birt: He was a whistleblower. I am not qualified to know why Anne Sloman and Tony Hall took a different view.

Q109 **Chair:** So, you are not going to say, "I am sorry, Mr Wiessler. We were wrong all those years ago to effectively blackball you"?

Lord Birt: I do not know enough about it.

Q110 **Chair:** It is there in black and white. You said you read the documents. It is there in black and white. The recommendation is that he is fired.



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Lord Birt: There is nothing in the document that tells you about who Steve Hewlett, Anne Sloman and Tony Hall thought was leaking improperly.

Q111 **Chair:** The final point concerns the actions of those who leaked material to the press. "We are taking steps to ensure that the graphic designer involved, Matthew Wiessler, will not work for the BBC again." Those sentences are concurrent. Is it just by accident that they are together? Is that what you are saying? The truth is that they are pointing the finger at him as the leaker, and then they are saying he is going to be fired. You saw that document, and you effectively approved that course of action, either by saying it was the right thing to do or by just sitting on your hands. What is it?

Lord Birt: As did everybody else who saw it.

Chair: But you were the Director-General and you instituted a report.

Lord Birt: Please let me finish. The whole of the board of governors saw it. The whole of the board of management saw it and they trusted Tony Hall and Anne Sloman to have made a measured judgment. I do not know what that measured judgment was, but it has come up over and over again in this affair. You have to respect and trust the people that work for you.

Q112 **Chair:** Does that include firing them? Does that include firing, like Mr Wiessler? Or is it only the people who are nearest to you?

Lord Birt: I do not think we can usefully go round this circuit again, Chair. I have said all that I could possibly say on this.

Q113 **Chair:** Perhaps in this dark episode, just have the guts to say sorry to someone who has basically had their career ruined because they chose to do the right thing. Forgive me for saying so, but maybe that is what you want to do.

Lord Birt: I do not know how many times I can say it. I do not have enough evidence on why Tony Hall and Anne Sloman said that.

Q114 **John Nicolson:** Lord Birt, your hallmark, if you will forgive the expression, was and always has been rigorous, fact-based, analytical journalism of the Brian Walden school. It must therefore be gutting for you that the biggest scoop of your period as editor-in-chief was secured through deception.

Lord Birt: It is.

Q115 **John Nicolson:** It shows a failure of the editorial processes that you established.

Lord Birt: It shows a weakness in them. As I am sure you are aware, I established a whole set of processes that had not previously existed in the BBC.



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John Nicolson: I was there. I remember.

Lord Birt: You were, and I am sure you were highly compliant with them. Of course, the processes did not capture a rogue reporter and a serial cunning, callous liar operating on this scale.

Q116 **John Nicolson:** Which is precisely why, of course, we have to rely on senior management to be astute enough to see past scoundrels because, as journalists—you shake your head.

Lord Birt: I am agreeing with you.

John Nicolson: Let me finish the question, Lord Birt. All of us as journalists have come across people who are dishonest. It is part of the process of journalism to ask the right questions to establish the truth. We know you were kept closely in touch with the Diana interview preparation. So, when Tim Gardam wrote his March 1996 memo to Tony Hall saying that Martin Bashir had lied, were you shocked?

Lord Birt: As I have already made clear, I was shocked when I read Tim Gardam's report but that was only a matter of a few weeks or months ago. It came as a complete surprise to me.

Q117 **John Nicolson:** Tony Hall did not run that vitally important report past you?

Lord Birt: I cannot find enough ways to say no.

Q118 **John Nicolson:** Presumably, that is the reason you wrote to a Member of Parliament, John Garrett MP. I have the letter here in front of me, and you said to Mr Garrett, "These allegations were immediately and thoroughly investigated by the BBC ... promptly and thoroughly looked into and the BBC has been able independently to verify that the documents were put to no use which had any bearing, direct or indirect, on the 'Panorama' interview". Of course, that was false.

Lord Birt: It was false, but it was believed, and I cannot say enough times, that the simple conclusions of Lord Hall's report were accepted as the truth. They were accepted, by the way, by the corporate centre of the BBC. I signed that letter, but you will understand how large organisations work. Hundreds of letters a day came into the Director-General's office, so that letter would have been, and indeed you will see it was copied to the BBC's legal adviser, drafted by a unit at the BBC and it was their honest understanding of the conclusions of Lord Hall's report. There is absolutely no way in which anybody was trying to cover up or mislead. That was their best understanding of the situation.

Q119 **John Nicolson:** Did you make any independent effort yourself to try to establish the truth about Martin Bashir when Tony Hall had told you that he was an honourable man or did you simply accept what Tony Hall had told you?



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Lord Birt: I did accept what he told me, and for all the reasons I keep saying. It was not just Tony; it was Anne Sloman, Tim Gardam, Tim Suter and Steve Hewlett.

Q120 **John Nicolson:** Both you and Lord Hall keep talking about how the BBC is a large organisation and how it is very decentralised, but you reversed a lot of that when it came to journalism because you and your team micro-managed. I remember standing in the BBC corridors with my editor's boss asking me to keep a close eye on my editor to make sure my editor upheld journalistic standards. There was a whole process that went up, and you reversed what you saw as the woolly procedures that went before.

Lord Birt: I did.

Q121 **John Nicolson:** What surprises me about all of this is you have this very hot potato. You have very good intelligence information. Your passion, of course, is news and all of us around the BBC at the time remember how many stories were circulating about Martin Bashir's methods. Are you saying you heard none of this, despite your passion for news and your close knowledge of all the players?

Lord Birt: You kindly characterise my outlook, and correctly. I did have a very strong belief in rigorous, impartial, fair journalism. I was completely unforgiving of anybody who was not trying to uphold those standards.

Q122 **John Nicolson:** Did you pick up the phone and do any fact checking yourself as editor-in-chief?

Lord Birt: Honestly, we are going round the same course.

Q123 **John Nicolson:** We are not. What we are doing is pursuing the point. I want to know, apart from delegating to all these other people, and we are talking about, for instance, Steve Hewlett who is now dead so we cannot ask him any questions. We can ask you questions. I want to know if you picked up the phone to do any independent fact checking. I think you are telling me you did not.

Lord Birt: Self-evidently not.

Q124 **John Nicolson:** Looking back with the knowledge you could have had then and you do have now, do you think Tony Hall was just incompetent or did he deliberately misled you?

Lord Birt: I am not willing to talk about a colleague I worked with over a very long period of time, for whom I have the highest regard and trust. There is no way I believe that Tony Hall knowingly did anything wrong.

Q125 **John Nicolson:** Yet he did not tell you, and just confirm, about this vitally important Tim Gardam document that showed that Martin Bashir had lied three times. That is clearly something he should have told you about.

Lord Birt: I think that is something you have to ask Tony Hall.



Q126 **John Nicolson:** I cannot because we have just finished the interview with him, so you know I cannot ask him about it. That is one of these things politicians say, "You will have to ask X." I want to ask you because you are here. Do you think he should have told you about the Tim Gardam document?

Lord Birt: I would like to understand not only why he and Anne Sloman did not unveil that but why they took the view that it was not worth reporting on. I did discuss this with Lord Dyson and I wonder, given Martin Bashir's skill—I have hypothesised and surmised, because I do not think anybody can remember the answer to your question—I doubt very much that Martin Bashir put his hands up and said, "I am a complete, compulsive liar and I made the whole thing up." My suspicion—

Q127 **John Nicolson:** He does acknowledge that he lied. Eventually, he acknowledged that he lied.

Lord Birt: Yes, but I did not know about that.

Q128 **John Nicolson:** You did not know about it because Tony Hall did not tell you.

Lord Birt: I am sure Tony Hall and Anne Sloman dealt with this. My suspicion is that Martin Bashir had a good explanation as to why he had not told them the truth like, for instance—*[Inaudible.]* We do not know.

Q129 **John Nicolson:** It is an extraordinary thing, is it not? You have this landmark documentary. It is getting headlines all round the world. Tony Hall, who is your protégé, a senior figure, knows the person who made it has lied, has acknowledged lying three times, has been reprimanded in a BBC management letter for lying, and he does not think to mention that to you as the editor-in-chief. That is clearly a dereliction of duty.

Lord Birt: Unless there is a good reason for it.

Q130 **John Nicolson:** What would that reason be?

Lord Birt: I have already said that he and Anne Sloman may have decided that for the "lie" Martin Bashir gave a satisfactory explanation. Like, for instance, he did not at that stage want to reveal that Earl Spencer had opened the bank statements of his head of security. That is a complete surmise.

Q131 **John Nicolson:** Or he may just have wanted to cover it up. It all sounds very convenient. Fortuitously, Lord Birt, both you and Lord Hall are in the House of Lords together now, so I am sure you will have plenty of opportunities in the future to chat about this on the red Benches.

There is a third option, isn't there? We have mentioned your boss, Marmaduke Hussey, who was the BBC Chair. We know he was furious that you had kept him in the dark about the Diana interview, and he had hire and fire powers. Your coat was on a shoogly peg on this, and your job was on the line. Hiding the Diana interview was bad enough, I imagine, for Marmaduke Hussey, but having secured it on the basis of a



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fraudulent set of documents might have meant curtains for you.

Lord Birt: I have already said that I told my wife at the time that I expected to lose my job as a result of agreeing to the interview. I hope you are not suggesting, Mr Nicolson, that I knew about the lies and failed to reveal them, because that is simply not true. If you look at the documents that reached me, the governors and the board, you will see clearly there was no reference to the lies in them.

Q132 **John Nicolson:** Perhaps Tony Hall was protecting you by not telling you.

Lord Birt: As I have said more than once, you will have to ask Tony Hall about that.

Q133 **John Nicolson:** I cannot ask him, as we have just finished interviewing him and I think, on the basis of today, he is unlikely to come back again in a hurry. Do you know where this important Gardam memo is? It was sent to Tony Hall. He lost it somewhere along the line and it disappeared. Do you have any idea where it went to?

Lord Birt: I have no idea at all. I knew nothing of it until I read it after Lord Dyson's inquiry started. As I have already said, it came as a great surprise to me.

Q134 **John Nicolson:** You have heard no rumours about it since?

Lord Birt: We all had to keep to ourselves under the terms of Lord Dyson's inquiry, and no doubt I will go out into the world and talk to those involved and may learn more than I know now.

Q135 **John Nicolson:** Thank goodness Tim Gardam, the author, kept a copy of it, because if he had not kept a copy of it, given it seems to have fallen down the back of a sofa at the BBC, none of us would have known about it. The inquiry would never have been able to come up with the substantive findings that it did, and journalism would have been ill-served as a result.

Lord Birt: I agree.

Q136 **Damian Green:** The BBC has accepted Lord Dyson's findings and report in full. Do you share that view? Do you think everything in it should be taken as gospel?

Lord Birt: I think Lord Dyson has done an absolutely invaluable job, 25 years on, of assembling, testing and challenging the evidence. What I said at the beginning of this session, I could not have given you that account were it not for what Lord Dyson has uncovered. As I have already said, and Lord Dyson puts this very fairly in his report, he and I disagreed on the basis of the evidence I have seen on some of his conclusions, and he reports that.

Q137 **Damian Green:** To elaborate, which of his conclusions do you not agree with?



Lord Birt: He and I discussed the issue we have already discussed exhaustively, whether there was sufficient information to go to Earl Spencer and, as we again discussed, why did people not go to Earl Spencer? Because they falsely believed Martin Bashir's account that Earl Spencer was the essential author of the document with supplementary information coming from Princess Diana. I thought that Lord Dyson gave insufficient emphasis to what Tony Hall, Anne Sloman and the others believed at the time.

The second area he and I disagreed on, and again this has surfaced in the Committee, was he suggested Anne Sloman, Tony Hall and others were too credulous. I thought he gave insufficient weight to the things I have discussed, the sheer scale of the deception that Martin—I do not think he put sufficient emphasis on it. He rightly and properly unveils the deception that Martin Bashir exercised in respect of Earl Spencer and Princess Diana. I do not think he put sufficient emphasis on the equally elaborate deception that Martin Bashir prepared to avoid detection by his BBC colleagues.

We can all discuss how a different group of people might have been more questioning, but I thought there were good reasons, which I have already rehearsed with the Committee, why I think it was unfair to label them as being overcredulous.

Q138 **Damian Green:** That gives rise to the whole issue of process. In your exchanges with John Nicolson, you already established that one of the things you were about as Director-General was trying to establish new processes. It seems to me the most useful thing about this session will be if we can explore if the BBC has changed enough, because the assertion is constantly made that this could not happen today. You are the world expert on journalistic processes and things like that. Are you still slightly hazy as to why it could not happen today? Particularly, you make the point that Martin Bashir may be a uniquely brilliant fraudster and liar in the history of BBC journalism. I am slightly sceptical about that. For all any of us knows, there may be someone like that making their way up the ranks of the BBC as we speak.

Lord Birt: There may be, yes.

Damian Green: What has changed? Why could this not happen again?

Lord Birt: I think it is a really good question, and it is extremely difficult to catch a fraudster, which is what he was. I have thought about this and I cannot give you any answer that I think is definitive. The first thing I would say is that everybody has to learn from this, and I am sure every editor in the BBC will have already learned from this. Were there any warning signs? When you work closely with people, and we have all worked closely with people, you find lots of subtle ways of understanding their character and personal ethics. The first question in my mind would be were there warning signs about Martin Bashir, which I am unaware of,



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and anybody in the future who sees warning signs about a lack of personal ethics in any colleague must run up the flag.

The second issue, and this arises from the reappointment of Martin Bashir as well, is due diligence. I am not sure it was brought out in this place but I work a great deal in the private sector, and institutions develop over time and institutional practice develops over time. In well-run institutions now, people do due diligence on anybody who is coming into a position of trust. I am not sure this would have caught Martin Bashir, the so-called junior reporter who had come from *Public Eye*, but plainly these days in sensitive appointments you have to do the most. In the private sector, the scale of due diligence that is done on individuals is awesome.

The third thing that most went wrong here is he was allowed to act as a lone reporter, which was probably relatively unprecedented. But we can see why that happened because of his access to Princess Diana. He controlled that access and created an aura over the whole episode, but no BBC reporter should again work as a sole trader. You have to have four eyes on the job. I think making sure that happens and, from now on, looking for tougher standards of corroboration than were looked for 25 years ago.

The final thing I would say is we all have to learn from this and—I am sure Tony Hall and Anne Sloman would agree with this, I expect them to agree with this—where you are dealing with an issue of difficulty, sensitivity and complexity, it would be a jolly good idea to have a BBC lawyer on the team, because a lawyer has a different cast of mind and thinks about things in a different way. I am sure people in the BBC are thinking about this and thinking about the question you asked. How can we avoid it happening again? They are some of the ways. I do not think this was a failure of governance. This was a failure of operation and having the right policies, as you suggest, underpinning operations.

Q139 Damian Green: In terms of what you are saying, as a final thought, the reappointment was a worse mistake almost than the original appointment. It is the classic, "Fool me once, shame on you; fool me twice, shame on me."

Lord Birt: Some of the reflections around his reappointment seemed to assume that everybody knew what a crook he was in 1996, and as I have tried to make clear, that was not the case and the mental model I have lived with for 25 years was not exposed. If anybody had called me in 2016, I would have been giving them a very vanilla version of his role in this, but I agree. As is well known, I forebear to criticise this organisation in which I have the deepest possible belief, but I think the lesson for the modern BBC is they ought to have done much greater due diligence on Martin Bashir's subsequent career, as we have discussed before, particularly the disgusting things he said about Sarah Palin and so on.



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There is a terrible irony in all this that he starts his BBC career on *Songs of Praise* and ends it as BBC's religious editor, and in between perpetrates one of the biggest crimes in the history of broadcasting. I question whether proper due diligence would have unveiled the fact that he simply was not a fit and proper person to be the BBC's religious editor.

Q140 Damian Hinds: While we have you here, can I ask you about something different, the role and meaning of impartiality, or due impartiality, as Ofcom reminds us it technically is. Most people acknowledge the BBC has a world view and, however stories are covered, there was always a choice of which stories you cover. You now have new stations coming onstream with part of their mission being to hear from marginalised and overlooked voices. For a number of years now, we have had radio stations with individual slots on them with more of a political hue. Lord Grade has spoken of the anomaly of the impartiality rules. I wonder from your long-view perspective, how did we get here and how did you interpret rules on impartiality at the time, when you were in office?

Lord Birt: It is an important question and, as Mr Nicolson will tell you, this was an issue that I was particularly hot on. Impartiality is a goal. I think almost every journalist and editor who works for the BBC has an understanding of it and does their level best to be impartial on the major matters of the day. But it is a dynamic. It needs dynamic supervision. When I was Director-General there would not be a day went by when I was watching or listening to our BBC output where I would not have seen opportunities to improve the BBC. This is not because BBC journalists are wicked—we have talked about one who was deeply wicked—but there are genuinely testing issues around this, and it needs constant supervision to ensure that all sides of an argument are understood and rigorously tested.

If you ask me did the BBC in my day always do that? It did it imperfectly and, as my wife would tell you, she has to hear me at breakfast, or watching programmes at night, conducting a running commentary on how I can see opportunities to improve the BBC's journalism in—

Damian Hinds: We all get that at home.

Lord Birt: —exactly the same way I was able to 25 years ago.

Q141 Damian Hinds: With the emergence of these new formats, do you regard that as a welcome addition to diversity in media or something that is just inevitable in the internet age or as a failure of the BBC to reflect and hear from all voices?

Lord Birt: It depends what you mean. For instance, I have the highest regard—I may not always agree with him—for Andrew Neil as a journalist. I think he is absolutely formidable. I don't expect Mr Nicolson liked his famous interview with Nicola Sturgeon. He is formidable. I welcome a world where there is real diversity of journalism and where every perspective is tested but, let's face it, the BBC is one of the most cherished institutions, not just in the UK but in the whole world. It has



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the most respected news brand in the whole world, and that is not because it always observes perfect impartiality but because the whole world can see that it tries. That it is honest and decent.

This sad event that we are discussing today is a blot on that long and honourable tradition, but I hope there will always be a role for a BBC as we see in the pandemic, which is doing its level best to understand what is going on, to parade that understanding, to test Governments, to test Oppositions and so on. It is an utterly invaluable part of our national landscape.

Q142 **Damian Hinds:** Finally, both you and Tony Hall have spoken a lot about the issues around running a very large organisation. I think we all understand that. That being at the apex of such an organisation you cannot know everything that is going on but, in most organisations, there are some matters that would break through that complexity and, in particular, we talk about something like the rehiring in this case. You would think that would be one. The number of times that you and Lord Hall had to plead the size of the organisation as a reason for what happened, would you now conclude it is just too big?

Lord Birt: I would not conclude that because, as I have already said, I think this is an enormously valuable cultural asset for the country and, indeed, the world.

Q143 **Damian Hinds:** It could be a number of slightly smaller very valuable assets, couldn't it?

Lord Birt: No. What bits would you cut off? BBC radio is in stunning condition at the moment. The television channels: its dedication to drama, to comedy. My wife and I have been watching *Springwatch*. Nobody else in the world does anything as wonderful as *Springwatch*.

Local journalism is in decline. Every night I watch the BBC's local journalism. I would not cut any of that off. I passionately believe that the BBC needs to be supported and well funded. Let's face it, it has taken some mighty hits over the last 10 years, and I am deeply concerned about its future.

Damian Hinds: There is a difference between broken off and broken up. I was asking about the size of the organisation, not whether all parts of current outputs had a role.

Chair: That concludes our second panel. Thank you very much for your evidence today, Lord Birt. We are now going to take a short adjournment of two minutes while we set up our third panel.

Examination of Witnesses

Witnesses: Tim Davie CBE and Richard Sharp.

Q144 **Chair:** This is the Digital, Culture, Media and Sport Committee and our hearing into the working of the BBC in the light of the Bashir scandal.



This is our final panel of the day. We are joined by Richard Sharp, the Chairman of the BBC, and Tim Davie, the Director-General. Richard and Tim, good afternoon now. It is not good morning any longer. Good afternoon and thank you for joining us.

Richard Sharp: Good afternoon.

Tim Davie: Thank you. Good afternoon.

Q145 **Clive Efford:** Thank you for coming to this Committee today. Can I start with you, Mr Davie? Why were you reluctant to commission an independent investigation into the circumstances surrounding Martin Bashir's interview with the Princess of Wales?

Tim Davie: Rather than reluctant, I think I was deliberate in terms of waiting until I had specific evidence. If you look at the timeline—this was after 25 years—my first email from Earl Spencer was 23 October. Five days later I sent a substantive response back to Earl Spencer, which stated the BBC's current position but also made it clear that—and I quote—"I would be very happy to make available one of our most senior editor executives to discuss the detail and also share further information and discuss this further" and I was interested in getting more evidence. To open up an investigation of this scale, as we have heard this morning, is a very substantive undertaking, and I thought it was appropriate that I ask for proper evidence.

On 2 November, Earl Spencer helpfully sent me a couple of bits of evidence, the facts from Martin Bashir referring to Tiggy Legge-Bourke and some more evidence around the forgery of bank statements. The day afterwards I acted deliberately and announced a fully independent investigation. Obviously some may say I could have moved faster but, after 25 years, I think that was an appropriate speed of response.

Q146 **Clive Efford:** Well, it wasn't 25 years, was it? He was re-employed in 2016. How does this work? Are there no records at the BBC of the history of employees, particularly when it is something as controversial as Martin Bashir and his interview with the Princess of Wales? There were a lot of facts that were known back then. Are they not a matter of record within the BBC? Wouldn't that sort of check be undertaken when someone is seeking re-employment?

Tim Davie: You are talking about the rehire as opposed to the—

Clive Efford: At the time of the rehire there was a lot of controversy around Martin Bashir and that interview.

Tim Davie: Indeed.

Clive Efford: It sort of stands out that that did not come to light in the interview process or his background check.

Tim Davie: In terms of the BBC's position, it all goes back to the unfortunate circumstances with regards to the 1996 investigation, which



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was seen as the definitive summary of the affair, and which you have discussed at length this morning. That was the internal record. We can debate the ins and outs of it, but it took the new evidence when I was Director-General that led then to us appointing Lord Dyson and conducting a very thorough review. At the time of the rehiring, the documents on record and available were those that we have seen to be inadequate in terms of their exposure of the whole story.

Q147 Clive Efford: In terms of the documents that you have had sight of at the BBC, there is nothing on record there that predates—let’s put it this way—the re-employment of Martin Bashir that would inform the BBC of his conduct at the time he was investigated after the interview with the Princess of Wales that would say, “We shouldn’t re-employ him”?

Tim Davie: I don’t believe so. I think the documents were those that were put together for the—certainly, I cannot recall having seen any documents like that. It is the 1996 report that was the substantive documentation around this affair. To be fair, it had unearthed wrongdoing but not at the level that we subsequently found out through the commissioning of Lord Dyson.

Q148 Clive Efford: Given the controversy, the articles, the involvement of journalists that were on *Panorama*, Tom Mangold and others, and the issues and doubts that they raised about that whole process, is it credible to say that the people involved in re-employing Martin Bashir were not aware of any of those issues?

Tim Davie: I can only be guided by putting someone in charge of a review who asked them fully for all the information they knew—which was completely unhindered by me, by the way—to go after that. This is 20 years after the 1996 affair. The point in the MacQuarrie report is they weren’t close to that.

I think they were aware, obviously—and this is in the report that I am sure you will have read—of some of the controversies of the time. That was raised up by those conducting the process but, overall, they did not—and we can debate this—see them as substantive enough to block a rehiring or stop them progressing with the person they thought was the right person.

What everyone says, and I have been very clear that there was a big mistake, is with the glory of hindsight and with what I know now based on having personally commissioned Lord Dyson to go at this, that hiring would never have been made. There is no doubt about that.

Q149 Clive Efford: You probably listened to Lord Hall’s evidence earlier. Is it correct that the BBC has guidelines on how to produce fake documents for journalists?

Tim Davie: I am not aware of any guidelines of that nature.

Q150 Clive Efford: Shouldn’t the plain and simple guidance be: you will be



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sacked if you do that?

Tim Davie: Indeed. If you are faking documents, that is not a matter for debate.

Q151 **Clive Efford:** That was a known fact in 2016, so how did he get rehired?

Tim Davie: Because the document on record from 20 years ago found that he was an honest individual. We can go back round the track again on that, and to be fair what I did as Director-General, when I had new evidence, was to go at that, but that is what they had in 2016.

Q152 **Clive Efford:** Surely that was to decide whether he should be sanctioned in any way, or even sacked. This was about rehiring somebody who—there was no disputing that fact. We did not need Lord Dyson to confirm the fact that he had falsified those statements, lied to people when they asked about it and shown those documents. That was a matter of fact. That was known. That was known at the BBC.

Tim Davie: I understand that. I am not disputing that.

Q153 **Clive Efford:** Is it credible that, for someone who had behaved in that way, those facts weren't known at the time he was re-employed?

Tim Davie: I think it is credible that individuals—all I know is what I have from the report, is my—

Clive Efford: We are talking about top journalists here as well. They should know their facts.

Tim Davie: Specifically with regards to the 1996 incident, which was 20 years before, I am guided—and I have to be guided—by the report from Ken MacQuarrie and the evidence people gave, as you have taken this morning, and that is what they are saying.

Q154 **Chair:** Just to pick up some of Clive's points on this internal investigation by Ken MacQuarrie. Let's be very clear about this, it is not an external investigation into the rehiring of Martin Bashir. The report states that the recruitment process for the religious affairs correspondent was targeted at finding the right person for the role.

Just to focus in on that process itself, what do you think of the fact that 18 CVs were received from the external advert but only one—Mr Bashir's—led to an interview? Also, that Mr Bashir had coffees with senior management prior to the process and during the process and then, also, he came up against one candidate in the final round of interviews, a candidate who had already been discounted for the role by News saying they were unsuitable. This was a sham, plain and simple. In some respects, it is almost worse than the original offence because many people in the BBC knew his track record, knew he was a proven liar, and yet they fixed it for him to get a job as religious affairs correspondent and then later editor.



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Tim Davie: I don't think the report says in any way that it was fixed, but it does suggest shortcomings. Your point, Chair, about 18 people and one being put forward does point to a question in terms of how wide you cast your net and the ability to get good candidates. I have to say that these jobs are not easy to fill. Often we get lots of external applicants of all types and you get down pretty quickly to a very small list of maybe one or two people who are truly credible candidates for the role. We can debate about hindsight and get back into that, but I don't see that as necessarily leading you to a stitch up. I think I have to be led by the report in that.

On the coffees, I have mixed views on this, if I am honest. I think we need a rigorous process where fair selection is deployed in interviews, and every contact with someone under my watch should be recorded. I think it is disappointing, if I am honest, if you end up with two people on a short list; a credible short list. That is not good enough under my watch. You need a wider panel of people. But I do think the idea that people meet for discussion, I have done it many times, is within the realms of normality. It is just how it is handled. How is it recorded, and do you have a fair process whereby everybody gets their best chance? In the real world that makes sense, but there are some shortcomings in this process, which under my watch I want to make sure do not happen.

Q155 **Steve Brine:** Mr Davie, where were you in 1995?

Tim Davie: A good question. I believe I was at Procter & Gamble and moving on. I may have just moved to the world of fizzy drinks at PepsiCo.

Q156 **Steve Brine:** Very good. Did you watch the interview?

Tim Davie: I think so. I definitely saw it. I saw the clips, and I think I watched the whole thing, yes.

Q157 **Steve Brine:** Luckily, happily, it was the days before clips were on Twitter in 30 seconds. Did you know who Martin Bashir was at the time? Was he a new name to you, or was he a household name as a journalist?

Tim Davie: I suspect he was a fairly unknown name to me. We really are—25 years ago—in the realm of me guessing here, if I am honest, but I suspect like most people he would have been not a major household name, and this is the interview that put him into the spotlight.

Q158 **Steve Brine:** Exactly, it put him into the spotlight. He did very well out of it, didn't he? Maybe not directly, but certainly as a career launch it wasn't a bad one to land the scoop of the century. I am sure you were listening to the evidence from your predecessors. Would you share the view that he did not profit from landing this interview?

Tim Davie: It was certainly an important interview for his career. It was a landmark interview. In terms of joining that up into the technical questions you were asking my predecessors, where that leads, I think it



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is beyond my expertise. Certainly it was a career-defining interview. There is no doubt about that.

Q159 **Steve Brine:** Looking at Lord Dyson's work, do you think he carried out a pretty full investigation of the Bashir debacle?

Tim Davie: I do. One thing I am pleased about in this sorry affair is that I think we got someone who, with great integrity and outstanding experience, managed to interview everyone, trawl the documents more thoroughly than they have ever been done and got to a thorough and comprehensive report. As people have discussed the report, that has shone through.

Q160 **Steve Brine:** I was surprised that it did not really look at the supervision, for instance, that was afforded to him on this project. Is that an area you think he could have explored better in the report?

Tim Davie: He was unrestricted. He had his terms of reference, but it is important that we understand how independent—once the terms of reference were set, he was off and totally uninterfered with by myself and the BBC in trying to guide the process. He could go pretty much anywhere he wanted in trying to get to the truth, and we have to respect his judgment in terms of where he went.

Q161 **Steve Brine:** In terms of the statement that the Duke of Cambridge read out that day, what were your personal feelings when you heard that? For the heir to the throne to say that about your organisation, which exists under a royal charter, it must have rocked you back on your heels.

Tim Davie: It was upsetting and it was a sad day. Primarily, I felt deep sympathy for the sons of Princess Diana and, as you know, we offered and have offered an unconditional apology. That was the primary thing in my mind. Clearly, for us as an institution that cares so deeply and has an outstanding track record in terms of journalistic integrity, it was a very low moment for us.

Q162 **Steve Brine:** Have you spoken to either of the princes since this happened, to personally apologise?

Tim Davie: I have engaged with the royal household directly. I think it is appropriate that, in terms of who was in meetings and exactly who I talk to, they are private and confidential meetings. I will leave it for the royal household as to whether they want to say anything on that, but I have talked directly to the royal household.

Q163 **Steve Brine:** Sure. Finally, was there anything in listening to the last few hours—has it only been that short time?—that you heard from your predecessors that surprised you and that you learned from?

Tim Davie: I don't think any revelations. I think it is useful to hear what the construct was at the time in terms of how people saw things and how the corporation behaved, but there was nothing in it in my mind that did not fit with the analysis we have had from Lord Dyson.



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Q164 **Steve Brine:** Were you in any way surprised by Lord Birt, the way that he told us he was so surprised to have been tricked by this trickster? I think I described it as somebody who might appear on *Money Box* talking about how they had been tricked by a phone scammer into giving their bank details. It is a pretty sorry tale, isn't it, that a DG could be so misled?

Tim Davie: Indeed, but Lord Birt previously made it clear in his statement, when he saw the Dyson report, that he understandably felt the case of Martin Bashir is around a rogue reporter. That wasn't a surprise, but I think it was clearly laid out in the previous discussion.

Q165 **Steve Brine:** Have you had conversations with Lord Birt since the Dyson report came out? Have you picked up the phone to him and shot the breeze on the subject, or have you just kept it all in writing, kept it formal?

Tim Davie: Since the report, I think I have spoken to Lord Birt once, but we never spoke about the process on Dyson. We speak fairly regularly on the business of managing the BBC. He is a wise and trusted source of advice for me around how we reform the BBC, how we go through this job. We talk about that. Specifically, with regards to Dyson during the process, for what it is worth, that subject was not talked about at all.

Steve Brine: Sure. There are only a few people alive who know what it is to be in your shoes, and I don't blame you for talking to them.

Q166 **Kevin Brennan:** Thank you, Mr Sharp, and Mr Davie, for joining us this afternoon and for hanging on for this quite extended session. I want to go back to the rehiring of Martin Bashir in a moment, but I just want to ask you about how you decided which members of the board would undertake the latest review of BBC editorial policies. There has been some criticism of that, about its diversity and where they will be getting independent advice from. How would you respond to that criticism, and what are you going to do to meet it?

Richard Sharp: As you know, the governance we have now is very different. I will go into that and comment, if you like, on what I have heard from Tim's predecessors as DG. In that board structure, which is an enhancement, it is a unified board with a senior independent director, Nick Serota. In addition, we have the resources and capabilities on the board of Professor Hargreaves and Sir Robbie Gibb as well.

We have augmented that—we have announced it—with two other advisers who are now part of the committee, Caroline Daniel and Chris Banatvala, who are going to independently work within the parameters set out for Sir Nicholas Serota to conduct a swift investigation pointing to areas where there should be lessons learned.

Q167 **Kevin Brennan:** So you believe that what you have done, including those two additions, is sufficient to meet the criticism about a lack of diversity and independence?



Richard Sharp: Yes, I do.

Tim Davie: Just to be clear, that adds gender diversity, ethnic diversity and, critically, two independent voices with very good experience across multiple news outlets.

Richard Sharp: We have experience there from ITN, from *The Independent*, from Channel 4, from the *Financial Times*, from the *New Statesman* and the BBC.

Tim Davie: That goes alongside the expertise of our board members. We have a pretty robust panel there.

Q168 **Kevin Brennan:** Okay. I want to press a little further on the rehiring of Martin Bashir and the report that has been done into it, the MacQuarrie report, which has been done under your watch. I want to put a couple of quotes, or reports, to you. It is reported in *The Times* that Jonathan Munro, the £180,000-a-year deputy director of News has been identified by senior BBC insiders as the driving force in rehiring Bashir as religion correspondent in 2016, and *The Times* says: "A senior source said Munro, who had previously worked for ITN, recruited Bashir after telling staff he 'wanted to shake up the BBC' and, 'win awards for its scoops'". I don't know if that means that Martin Bashir convinced him that he could get an interview as religious affairs correspondent with God, given his previous record, but is that allegation true, that that is the driving force behind why Mr Bashir was rehired in 2016?

Tim Davie: I don't know if that quote is true. If it has been put in *The Times* from a source, I cannot substantiate that.

I think the report lays it out, which is that they were looking for the right person. To be fair, if you are looking for an editor, someone who can lead an agenda—this was as a religious correspondent initially—someone who has a good grip of all the issues, and can find and lead news stories, that is not inappropriate territory. The real question here is the due diligence that was done on the individual and how that works.

I don't think it is utterly inappropriate for a newsroom to look for people who can generate and lead stories. That is what we do.

Q169 **Kevin Brennan:** That is why I am slightly surprised that the MacQuarrie report is the last word on this, because the NUJ has pointed out in its statement, and this is my second observation, that basically the questions are not expunged by this report. How is it plausible that senior BBC executives, steeped in news on a daily basis, responsible for the BBC's reputation, did not consider Bashir's recent career woes and questionable behaviour in the States, for example? This is the point I want to make.

Why is there no reference in the MacQuarrie review to the pretty remarkable step Peter Horrocks, the then BBC head of current affairs, took in the year 2000 to write to ITV and complain in unvarnished terms



about Bashir's unethical treatment of BBC journalists, citing attempts to discredit them and sabotage their *Panorama* investigation into Harold Shipman? The allegations in that letter are shocking stuff about behaviour clearly known to many back in 2000, yet on rehiring him in 2016, the BBC in its own press release said Bashir's "track record in enterprising journalism is well known and respected". How did the MacQuarrie investigation not reference the fact that the BBC head of current affairs had written to ITV in 2000 to complain about Bashir's unethical behaviour?

Tim Davie: There are a few things in there, aren't there?

On the NUJ, by the way—this relates to some of the Chair's comments—I am meeting with the NUJ because I think there are some things about fair selection and process that we need to ensure we follow up on. We have to make sure we are flawless in that regard under my watch, that we get the best candidates and that there is a fair selection process. That is essential.

There were interviews and references were taken, and I note, by the way, that references were taken from the two US companies.

On due diligence, which relates to your question about the Horrocks email, it was not raised at the time. Remember, this was 16 years later. That was not coming up in the due diligence. That is a question. Of the technical things we need to do, and I mentioned this yesterday, two areas of due diligence are material. One is for editorial appointments, and this is critical, that we have a more formal approach to due diligence on the editorial background both on social media and the editorial history. Secondly, I think we need to make sure that any documentation is shared within the organisation. That is a fair point.

Kevin Brennan: I conclude by saying that I think we in politics are used to knowing that anything we ever said or did at any time in the past is likely to be dragged up at some stage or other, but there seems to be a remarkable lack of folk memory, sometimes, within the BBC. When you look at the sequence of events and the number of times on which red flags regarding Martin Bashir were flown, it is staggering that he was reappointed.

It seems to me that you need to look seriously at the appointment procedures. What happened in the case of Martin Bashir would not pass muster in hiring a parliamentary researcher.

Q170 **John Nicolson:** Mr Davie, you have said several times that you acted on Earl Spencer's allegations—I quote you—"within days of getting substantive evidence," but of course that is not true, is it? When Channel 4 contacted you on 21 October with all the detailed allegations that Earl Spencer made, your response, the BBC's response, was for a press officer to write to Channel 4 and say the following: "The BBC does not intend to take further action on events which happened 25 years ago." That was the BBC's response to the detailed allegations.



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Tim Davie: Yes, but, to be clear, it is within days. That was 21 October and that was our position. The Channel 4 allegations: we didn't know who the source was; we didn't know the details; we did not know the specifics.

Q171 **John Nicolson:** Obviously you would have asked. As a journalist, and you are the editor-in-chief, the first thing you do when somebody puts a series of very detailed allegations—and this was not some obscure publication, this was Channel 4—is invite them in and say to them, “These are very detailed allegations. They are obviously well sourced. Please tell me about them,” but you did not do that. You said, “We are taking no further action because this was 25 years ago.”

Tim Davie: We stated our current corporate position on 21 October. It was our corporate position based on what we had at that time.

Whether it is days or weeks, we announced, I think 12 days later, a full, independent review. When it comes to your valid question around what responses we gave to Channel 4, there was unfortunately a problem, which was that we needed to put part of the allegations to Martin Bashir and the duty of care—

Q172 **John Nicolson:** Mr Davie, you could have done all that later. You could have started the process and talked to Martin Bashir when he felt a bit better, but it is important to recognise what happened between the Channel 4 enquiry to you and when you took the decision to have an inquiry. The crucial factor is that you had an engagement, a series of email conversations, with Earl Spencer. He grew very frustrated with your tone during those conversations, and eventually he gave up on you and went to *The Daily Mail*. Of course the reason that you announced the inquiry was because *The Daily Mail* had already splashed on it. Earl Spencer had given up on you and gone to *The Daily Mail*. *The Daily Mail* had published and you were then in a position where you really had little alternative but to act.

Tim Davie: I understand the point, but on 28 October I wrote to Earl Spencer, saying, “If you would like to discuss this further, or share information, I would be very happy to make available one of our most senior editorial executives who is across the detail of this event.” I offered, on 28 October, the chance to have that conversation.

Q173 **John Nicolson:** I have your letter to Earl Spencer in front of me, and his reply. This is also what you said. You said, “You say the BBC's sequence of events is incorrect and that Mr Bashir had shown you documents before you introduced him to the Princess of Wales. Unfortunately, the account you give does not accord with the account that Mr Bashir gave the BBC. The BBC can only rely on what our historic records show,” and of course that is not true. The BBC does not have to rely just on its historic records. The BBC can, as Lord Dyson did, seek additional information, and the key bit of information you needed to find out, as editor-in-chief, was what Earl Spencer knew. Earl Spencer thought you



were heading for another cover up, and he gave up on you and went to *The Daily Mail*.

Tim Davie: I largely agree with your analysis, Mr Nicolson, which is that my statement was, "Unfortunately, the account you give does not accord—" that is fact. You then said that my one bit of missing information was what Earl Spencer had. That is why I wrote, "If you would like to discuss this further, or share further information—". We were ready to engage.

Q174 **John Nicolson:** You suggested—

Tim Davie: I followed up directly.

John Nicolson: —you suggested to him an internal investigation, which is not what he wanted. He wanted a public inquiry, which eventually you conceded.

Can I ask how much research—

Tim Davie: Sorry, Mr Nicolson. For the record, the internal investigation, I am not sure where you are getting that from, I need to look at the—

Q175 **John Nicolson:** From Earl Spencer's emails. Let's move on a wee bit. Let's continue.

How much research did you do before firing off your email to Earl Spencer? For instance, did you phone Tony Hall to ask him about events? He had been the boss at the time, and we knew that he was sitting on this absolutely crucial bit of information that showed that Martin Bashir had lied to his bosses. Who did you speak to before you sent off this slightly dismissive-sounding email? At least that is what Earl Spencer thought.

Tim Davie: I understand, but I don't see it as dismissive. I see it as the key thing I was trying to do. You will appreciate that to do a full external investigation of this scale is a major decision, and it is a rare thing to do because of the significance of it and the cost to the licence fee payer. The key thing I wanted to do was get the evidence from Earl Spencer, which he gave me on 2 November. He gave me bits of evidence, and through the press, that got us to a point where we could then go after this.

Q176 **John Nicolson:** Since you quoted Earl Spencer again, let me quote to you his response to you. He said, "Dear, Mr Davie. You have offered to hold a BBC investigation. Given the deeply concerning way in which your April 1996 investigation was conducted—". You will remember that that is the investigation where Tony Hall wrote to the board blaming Earl Spencer for the dodgy, graphicised letter, saying that Earl Spencer had provided the information for the faked-up documents. Total calumny, slurring Earl Spencer, without ever having phoned him. You can understand that Earl Spencer was feeling a little bit suspicious of BBC internal inquiries.

The last line of his letter to you was: "I am therefore going to seek an



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independent inquiry." I also have an email here from Earl Spencer to a third party. It says this: "Tim Davie's response was the final straw for me. That is when I went public. They knew that Bashir had lied, so how on earth could they rely on Bashir's version of events?". He went to *The Daily Mail*, your hand was tied and you then had to have the public inquiry. Your version of events was essentially Martin Bashir's version of the events and, as we know, Earl Spencer was enraged.

Had you talked to Tony Hall, and I am waiting to hear if you did, he would have been able to tell you about this Tim Gardam memo in which he discovered that Martin Bashir had lied three times. Did you talk to Tony Hall?

Tim Davie: No. To be clear, I am sympathetic to your analysis of Earl Spencer and the way he was not given the chance to respond 25 years ago. I understand that. I understand why that could impact trust.

Q177 **John Nicolson:** But the person who was around at the time, and is still around of course and could have answered the question, was Tony Hall, and you didn't speak to him.

Did you read the Tim Suter document from the time, which we discover was in the files, which said that Martin Bashir had been reprimanded? I have the Tim Suter email to Martin Bashir here. It says: "Be in no doubt, Mr Bashir, this represents a reprimand." Did you read that?

Tim Davie: No, I didn't. Mr Nicolson, I think what we are missing here is this. The BBC's investigation in 1996 stood at that point. We can talk about the pressures, but I went ahead and commissioned the independent review. That led to the Gardam note coming forward.

Q178 **John Nicolson:** We will move on to that in a second. You commissioned the BBC's report after *The Daily Mail* had published. Your hand was forced a little bit. What we have established is that you did not talk to Hall, you did not read the file with the Suter letter to Bashir, and you did not know about the Gardam document. You agreed, I think, that the BBC's position was the Martin Bashir position.

Now, of course, you mentioned the Gardam document, and that is key because it was given to Tony Hall and it showed that Martin Bashir had lied to management a number of times. You have mentioned that that got into the independent investigation files. Where is that document?

Tim Davie: We can't find it. We have done very rigorous searching for the handwritten note and, after 25 years, we can't find it. I have done as hard a search as I can.

Q179 **John Nicolson:** Who do you believe destroyed it?

Tim Davie: I have no idea at all.

By the way, and to be clear for the record, I stated, and I was very well advised, taking the advice I needed as Director-General, that we agreed with the Bashir position—when I say the Bashir position, it was the 1996



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review, which we now know has all the flaws in it—and it was very clear. You can talk about what motivated that, the public and private discussions, the press coverage and the emails, but the clear position from me was that, if there was substantively sourced fresh evidence, we would investigate, and that is what we did. That led—

Q180 **John Nicolson:** You had had that from Channel 4, who had written to you with it and offered it to you, and you had dismissed it. You got a press officer to write, saying, “We are not re-opening this.” So you had had the fresh evidence.

The thing about the Tim Gardam document, which is so important, having slipped down the back of the BBC sofa somewhere, is that had it not been for the fact that Tim Gardam himself had a copy of it and submitted it to Lord Dyson, Lord Dyson would have been unable to determine the BBC wrongdoing. This key document, very suspiciously I have to say as a suspicious journalist myself, disappeared. Without it, we would not be sitting here now.

Tim Davie: That is one of the benefits of having such a rigorous process led by Lord Dyson, isn’t it?

John Nicolson: No thanks to the BBC, because you lost this document and it was Tim Gardam who submitted it.

Tim Davie: I understand. But putting in train this process, with an ex-Supreme Court judge with this level of credibility and independent oversight, enabled us to create a process whereby that document was found. I know it was not found within the BBC, and I think that is a fair concern to raise.

Q181 **John Nicolson:** But it was, as we have established, after you had dismissed Channel 4 requests and only after Earl Spencer had gone to *The Daily Mail*, thus forcing your hand.

The rehiring of Martin Bashir, and yesterday’s ludicrous report by Mr MacQuarrie, of course suggests that the BBC has not changed in the way that many want.

The idea that nobody knew what he had been up to in the States—can I recommend Google, just for future hiring purposes? You could have found out a lot about him. Even if you had known nothing about his history at the BBC, you could have found out everything you needed to know about his history in the United States simply by googling. Why did you not?

It simply beggars belief that you rehired him for this important post. You then didn’t sack him. You allowed him to leave and to work his notice.

You know that, as I said to Lord Hall, everybody in the BBC newsroom was talking about the rehiring of Martin Bashir. Everybody, all your journalists, found it extraordinary. Were you aware of that?

Tim Davie: When you said I did the rehire, I was in a different part of the BBC.



John Nicolson: I mean you, the corporate body. I understand. I mean you the BBC, as a corporate body.

Tim Davie: I think the Ken MacQuarrie review, unhindered, has found out what the corporate body knew, and I think that is where we are with the rehire. The clear evidence, by the way, is that they did look at the US coverage and took references from the two American companies, and they judged those controversies, they were raised and discussed—

Q182 **John Nicolson:** Sorry, but have you read what he said about Sarah Palin? She is a woman I have little time for, but what he said, the scatological comments he made about her, were grotesque. The idea that you would hire somebody who had said those things, setting aside everything to do with *Panorama*, the idea that you would hire somebody who had said those things on record is unbelievable.

I will take that as assent.

Lord Hall told us that he had unique journalistic skills, unavailable from anybody else in the BBC, and it was absolutely vital to get him in. Do you know that, as the BBC's religion supremo, he spent more prime time on *The X Factor: Celebrity* than he did on television reporting religion?

Tim Davie: I haven't seen those hours in front of me, no.

John Nicolson: It rather suggests that he was not as invaluable to the corporation as was suggested at the time of his hiring and subsequently.

Q183 **Damian Hinds:** Mr Sharp, it took four days for there to be a statement from the BBC following the publication of the report. I think in your interview with *The World at One* you said that was because it was, "worth deliberating and making sure that the response is appropriate and comprehensive."

If it had been a politician or a political party in similar circumstances, delaying for four days to make any comment in order to make sure that the response was appropriate and comprehensive, I wonder how you would expect BBC news organisations to respond to that delay.

Richard Sharp: We are not a politician. We are an organisation that has to take every step very carefully. We had the report. We had to discuss it, as a board. We had to go about the process in the right way. I believe it may have also included a weekend. I may be wrong about that.

Damian Hinds: I don't think we, as politicians, are excused weekends.

Richard Sharp: I know that for journalists, and indeed for the people in the BBC, there was a desire for a very quick response, but for my part it was better to think it through very carefully to get the right response and take an appropriate period of time, albeit it is clearly frustrating to you.

Q184 **Damian Hinds:** It was frustrating for your colleagues in the BBC. I think everybody on this Committee, and I am sure we were not the only ones, had text overload from BBC outlets, looking for people to speak about the



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story in the absence of a comment from their own employer. It was rather peculiar, wasn't it?

Richard Sharp: I think that is a very common journalistic anxiety, but corporations have to behave in a different way.

Q185 **Damian Hinds:** You also said in that interview, if I can find it, that you took comfort from the fact that Mr Bashir was no longer working at the corporation, but you did not yet have the comfort of knowing why he was rehired. Can you honestly say, right now, that you have that knowledge and that comfort?

Richard Sharp: I can't say I have comfort. Mr Nicolson quite rightly pointed to opportunities to see the evidence of his prior behaviour. What I do know is that clearly there was a great desire to fill a post, it was regarded as critically important. I think there had been a lot of external pressure on the BBC to elevate that position and make it one of importance.

I know that Mr Harding has said that he, with the team, was working very hard to fill that position, and I know that there may well have been some confirmation bias at work, which was to want to see him to be the kind of journalist that they could see at his best, and possibly, and probably to some extent, overlooking and underestimating some of the ethical considerations that he had demonstrated in his prior behaviour, which was risible in the way that Mr Nicolson described.

Q186 **Damian Hinds:** While we have you here, Tim, may I ask you about something completely different, children's content?

I think everybody recognises that the BBC is up against it with Netflix, Disney+ and YouTube, possibly even more so with children's programming than with the rest.

Particularly with educational programmes, I am interested to know what is the future of programmes—and I mean programmes in the broader sense—like "Tiny Happy People", which was meant to be a five-year programme. Its principal sponsor, of course, was James Purnell, no longer at the corporation. Indeed, post pandemic, where do you see your responsibilities and focus changing, if at all, on general educational content and children's programming and the tech that goes with it?

Tim Davie: It is utterly critical to us as the BBC. Within our strategy now is doubling down on "Bitesize". Putting it on linear television during the pandemic was an outstanding success for us. I think you will see further investment in "Bitesize". In programmes like "Tiny Happy People", we are looking at how we can evolve them.

We are under pressure from the likes of Disney+ and others, and the jeopardy is there, but the truth is we need to make sure we are differentiated, focused utterly on British-led IP and not, frankly, becoming a US-style cartoon network.



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We have good plans and excellent leadership in the children's area of the BBC, people with good market experience. I cannot see anything but a pretty strong plan there. We can share the details, by the way, if you are interested, outside this session.

Q187 Damian Hinds: If you would. You may not be able to respond to this question verbally straightaway, but perhaps you would follow up by letter, if appropriate. Can you give us an assurance that the budget for "Tiny Happy People" has remained intact?

Secondly, there is a project about turning on subtitles as default, which both John Nicolson and I have asked about in this Committee in the past. I gather the hope was that there would be a limited test to check out the costing. I wonder where we are with that.

Finally, could I leave you with a point? We talk about differentiation. I totally get that. Of course there are many commercial organisations that do aspects of educational content, some of which competes quite directly with "Bitesize", whereas of course your organisation can do something that many others cannot do, which is make great telly, and indeed audio, and call on your archive.

Tim Davie: I totally agree with your last point, by the way.

We are very sensitive to that. I don't want to be offering provision that just bumps into competitors. There is something slightly different in the "Bitesize" space, which we could talk about outside this discussion. If I may, I will write back to you with the facts on those two issues.

Q188 Chair: You know that GB News have complained that they have effectively been excluded from the Reuters pool. Do you have any thoughts about that and the decision to exclude GB News from that pool?

Tim Davie: There is no decision to exclude. We are very happy for them to join. There is an international pool and a UK pool. The UK pool has contributions from ITN, Sky and us. I would be very happy for GB News to join.

Of course, if you join a pool, you have to go into negotiation about what is contributed fairly by the parties involved. We are very happy to get involved in that conversation.

Chair: Okay.

Tim Davie: Sorry, if I can be clear on my words? We are very happy to get on with it and see if we can make it work. There is no objection at all from our side.

Q189 Chair: Is the issue the fact that you do not think they are going to contribute anything to the pool and they would basically just be having a free lunch?

Tim Davie: I don't know what the issue is. I am not party to the detailed discussion about the contribution to the pool, so I would not draw



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conclusions on that. I am just saying that the team is engaged. From the top, my perspective is that we are very happy to have them as part of the pool, but you have to make it work as a pool.

Q190 **Chair:** GB News was withdrawn from the Reuters pool just before it came to air for the first time. It felt like having the rug pulled from underneath them. Is that their own fault, do you think?

Tim Davie: I wouldn't speculate, apart from to say that that certainly was not our intention in any way, shape or form. Some of the reporting was completely off base on that one, I will be blunt.

Q191 **Chair:** In what way was it off base?

Tim Davie: It was not a tactic on our part.

Q192 **Chair:** Handy timing, though, isn't it? Quite handy timing.

Tim Davie: I don't see it like that. I have been very clear. The UK benefits from having a competitive news market. Good luck to all in this. That is where we are.

Q193 **Giles Watling:** Thank you, Mr Sharp and Mr Davie, for being here on this elongated panel.

I want to talk about the general ethos and culture of the BBC. I worry about public perception. Here we are, after Savile, after Bashir, after accusations of bias from all sides and, as you have said on a few occasions today, Mr Davie, it is now your watch, since 1 September 2020, so you are two thirds of a year through.

For a long time now, we have had this feeling that perhaps the BBC is complacent. It has a smugness and it seems not to matter who the personnel are; the BBC as a corporate identity seems to be protecting itself, keeping to the status quo whatever the cost and no matter who the personnel are at the top. Would you agree?

Tim Davie: As soon as the internet opened up distribution, so that you didn't have a default right to an audience—if you have two out of the four channels, to be honest, that can breed corporate complacency. If you are in the BBC now, under my leadership, the idea that people are not aware of the jeopardy and of our need to serve licence fee payers, dare I say with some humility—the tone we take externally, the way we listen to people, the way we partner with people, the way we engage different views has to evolve, as it does for many institutions like us, and I take your challenge.

But I think we are a bit better. If you went round now and talked to the leadership and the top managers of the BBC, you would find there is a programme of reform and I think we are on the way. I am encouraged by some of our metrics. Remember, the BBC still gets to 90% of the population every week. That has held really well this year. Obviously we have had lockdown, we have had some dynamics there, but the value



ascribed to the BBC—remember, this is an institution that has taken a 30% cut in real terms—the value we are delivering—

Q194 **Giles Watling:** With all due respect, Mr Davie, with that enormous share of the audience comes huge responsibility to be balanced.

Tim Davie: Absolutely.

Giles Watling: But in your letter to our Chairman, Julian Knight, on 26 May, you said: “In order for the BBC to retain the high levels of trust we hold among the people of the UK and around the world, this episode”—and we are talking about the Bashir episode—“demands that the BBC reflect on itself”. That, to me, smacks of further corporate complacency. Had that horse not already bolted? Should it not be that, in order to regain the high levels of trust the BBC once had, there is more work to be done? I worry that it is going to go on and on and on. We have had your predecessors here, and now it is your watch.

Tim Davie: I take the point. You can look at this in two ways. From a comparative point of view, versus other outlets globally, we can still be very proud of the trust in the BBC. I happen to think that in the way we have covered topics such as the pandemic, the local and national elections, we have delivered well, but that should not come across in any way as complacency or arrogance.

Your points are valid. We should be thinking about how we safeguard trust at all costs. That is what makes these incidents so hard for us. When I am looking at ensuring that every household in the UK gets good value from £159, my No. 1 priority as Director-General is impartiality and linked to impartiality is trust. These things do damage us. We need to earn our way out of that, day in, day out, with thousands of hours of flawless broadcasting, and do our business. I take your challenge.

Giles Watling: I would say that your job is harder now. When I worked for the BBC, it was one of four channels airing and it had enormous power and huge trust. I would say that that trust has been eroded and that you have a very hard road ahead of you, because you have all that competition, but thank you for your reassurance.

Q195 **Steve Brine:** Word reaches me that the team at BBC Millbank, which serves local TV, local radio and online, is being chopped in half from nine to four people. That will obviously impact on their ability to report what MPs are doing back to their regional broadcasters. Is that the case? If so, why?

Tim Davie: We are making some changes to BBC News. I think the staff base is about 5,000. We are looking at two things, and one is that the organisation will be a little smaller. I think the latest number is around 250, but we believe we need story teams. The tension is between having specific teams for each programme versus having one team on, for example, the environment, or education. This leads to a lot of change in the newsroom. There is not, by the way, a news organisation in the world



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that is not going through serious reform. Having said that, two things: one is that there is not a case in which we are not delivering full local coverage. We have not taken down that imprint in any way, shape or form in terms of our news provision in the regions, in terms of hours broadcast in the local radio networks, and we will not do that, or the full coverage of Westminster through Millbank.

I don't have the numbers and specifics on Millbank in front of me. I am more than happy to provide that in writing, if you so wish.

Q196 Steve Brine: That would be helpful.

Finally, last time we saw you we had a conversation about your stars and their social media, expressing their opinions on life, the universe and everything—the Lineker clause, I believe we called it. How is that going? You obviously cracked down quite hard on that. Is your whip being respected?

Tim Davie: I think that, overall, we are in a much better place. There are individual cases that you can debate, cases that cause discussion, but overall I think we are in the right place and we are clear.

Where you have something that is completely out of bounds—and we have had one or two instances—we are taking firm disciplinary action and people have left the BBC. Obviously I can't get into specifics about that. The regime is not without its challenges in this social media world, but I think it was the right thing to do.

Chair: Okay. Thank you very much. That concludes our session. Thank you, Mr Davie and Mr Sharp, for your contribution today.