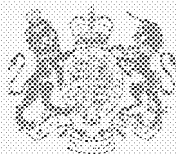


The Rt. Hon. Lord Wakeham



HOUSE OF LORDS
LONDON SW1A 0PW

5th June 2012

Dear Lord Justice Leveson,

After my appearance at your Inquiry on 15th May, I promised to write further to you with any additional thoughts I had. Since then, I have obviously been trying to follow proceedings as much as I could, and it is clear that the Inquiry has covered a lot of interesting ground.

On reflection, I thought I might just highlight three points in writing.

First, you have quite rightly set great store by the issue of speed. Where something has gone wrong, it needs to be put right quickly. Ideally a newspaper should always do this off its own bat. But if the new regulator needs to be engaged, speed becomes vital. In my view, only a self regulatory system will ever be able to do that. Statutory systems will always be slow, cautious and above all legalistic. I saw this in person, when I was chairing the PCC, with the old Broadcasting Complaints Commission and the Broadcasting Standards Council. Those sorts of system can never be fleet enough of foot to be of any help to the public.

Second, we talked when I gave evidence about pre-publication issues. Again - as OFCOM shows - it's almost impossible to deal with all that in a statutory system. Self regulation is going to have to be made to work in this area, and to do so in

conjunction with the Human Rights Act which is clearly here to stay. I made some suggestions in my written evidence about how that could be achieved.

Third, and this is perhaps my most important point, I do want to emphasise the political and Parliamentary difficulty of any route which involves legislation. I know David Hunt has already made some points to you and he was right about the level of antipathy towards the press in some parts of Parliament. In my judgement even the slenderest of statutes would be amended out of all recognition in a way which seriously eroded free speech. The battle to get it through would also be extremely divisive. Just as many Parliamentarians despise the press, a number - probably smaller - are equally passionate about press freedom and wholly opposed to any Government involvement in this area. The battle would be so acrimonious no Government, in my view, would willingly want to push ahead. The split report from the Joint Committee, the appendices to which you should look at, underlines the real difficulties. Certainly, if I were in charge of Government business, I could never recommend it to proceed, and certainly not in the second half of a Parliament. Politicians of all parties are also, of course, rightly concerned about the interests of the public. It is hard to make out a case that a cumbersome, lawyerly complaints system could ever benefit anyone other than lawyers and those who could afford to use them.

I do hope this is of some use.

John Gummer

