

Whittingdale and the ex-dominatrix: conspiracy of silence or good press behaviour?

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This is the original version of [an article that appeared in Newsweek on 13.4.16](#).

The John Whittingdale 'dominatrix' story is a classic case study of the eternal balancing act between the right to privacy and the public interest in disclosure. In practice this is rarely a purely ethical or editorial decision. Inevitably, legal, political and taste issues will come into play. The circumstantial details are vital. Yes, 'publish and be damned' but in a country without a First Amendment, there has to be a justification.

In the highly competitive UK newspaper market editors hate to spike juicy tales of politicians and former sex workers. Yet, in the febrile debate over British journalism that has followed the Leveson inquiry into phone-hacking we find ourselves in the intriguing situation where the advocates of restraint, such as the pro-regulation campaigners at Hacked Off, are urging publication of details of the private love life of an unmarried individual.

[John Whittingdale](#)

There is a good reason to publish this story now. The suspicion is that when some newspapers knew about it back in 2013/14 they did not run with it because they feared pushing the Secretary of State responsible for media regulation into implementing Lord Justice Leveson's suggestions for statutory oversight of the UK press. In the last few days the story surfaced via an ex-prostitute on social media, the online news website Byline Media and satirical magazine *Private Eye* (a publication which was resolutely against Leveson's proposals). It then saw mainstream media daylight on the BBC's *Newsnight* that managed to get a response from Whittingdale's office. So it's out now, but should it have been published back then?

You would have to be very naive to think that the editors who did not go with the story had not considered the political implications and the possible ramifications for their fight against tougher regulation. At the time there was a celebrity-led tide of public feeling sympathetic to stronger controls on the press in the wake of the phone-hacking scandal.

Yet there were good reasons not to publish. Like Hacked Off I am a strong defender of the right to privacy unless there is a substantial and directly relevant public interest in its invasion. Whittingdale was unmarried and claims not to have known his girlfriend was a former sex-worker. Even if she was, so what? It is also said that the informant wanted paying for their story. Newspapers have the right to do that, but it does not look good when you are in front of a judge or regulator trying to justify publication.

At that period in the wake of the Leveson Inquiry newspapers were showing much greater restraint. Frustrated journalists told me of quite sensational stories that were not seeing the light of day because there was not a clear serious public interest involved. Why would three papers spend days investigating the story and then pull out of publication if the reason for non-publication was to avoid embarrassing Whittingdale? The 'chilling effect' was strong then, and I would suggest, still has had a useful effect in restraining the press alongside the marginally tougher self-regulation system now in place through IPSO. Ironically, this story could be evidence that the newspapers are behaving better.

Ultimately, the theory that Whittingdale was being blackmailed by the newspapers just does not make much political sense. This is a man who has always been on the record as strongly, ideologically opposed to any statutory regulation of the press. The newsrooms that did not choose to publish include the left-wing *Mirror Group* and *The Independent* which was sympathetic to press reform. You might accuse the papers of lack of courage and a failure to

take a risk, but a conspiracy of silence is not the easiest explanation.

Of course, this is now a political story. It's understandable that Labour would seek to cause trouble for the Government but attacking Whittingdale for a story that was not published without any evidence of him interfering sets an odd precedent. It could be seen to be encouraging the kind of irresponsible and intrusive journalism of which they usually disapprove.

[Tom Harris agrees with me in this [article for the Telegraph](#)]

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