

Mr John Whittingdale (Maldon) (Con): It is not that long since I spoke in the Chamber on the subject of individuals misleading Parliament, so I am in no doubt about the seriousness of that charge. I do not question the right of the Opposition to table the motion, but I have listened carefully to the Secretary of State and commend him for the way in which he has responded to each individual accusation and for his conduct over the past few months, which cannot have been easy.

Some have suggested that the Secretary of State should not have had a view about the bid by News Corp to acquire all of BSkyB, but one of his first responsibilities is to be the sponsoring Minister for the media industry of this country. It would have been utterly extraordinary if he did not have a view. BSkyB is one of the most important media companies in the country and plays a vital part in the future of the media: of course he would have a view about it.

Not only was the Secretary of State entitled to have a view, but I believe he held the correct view. Had the bid gone through, it would have had good implications for the survival of newspapers in this country. He was not responsible for that matter at the time; it was a quasi-judicial matter for the Secretary of State for Business, Innovation and Skills.

Mr Gerry Sutcliffe (Bradford South) (Lab): I understand the argument the hon. Gentleman makes. The Secretary of State for Culture, Olympics, Media and Sport should have a view, but was he not put in a difficult position by the Prime Minister when the problem with the Secretary of State for Business, Innovation and Skills occurred? Was he not an inappropriate and wrong person to put in charge of that process?

Mr Whittingdale: The hon. Gentleman is absolutely right that the Secretary of State for Culture, Olympics, Media and Sport was put in a difficult position because he was given responsibility after expressing a view, but I do not agree that he was the wrong person to be given that responsibility. This was such an important matter that almost anybody given the responsibility would have had a view. The important thing is that, having been given the responsibility, he put aside his view and judged the matter clearly and solely on the advice he received. That was precisely what he did.

Alun Cairns: Will my hon. Friend confirm that the letter from the Secretary of State to the Prime Minister was made available to the permanent secretary and the Cabinet Secretary when they

advised the Prime Minister on whether the Secretary of State could take responsibility?

Mr Whittingdale: My hon. Friend is absolutely right. It has been made clear that the decision to pass responsibility to my right hon. Friend was made after he had indicated that he was on record expressing a view on the merits of the bid before he was given that responsibility.

Mr Denham: Will the hon. Gentleman clarify something for me? When the Cabinet Secretary took the view on the suitability of the Secretary of State, had the Cabinet Secretary been made aware of the memo from the Secretary of State to the Prime Minister proposing a joint meeting with the Business Secretary on this matter? It would be surprising if he had not been told that by either the Secretary of State or the Prime Minister.

Mr Whittingdale: I am not in a position to know that but it is a question that the right hon. Gentleman can perfectly fairly put to the Prime Minister and the Cabinet Secretary. I want at the end of my speech to say what might happen next, if there are still some questions.

Kevin Brennan: On a point of order, Mr Deputy Speaker. On that matter, would it be in order for the Secretary of State to intervene and clarify the issue that has just been raised by my right hon. Friend the Member for Southampton, Itchen (Mr Denham)?

Mr Deputy Speaker (Mr Lindsay Hoyle): That is not a point of order. It is up to the Secretary of State to do that if he wishes and John Whittingdale has the floor.

Mr Whittingdale: Thank you, Mr Deputy Speaker.

Once responsibility was passed to my right hon. Friend the Secretary of State, he followed the advice that was given at every stage. Had the bid gone through as a result of his following the advice he was given, BSkyB would now have been subject to stronger safeguards against political interference than it is thanks to the fact that the bid did not go through.

Fiona O'Donnell: What does the hon. Gentleman think about his coalition partners' decision not to go through the Lobby with his party tonight? If the Secretary of State and the Prime Minister have made such a convincing case, why can they not even convince their coalition partners?

Mr Whittingdale: I shall be disappointed if our coalition partners do not support the Government on this occasion. I hope that having heard my right hon. Friend the Secretary of State they might still do so later.

I want to make one or two comments about possible lessons from this affair that we should perhaps consider in the future, the first of which concerns the role of special advisers. I, too, was once a special adviser in the Department of Trade and Industry at a time of Conservative government in the late '80s. I was a political adviser and I did not participate in discussions about competition policy as it was felt that political advisers were there to provide political input and it could not be clear what political input would be legitimate in a competition case. The role of special advisers has changed over the past 10 or 15 years and I must say to the right hon. and learned Member for Camberwell and Peckham (Ms Harman) that it was the previous Labour Government who changed the role of special advisers and gave them far more influence and power than they previously had. We need to reconsider that.

Paul Flynn: I am not sure whether the hon. Gentleman is aware that three former special advisers to this Government gave evidence to a Select Committee of this House yesterday. They were asked whether it would have been possible for them to communicate with lobbyists in a Minister's office. They all treated with derision the suggestion that a special adviser could communicate 500 times with an outside body without the knowledge.

Mr Whittingdale: I must say to the hon. Gentleman that I am not sure that political advisers to the previous Government are likely to have given the most objective evidence commenting on the performance of the Secretary of State.

I believe that there is a serious concern about the role that special advisers undertake, and perhaps that could be considered further. The other matter that perhaps deserves some consideration is the fact that the Secretary of State has advanced an interesting argument that in order to take issues such as News Corp's BSKyB bid out of the political arena, they should be given to Ofcom and the Competition Commission to consider without the involvement of politicians. There are pros and cons, but I certainly understand the argument. Perhaps the same

applies in this instance. I do not think the debate is assisting the process, and the question of whether a Minister's conduct is in breach of the ministerial code and merits investigation should perhaps be a matter for the adviser to decide. Perhaps there is a case for the independent adviser to be given that power, but I hope that will be considered further. I know that the Public Administration Committee is also considering the matter. Perhaps that should be one of the matters to come out of this debate for the future.

Finally, the right hon. and learned Member for Camberwell and Peckham wrote to me a few weeks ago to ask whether the Select Committee would look into this matter. It has been very thoroughly considered by Lord Justice Leveson, who was able to obtain information and question witnesses under oath using a QC, which the independent adviser certainly would not have been able to do and the Select Committee might not have been able to do. However, if questions remain at the end of this I hope that the Secretary of State will appear before the Select Committee, as he does every year to answer and account for his performance as Secretary of State responsible for his Department. I have no doubt that my colleagues from both the Opposition Benches and the Government Benches will take the opportunity, if they have questions, to ask him them at that time. That is an appropriate mechanism by which Parliament holds not just this Secretary of State but all Ministers to account.