



A transformation of our political culture

It is now more than six months since the referendum and clearer than ever that Britain requires a radical shift in our political culture. Leaving the EU, a gargantuan yet necessary task, won't be enough: power needs to be returned to the people, not just from Brussels but also from the quangocrats in Westminster. We need to remind ourselves that excessive, capricious regulations only erode individual liberty.

Liberal democracy's fundamental essence, as Abraham Lincoln put it, is "government of the people by the people for the people"; but it is also about ensuring that it is our elected representatives, rather than bureaucrats or technocrats, who take the decisions. *In extremis*, when this breaks down, the people themselves need to get involved directly, as they did in June.

This has many significant implications. We need a return to genuine Parliamentary accountability and an end to the culture of statutory instruments, whereby legislation is rammed through without scrutiny and public awareness. Leaving the EU is a necessary but not sufficient condition for this to happen. An over-bearing national state which passes too many laws is just as much an enemy of freedom as a bloated superstructure of unelected apparatchiks in Brussels.

The rise of the regulatory state over the past 20 years, aided and abetted by a power-hungry political and bureaucratic class, needs to be reversed. All societies need rules, but a regulatory and legislative explosion has undermined Britain's historic, classical liberal character. Many of the fundamental freedoms that we have long taken for granted, such as the presumption of innocence, have become dangerously curtailed, and another assault on the freedom of the press is imminent.

We have become a more authoritarian society as a result: in many cases, our system of governance has moved towards America's more legalistic, prescriptive model, or even towards a continental approach which tends to allow only what isn't banned. The traditional British approach was always the other way around – we were free to do anything that wasn't illegal – and we need to re-embrace that philosophy as part of our

A legislative explosion has undermined Britain's historic, classical liberal character

post-Brexit democratic reconstruction. We need, in particular, to re-emphasise personal autonomy and freedom. Needless to say, tackling the system's stultifying pro-regulatory, pro-control bias will be tough; politicians and civil servants have an inherent aversion to shrinking the state.

Yet such reforms are urgently required. The referendum sent a clear message: we want a return to national self-government, with

British legislators in charge of British laws. It is obviously true that a desire to regain control over migration was also important. Sensible sceptics who worried about the impact on public services, housing or national cohesion were inevitably dismissed or demonised. They finally got their say last June, and used it to spectacular effect.

But the vote to leave the EU was also triggered by a widespread belief that we are living in increasingly undemocratic times, and that politicians of all parties had spent years making promises they didn't or couldn't keep. At the same time, a self-consciously meritocratic and supposedly classless elite, blind to its own managerial and ethical failings, was increasingly seen to be patronising the vast majority of the electorate. This has to end.

Before we can begin to transform our own political culture, the immediate task at hand is to leave the EU in a speedy and orderly way. The next few weeks will be fraught for the Brexit project: the Supreme Court will soon deliver its judgment. If the judges rule that Parliament needs to vote to trigger Article 50, pro-Remain activists will be given fresh hope that Brexit can be stopped. They believe that if leaving the EU is delayed, a turn in the economic cycle could bolster support for a second referendum; others pray for a general election in which they imagine that pro-Remain forces led by the Liberal Democrats would do well.

The reality is that the vast majority of the public wants to move on. In practice, the biggest hurdle will be the House of Lords, stuffed with Remainers, most of whom are beneficiaries of the Westminster chumocracy. Their more militant members are prepared to defy both the House of Commons and the people. Let us hope that Lord Fowler, the Speaker of the Upper House, is right when he insists that most peers "recognise the primacy of the Commons" and that they don't want to sabotage Brexit.

Invoking Article 50 is just the first step. The real challenge will be to negotiate the right deal, and then to begin to unpick and unravel decades of European law. It will be a painstaking, detailed task: the EU was set up to make it as hard as possible for a country to leave.

There has been much sniping against Theresa May in recent weeks, with her critics accusing her of dithering and failing to communicate. But if she can pull off a successful Brexit, and begin to rebuild our domestic institutions, she will go down in history as one of our great prime ministers.



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Bank of England should say whether it tried to swing the referendum

SIR – Andy Haldane, the Bank of England's chief economist, has admitted that its dire pre-referendum warnings were wrong.

What the Bank has to answer is whether or not this was a deliberate attempt, by a supposedly independent bank, to influence the result.

Mark Baker
Tenterden, Kent

SIR – Mr Haldane compares the Bank's dire forecasts for the period after the referendum with Michael Fish's slip-up over the weather.

Whereas Mr Fish was playing down any doom-and-gloom forecasts, the Bank of England was actually doing the exact opposite by exaggerating the claims of the Remainers.

Even in making an apology, Mr Haldane can't seem to get it right.

Roger Vincent
Beaumaris, Anglesey

SIR – Mr Haldane's statement that the Bank of England failed to predict the financial crisis, as well as getting it

wrong about the impact of a vote to leave the EU, is worrying.

There were many people outside the Bank of England who were saying, before the financial crash, that we were living beyond our means and that there was a real possibility of a crisis about to happen. Among those warning us of this were Vince Cable and your own financial reporters.

Gordon Brown and the then Labour government chose to ignore these warnings and allowed the banks to carry on, despite setting up the financial body that was supposed to monitor and regulate them and other institutions.

As for their dire warnings of the impact of a vote to leave the EU, Remainers should be very careful about calling for a second referendum. Many people I have spoken to have said that they voted to leave because they were convinced by the fear factor promoted by the Remain camp, but having seen that for what it was, would now vote to leave.

Other financial institutions also

urged Britain to join the Exchange Rate Mechanism and the common currency; subsequent events have proved that this advice was wrong.

As Mr Haldane suggests, financial institutions are indeed in crisis.

Matthew Biddlecombe
Sampford Courtenay, Devon

SIR – Those who can, do. Those who can't, predict.

Vivian Bush
Hessle, East Yorkshire

SIR – Your front-page report quotes Andy Haldane as saying that the dire warnings of a Brexit downturn were wrong and that the economics profession is now in crisis.

Your Business pages lead with another quote from Mr Haldane, assuring us that the consumer credit boom is "no cause for alarm".

Does that mean that we should be alarmed?
Michael Dallas
London SW13

Policed on Twitter

SIR – The Metropolitan Police in Kingston upon Thames (report, January 6) published a post on Facebook and Twitter that appealed for information on a woman whom they are keen to interview. The appeal, addressed to the woman herself, began with the words: "We have come round to see you a number of times recently but it looks like you'd rather not speak to us, which is very disappointing."

That post has, at the time of writing, been "liked" over 86,000 times, has been shared over 93,000 times and has received some 12,000 comments, most of which are hostile.

Is this the way we expect our police to operate in the 21st century? There does not appear to be a warrant out for the woman's arrest and her house does not appear to have been searched.

I urge the Metropolitan Police Commissioner to review this approach and to issue firm guidelines for its use. In its present form it is simply inciting rough justice. We should never forget the principle of innocence until proof of guilt, whatever the circumstances.

Lt Col Richard King-Evans
Hambye, Manche, France

Grown-up marmalade

SIR – Yes, make marmalade (Letters, January 6), but use 1lb of sugar to 1lb of fruit, rather than twice the proportion of sugar. This makes a proper orangey grown-up product, nothing like the sickly sweet offerings commercially available.

If marmalade, complete with plenty of thinly sliced rind, is put hot into jars and immediately sealed, it will keep indefinitely, as my stock from two years ago will testify.

Jim Pickering
Crimond, Aberdeenshire

A dose of the jim-jams

SIR – I was so impressed by the insouciance of the two young women pictured sashaying down the shopping aisle in Tesco in their pyjamas (report, January 6) that I forgot to be "disgusted".

I find that a pair of joggers and a large jumper pulled on over pyjamas cause less opprobrium.

June Irlam
Cranleigh, Surrey

SIR – It is not the people wearing pyjamas in supermarkets that should be banned, it is the idle shoppers who leave trolleys in the car park to career into vehicles.

Russell Jackson
Ewloe, Flintshire

MPs should target fake news, not the free press

Section 40 would be a big mistake – the greatest threat to the credibility of the media is now online

DAMIAN COLLINS



Over the past six years I have been involved with a number of issues, both as an MP and as chairman of the Culture, Media and Sport select committee, involving corruption in sport. In many of these scandals it has been investigative journalists who first brought the issue into the light. Often journalists have provided the only safe haven for whistleblowers whose attempts to raise concerns through official channels within their sport were rebuffed. In a free society, the ability of the press to hold the powerful to account is one of the cornerstones of our democracy.

Freedom not only provides the power to act, but also occasions when people will make mistakes. That can apply to the media as well. I was on the select committee when it investigated the issue of newspapers using phone-hacking techniques to get stories. That was wrong and people have served prison terms for what they did; large payments of

damages have been made to victims of press intrusion. A public inquiry led by Lord Leveson in 2012 also recommended substantial reform of press regulation. Since then, the old Press Complaints Commission has been replaced by the Independent Press Standards Organisation (Ipso), a body which acts independently of the newspapers and has the power to adjudicate complaints against them. It can also levy fines of up to £1 million and launch standards investigations.

Following Lord Leveson's report, Parliament passed legislation which required press regulatory bodies to seek recognition from a panel established by a Royal Charter. Incentives were created for the press to sign up to such a form of self-regulation. Among them is Section 40 of the Crime and Courts Act, on which the Government is currently consulting, which would allow a judge to award the costs of a case against a newspaper even if it won. It is hard to think of any other area of law where such a provision would be allowed.

I believe it would be wrong to use such heavy economic sanctions to threaten newspaper owners into signing up to a system of regulation with which they fundamentally disagree. That is hardly the climate a free press should be made to work within. Some have said that the risk of heavy costs being awarded against the newspapers is not as great as some fear. But I believe it is wrong in principle, and once established could create a new industry of ambulance-

chasing lawyers encouraging people to hire them on no-win, no-fee terms to take up complaints against the press. These lawyers could set high fees and know that there would be a good chance of getting paid even if they lost the case. The consequence would be to drive many newspapers out of business and to threaten the kind of investigative journalism that we so greatly value. Editors would understandably be concerned about the financial risk of causing embarrassment, even when they have a duty to report the truth.

In his report, Lord Leveson also said that any system of self-regulation had to be credible to the public and the press. It is clear that the system proposed in the legislation is not credible in the eyes of the press, as none of the leading newspapers in this country have signed up to be regulated under the Royal Charter. Ipso, which provides a service of self-regulation for most of the press, has refused to seek recognition because the Royal Charter can be amended by a two-thirds majority by the House of Commons, creating a danger that Parliament could try to regulate the press through the back door. While a two-thirds majority of Parliament is not always easy to come by, it has happened often before, particularly on issues which arouse high emotion.

The newspaper industry has made substantial progress in reforming the way it governs itself, and providing people with a system of redress if it gets things wrong. Still, Sir Joseph

Law against free speech

SIR – Has anyone considered the position in which judges would be placed if Section 40 of the Criminal and Courts Act 2013 passes into law?

Let us suppose that a newspaper wins a libel action brought by an individual or company whose corrupt practices it had exposed. As the proposed law stands, the judge would be required to force the newspaper to pay all the costs of the case, even though it had performed a valuable public service in exposing illegality.

What if the newspaper refused to pay the costs on the grounds that it would be rewarding criminal wrongdoing? Would the judge be obliged to ratchet up the fines on the newspaper to the degree that it might go out of business (an all too credible situation for a local paper) – and thus be prevented from performing further public service to the community?

If an editor were to refuse to pay up on the grounds that his newspaper was being blackmailed into joining a state-approved organisation (Impress) which he strongly opposed, could the judge then send him to jail for telling the truth? In either case, would the judge be denied any discretion?

As someone who has spent over 50 years in journalism, nearly half of them as a national newspaper editor, I urge the Secretary of State for Culture, Media and Sport to abandon this egregious threat to press freedom and to consider instead the far more pressing dangers of the internet.

Professor Donald Treford
Pollenca, Majorca, Spain

New man in Brussels

SIR – Appointed British ambassador to the EU in 2013, Sir Ivan Rogers was due to be replaced this September.

By resigning now (report, January 4), he has given his successor almost three months in which to familiarise himself with EU personalities and thinking before Article 50 is invoked.

This period of grace is short enough in all conscience; but it is infinitely better than having the Government's most senior diplomatic representative thrown in at the deep end with scarcely time to catch his breath.

Despite taking everyone by surprise, we must acknowledge that Sir Ivan has done Britain a valuable service, albeit unintentionally.

Richard Shaw
Dunstable, Bedfordshire

SIR – Surely the straight answer to all those retired officials who seem determined to politicise the Civil Service is: "We can't say anything substantive about Brexit until the Supreme Court has pronounced."

Lord Spicer
London SW1

Robodoc

SIR – The idea that a machine can interpret symptoms and make a diagnosis (report, January 6) is preposterous. Most patients cannot accurately describe their symptoms without some leading from a doctor.

Furthermore, how would a robot cope with being told (as I was) by an elderly Bermondsey lady that she was "all anyhow"?

David Nunn
Port Isaac, Cornwall

A day in the life

SIR – The feature about writing a diary (January 3) prompted me to look at mine, written when I was 10:

"I fed the ferrets and ducks. Then had Coco-Pops. I left the duck egg in my blazer pocket and it smashed at school. Mum was cross."

Jo Marchington
Ashted, Surrey

Pilling produced a report last autumn casting a critical eye over Ipso and making recommendations on what it must do to comply with the principles set out in the Leveson report, even though it will never seek official recognition under the Charter. I believe that it is important for Ipso to be seen as credible by the public as well as the press; a much harder test.

In particular, Ipso needs a low-cost system for arbitration and mediation of complaints. It should be easy for anyone who has a genuine grievance to have their complaint taken up without the need for them to hire expensive lawyers. Sir Joseph highlighted in his report that Ipso has already established a pilot scheme for arbitration, and it should be followed by a more wide-ranging scheme which incorporates whatever lessons are learnt. I also believe that more needs to be done to promote awareness of Ipso to the public, so they know how to make complaints and what grounds must be established to uphold them.

Press regulation is an important issue. But the greatest threat to the credibility of the media no longer emanates from newspapers. Instead it comes via the internet, where "fake news" spreads without regulation through social media platforms and numerous other channels. That should be a greater concern for us now.

Damian Collins is the Conservative MP for Folkestone and Hythe