

Ministers Reflect Jeremy Wright



9 November 2020

Biographical details

Parliamentary history

2010 – present: Conservative MP for Kenilworth and Southam

2005–10: Conservative MP for Rugby and Kenilworth

Government career

2018–19: Secretary of state for digital, culture, media and sport

2014–18: Attorney general

2012–14: Parliamentary under secretary of state for prisons, probation, rehabilitation and sentencing

2010–12: Government whip

Jeremy Wright was interviewed by Tim Durrant and Alex Nice on 9 November 2020 for the Institute for Government's Ministers Reflect project. The interview took place remotely due to the Covid-19 pandemic.

[Jeremy Wright reflects on giving legal advice to government, the styles of different prime ministers and the importance of DCMS as an economic department.](#)

Tim Durrant (TD): Let's start with when you first entered government, which I believe was in 2010 as a whip. Could you tell us about what that was like, being appointed as a whip, what were your first few days like?

Jeremy Wright (JW): I'd been a whip in opposition, so the idea of being a whip wasn't entirely new but, of course, it's a very different experience if you're a government whip compared to an opposition whip. The other thing that was very different and new, not just for me but for everyone else in government, was the advent of the coalition government. And so – I think particularly in the Whips' Office, I'm sure elsewhere too – what we were all interested in, I won't say nervous about, but interested in was exactly how the delivery of government business would operate when you were relying not just on our own party but on another party. And the hybrid model that Messrs [David] Cameron and [\[Nick\] Clegg](#) had settled on was that you would have a Liberal Democrat whips' office, you'd have a Conservative whips' office; they would meet separately and then they would meet together. So we had a Conservative chief whip, but a Liberal Democrat deputy chief whip, which was Alistair Carmichael. I think probably both sides, but I can only speak for mine, were concerned that you wouldn't be able to rely on the others to do what they were supposed to be doing under the coalition agreement. I don't remember exactly how long it took us to get past that stage but it was less time than we'd all expected, and I think we were all happier than we'd expected to be about the way in which the coalition was working. At the time, you'll remember, nobody thought it was necessarily going to last the full five years. And at the Whips' Office, you're at the sharp end of delivering the government's programme, so your concerns about how to actually get legislation passed are even more acute than they are in ministerial office elsewhere, and you have to do it on a daily basis. Whereas of course, if you're a departmental minister, once every few weeks one of your bills comes to the House of Commons, we were doing it every day.

I think two things were important, one was, certainly on the Conservative side, we weren't sure that our Liberal Democratic colleagues were always going to show up for the tough stuff. The things that they had always said they didn't like, but which they'd agreed, grudgingly or otherwise, to accept as part of the coalition package. And day after day, week after week, as they did so, did show up, did vote, held their noses, went through the lobbies with us, we became more and more confident that this was going to work. And then secondly, the working relationship with those Liberal Democrats who

were whips was really good, I have to say. I still maintain, having been in the Whips' Office with a coalition government – but then in government through a minority and a majority Conservative government – I still think that actually probably the easiest government to work in, the easiest one to get things done in, was actually the coalition bizarrely. I don't think anyone would have expected that, but that was my experience.

Being a whip is interesting anyway, whether you're in government or opposition. It gives you a much greater visibility of your colleagues, for good or ill, than anywhere else in government. It is, in my view, and I'm sure I'm not the only one to say this, the only place in government where you genuinely work as a team. There are lots of other places where you're pretending to be a team but you're not. You're a collective of individuals and your particular career may profit or lose by virtue by what you and other people are doing, but it feels more like you're competing with the other people in your ministerial team than working necessarily with them. That simply isn't true in the Whips' Office. You don't have a separate identity. You are the Whips' Office and if the Whips' Office does well, you get part share of the credit; if the Whips' Office does badly, you get part share of the blame. And although we might apportion individual blame within the Whips' Office, it didn't happen outside. I think the basic rules of the Whips' Office – that you don't leak, you don't talk about what you're doing – they held throughout my time in the Whips' Office, both in opposition and in government. So I really enjoyed it.

I also hold to the view that – I think you'd probably find every member of the Whips' Office, ex member of the Whips' Office, saying this – everybody should go through the Whips' Office if they're going to have a ministerial career. I think it's hugely important to understand how the House of Commons works. Although you'd like to think you understand it as a backbench member of parliament, you only really get to understand it when you're a whip, because that's when it really matters to your delivery of your professional obligations. I think understanding the way the House of Commons works is important not just for the delivery of legislation, but it's important when you get into a department. And it's the basics like what does the order paper say? I'd routinely have the experience, with my private office, where we'd all be agonising about how the day was going to go, how we manage my appointments when I might be called back for a vote any time. And I used to say “well, bring me the order paper and I will tell you when I think the votes are going to be”. And you know that better if you've been in the Whips' Office and you have to manage the ups and downs, the warp and weft of the day as it goes. You get a feel for it, you get an instinct as to how things are likely to go.

And when you get to a ministerial office in a department, that's hugely valuable. Leaving aside, as I say, the practicalities of delivering a bill in committee and on the floor of the House, you know the system and you know how it works, it's easier to do that. If you've learned those things before, you then have to understand the details of the bill you're presenting, so much the better than having to do them both at once. So there's a decent case for a career progression being you go into the Whips' Office, perhaps not

for very long but for long enough to learn it, and then you go on to a department. And that's true for a large number, of course, but it's not true for everyone.

TD: Moving on to your first ministerial job, you were appointed to the Ministry of Justice (MoJ) in 2012, as minister for prisons, probation and rehabilitation. Can you tell us about the conversation you had with David Cameron when he appointed you to that role?

JW: Well, you get to go to Downing Street, which is exciting in itself. And Cameron, I think, was kind in the way in which he did this because he adopted the practice of sacking in the Commons and appointing in Downing Street. And so you knew, effectively – especially if you were in the Whips' Office and you had a bit of inside information – that if you were going to Downing Street it was going to be good news, you were not being removed. That takes some of the stress out of it because you don't know what you're going to get. When I got there, he said “well, I'd like you to go to the Ministry of Justice”. I thought, fine, well, that fits. Barrister by training, that makes logical sense. He told me that Chris Grayling would be the secretary of state. But he said, “well, Chris will decide on portfolios”. And so I think I got about three steps outside Downing Street before I called Chris. He said “right, now look, there are two portfolios here, one deals with civil justice, family justice, the courts, legal aid, all of that. The other deals with the criminal side of it – which is as you've described, prisons, probation sentencing”. And I was a criminal barrister, so I said to him “well, you know, obviously it would make more sense, wouldn't it, for me to do that”. It was also much more interesting for me to do that than the other job, if I'm to be entirely frank. So I got one half and Helen Grant got the other. And on we went.

I'd been in the Whips' Office a long time by then and one of the frustrations about the Whips' Office – there are lots of good things about it – is it is a non-speaking role. You do not go up to the despatch box and, broadly speaking, say anything. My view had always been, rightly or wrongly, that what I did in life, I was an advocate, that was my skillset. I desperately – desperately – wanted to be stood at a despatch box defending the government's position. You can't do that as a whip. And so when I got there, I was delighted to be in a department, able to go to a despatch box and say something.

And the brief itself was hugely beneficial for your first ministerial position because one of the challenges I think in junior ministerial office, in particular, is it's not entirely clear what the delineation of your responsibilities versus other people's responsibilities would be. I think there's an awful lot more overlap in ministerial portfolios than people realise from the outside. The great advantage of the portfolio I had was that it was pretty distinct. You knew what you were in charge of. The prisons, for example, were a very substantial operational responsibility. And good to have because, again, if you want to learn fast, learning how to deliver a major part of a major delivery department is a really good thing. I reckon that if you put the prisons, which was the bulk of it, and then all the other bits and pieces in my portfolio together, you are probably looking at a

budget of about £4 billion. That's quite intimidating when you first arrive in your first ministerial position, but equally, hugely educating if you want to be going on to do something else. So great to do, for all those reasons and because the source material was not entirely unfamiliar. I knew how the criminal courts worked, I knew how sentencing worked, I'd been into prisons to see clients, so I knew quite a bit about the brief that I was holding.

I think, again, you come to realise how unusual that is. Most ministers do not know anything, or not very much, about the portfolio they're handed and on day one they're expected to operate with it. And I think it's one of the great challenges of our system. I absolutely buy the logic of prime ministers being able to appoint whoever they want, and I buy the logic of starting on day one – you know, you walk out of Downing Street, the ministerial car takes you to the department and off you go. I see all of that but I think the way in which you have to temper it is to think about how you give ministers training in the business of being ministers, even if you can't give them training in the portfolio they're going to inherit. And perhaps we can talk about that separately, but I happen to think the IfG has got a role in all of that and that there are things you can do without, frankly, picking winners, say to anybody who has ambitions to be a minister – which is pretty much 95% of the parliamentary population – if you are interested in that, when you are in a position to do so, you should go and actually think about that, have some training on that, start to learn what it might be like to be a minister, long before the call comes in from Downing Street. But I found in my first substantive ministerial post it was a huge advantage to actually understand the brief better than most people would arriving in their job. That made life a lot easier, frankly.

TD: You mentioned the budget that you were in charge of. One of the overarching aims of the coalition was dealing with the aftermath of the financial crisis, sorting out the deficit. The MoJ saw a big proportion of the cuts that were put through during that time. What was it like dealing with that and managing the impact of those spending cuts on the areas of your portfolio?

JW: Yeah. It was very difficult. And I think, again, arriving in your first ministerial job and being told, right, effectively, we've got to take, it was probably about 30% in the end, off the budget of the MoJ, was quite intimidating. Because you live in fear of any of these changes leading to the sort of very obvious public failure that can come about in this portfolio. If there are routine prison riots, people will say, well, “has this gone wrong because you cut too hard in the budget?”. Again, ironically, almost the first thing that Chris [Grayling] and I had to decide what to do about, was the programme of privatisation of prisons that had begun under Ken Clarke [secretary of state for 2010–12] and Crispin Blunt, who was my predecessor.

And I'm not suggesting for a minute that it was right or wrong to do what they did, but the conclusion we came to was that actually if you were going to do something about probation, which Chris was obviously very keen to do at the same time, the last thing

you needed was to be fighting on two fronts: one, against the probation unions and two, against the prison unions. If what you could achieve was similar rationalisation, similar cost saving, while keeping the prisons in the public sector, and do that by agreement with the prison unions, that was by far the best course. That's actually what we did. So Chris gets a lot of abuse for being some sort of right-wing extremist who privatises everything on sight; actually the first thing he did in the MoJ was the opposite – stop a process of privatisation and instead keep those prisons within the public sector but agree with the prison unions that we would deliver cost savings another way, by a rationalisation programme that they themselves broadly came up with.

So then, of course, you focus on what you can do with probation services, obviously to take costs out – because we have to do that, the chancellor's instruction was, as you suggest, very clear – but also to find a better way of doing it. And the design of that was quite radical. Chris had a very clear idea of what he wanted to do with it. The design phase was really quite a challenge because you were almost starting with a blank sheet of paper. But it was difficult to do because obviously every minister would like to spend money rather than save money, we accept that. But that was not the scenario. The scenario was 'this is your new budget, do the best you can with it'. And to do that without causing a prison riot every other week was the thing we were most concerned about at that time because that was the most obvious measurement of failure by the MoJ. I think it was doing that that was the challenge.

Alex Nice (AN): You became attorney general in 2014. You were just talking about the satisfaction you had in your first ministerial role that you had – it was in your professional experience and suited to your professional background. What was it like to take on this role?

JW: I think unlike the job at the MoJ where I felt, okay, it's different to be a minister and it's exciting to be a minister, but at least the content I, broadly speaking, understand. I think that was much less true, ironically, when I arrived at the attorney general's office. Not only were you suddenly leading the department, not just a cog in the machine, but the sheer scope of the activities that the attorney general's office carries out, and that you're expected to understand and interpret, was immense. I think that was quite intimidating.

The other thing that's striking about the attorney general's office, as you will recognise, is that it's tiny. There are 40 people in the attorney general's office, including the two law officers. If you come from the MoJ where, you know, central building is about 1,500 people, and there are lots of others as well, it's a completely different feel. And if you come from an operational government department, it feels even more odd than the experience of some who arrive as attorney general, which is they come out of chambers, having been a proper lawyer rather than a politician. So, yeah, it felt very different. As I say, quite intimidating because of the scope of the responsibilities.

AN: During your time as attorney general, the way government legal services were managed changed: the Government Legal Department was created in 2015. How did that change the way that government legal advice was provided and how did you feel about the reorganisation?

JW: Well, I'd like to think it meant that we were delivering legal advice more efficiently. I think that the role of the attorney general is not to know everything about the law, thank God. There are lots of excellent lawyers who are there to advise you so that you can advise the government. But I think the importance of the role is to act as that nexus between the law and politics and government. And, for me, it was always very simple. If you are a good lawyer, you understand your client and you understand how to deliver advice that the client will find most useful in a way that they will find most useful. It's no different in this role either. You need to be able to deliver your advice in a way that your ministerial colleagues can actually get hold of and make use of. No point in giving them a lecture in theoretical law. What they want to know is how does the law bear on the decision I've got to make on x policy. So having a political understanding – having, frankly, a ministerial background in a government department that does delivery – is hugely valuable. Because you know, if you were in their position, what you'd want to know. And so you try and frame the advice to meet the things that they will expect you to say to help them answer the questions they need to answer. It doesn't – as I said to everybody on both sides, political and legal – it doesn't change the substance of the advice, you don't give anything other than the right legal advice, but you present it in a way that makes it more likely to be understood and more likely to be taken. Because you are hopeful that people will take your advice, otherwise why give it. It's about how you frame things, present things, but not about the content. And one of the most difficult things about the job, of course, is that you routinely have to give difficult advice, you have to say things that ministers would rather not hear.

One of the things, going back to your point about the Government Legal Department and how it is framed, one of things we sought to achieve – and I don't think we did entirely achieve when I left – was to inculcate the idea of legal advice being delivered early rather than late. So to say to departmental ministers, please have your government departmental lawyer in the room when you are constructing the policy. Don't construct the policy and then, when you're nearly ready to launch it on an unsuspecting world, run it by the lawyers. Because that way you may find disappointment. Because your lawyer might say, but you can't do that minister, or you can't do it in that way. And again, important when we're talking about framing of advice, is to say routinely to government lawyers, do not say to a minister, you can't do this, minister. It will upset them. Say you can't do it this way, minister. If you'd like me to look at a way you can do it, I'm happy to do that. It is about making sure that you've understood what it is the minister is trying to achieve. Again, if it's not doable, it's not doable and you shouldn't resile from that advice. But the way in which you present it is

important. Doing it early means before a minister has fully formed his or her pet scheme – you can start to iron out some of the legal kinks.

So delivery of government advice early was, in my view, hugely important. I think we made some progress, probably not enough. But I was starting to hear from government lawyers more regularly by the end of my term that, yes, we are being invited in at the early stages of policy development. That, for me, is hugely important in the delivery of good legal advice in government. But, as I say, ministers, including prime ministers, sometimes don't like to hear what law officers have to tell them. That was true for both the prime ministers I worked with and they both took it in different ways. But it is undoubtedly a facet of the job.

AN: Whilst you were an attorney general you held a speech about the importance of international law and the relationship between international law and domestic law. Was that a tension you had to manage along with the tensions between political concerns and the legal advice that you had to deliver?

JW: Yes, but that's largely because of the nature of international law actually. The thing about international law, but particularly for me as a criminal lawyer, I found perplexing sometimes is just how indistinct it is. You can go and look up the law in most areas of the law, you can find the statute, you can find the case law that tells you what the state of the law is. International law is not like that. International law is a collection of expressions of sentiment and belief, by various international actors, largely nation states, and you try and extract from that where the general state of collective will among nation states is. Because there's no higher authority, there is no international authority that tells us what international law has got to be. So it was always more difficult to be precise about what international law says. Again, going back to the way in which you want to deliver advice and the way in which your client wants you to deliver it, people like precision, they like you to be clear and they like you to tell them what you can do and what you can't do. It was difficult to be that precise. That was problem number one. Problem number two was that you are dealing with probably the most high-stakes political decisions. You are dealing with decisions of peace and war, you're dealing with decisions of life and death, that is not an exaggeration.

The thing that I will remember most clearly in my four years as attorney general was the drone strike on Reyaad Khan that David Cameron and others in government, including me, had to decide whether or not to take. That was a lethal strike against a British citizen on foreign soil. That's a very big deal and you've got to get it right. And the law on this is, as ever in international law, arguable either way. But you have to reach a conclusion as to where you think the law stands and whether you think that what's being proposed sits the right side or the wrong side of the line. One of the things that comes home to you particularly powerfully when you do this job and you have an example like that, is that probably, despite my best efforts, by the time I was being asked for my official legal view, every other part of government had signed off. So

everyone else had already decided this was the right thing to do. And all they needed was the attorney general to say it was lawful and off they would go and do it. And when you get those papers and you sit there having to consider that decision, you know that you are what stands between this individual and a missile. You know that if you send the papers back and you give your decision that this is a lawful act and that you believe it is legitimate to take it, then it will then happen. There won't be another discussion, there won't be another set of decisions that insulate you from the final act. You're it. You're what stands between now and the decision being made.

And you feel that – you should feel that and you do feel that – and it's one of the reasons, alongside the intellectual challenge of it, it's one of the reasons I don't believe anyone should do that job for too long. I did it for four years and Dominic [Grieve] before me did it for four years. And those are very long periods of time to do any ministerial job actually, but if you're doing a job like this one, if you do it too long, one of two things happens. You either crack under the strain or you start to get blasé about it, and you start not to care about the significance of the decisions you're being asked to take. And neither of those two things are good ideas. So yeah, hugely exciting, frankly too exciting at times. I was the first attorney general in a while to end up with close protection for three months. Because as a result of that decision, I ended up on somebody's hit list and I had four burly police officers with guns taking me around everywhere for about three months. And so, you know, it's an exciting job and I think actually for me probably much more exciting to do it at the time I did it than often is the case. We had an awful lot of terrorism to worry about, an awful lot of Brexit starting to have to worry about. So it was a fascinating time to be doing the job.

AN: I wonder whether the role of attorney general changes much, depending on the prime minister. Was there much of a change between David Cameron and then Theresa May?

JW: Well, I think that the styles of prime ministers matter in all sorts of ways, but the way in which they accept the legal advice they're given certainly changes. And they were different. Let's put it this way, I think David Cameron let his irritation show more often and more visibly than Theresa ever did, getting the advice that she was being given. But I suppose probably I changed as well though. You've got to keep in mind that the longer you do any job, the more confident you get in the way in which you are doing it. So probably when I started, I would have been more tentative than when I finished and that's a reflection on me as much as on the prime ministers concerned.

But look, I would say both of them took very seriously what they were being told as legal advice. I think anyone who believes that the UK government doesn't care about its legal responsibility completely misunderstands the way in which our system operates. You are looked to with huge concern when you are asked to give a view on these things because it really matters. And there was never a time in four years where I said something would be illegitimate and they went on and did it anyway. Never a time. And

it wasn't even considered, I don't think. I mean, there would be a huge amount of “oh God, do we have to”. But there was never a time when anyone seriously proposed to disregard the legal advice that was being given – in my time. I speak for the two prime ministers that I served with, that they both took that hugely seriously.

AN: You touched on Brexit briefly, and I wonder if I could ask you what it was like being in government during the referendum and the months after and how that affected your role. You were called upon then to give legal advice relating to Brexit as well.

JW: I tended to find in my time at the AGO [Attorney General's Office] that a lot of things that were said to be legal questions, weren't – they were political questions. And politicians were rather hoping there might be a legal answer to what was a tricky political conundrum. So often you had to resist that and say “No, that's not a legal question and I'm not answering that one for you, you have to answer it as a politician”. But, of course, I'm a politician too. So actually, I was able to participate in the discussions that were had, both around David Cameron's cabinet table but then, of course, much more extensively around Theresa May's cabinet table, about how to manage the Brexit process. I think that when the history books of this get to be written, everybody will say you should have done it differently. But this was such a complex, multifaceted scenario where nobody had done it before, none of us had a playbook to follow, rather like coronavirus, frankly. You edge your way through it, and you do the best you can with each decision you are presented with as they are presented to you. I think it is very difficult actually for any prime minister to say, right, this is how we're going to do this, follow it all the way through and never deviate from the plan. Things change and particularly in Theresa May's time, we didn't have a government majority to make use of in order to make happen what we wanted to make happen. And there were disagreements around the cabinet table, of course there were. It was fascinating to have a ringside seat on it. Very much not the case that the attorney general as legal adviser was a prime player in all this.

What's interesting is my successor [Geoffrey Cox, attorney general 2019–20], who did a much more political job as attorney general, was not doing it on the basis of his legal advice as much as on the basis of his political personality. That's perfectly fine for the prime minister to ask an attorney general to do that. But that wasn't the role that I was playing. I was giving my legal advice, of course I was. But then I was sitting around the cabinet table as a participant in those discussions. One of the things actually particularly I think Theresa deserves huge credit for, is that in each and every one of those sometimes lengthy conversations, everybody got their say, everybody's view was treated with respect and everybody had the chance to set out what they thought and why they thought it. And I was no different. That's a huge privilege, whatever position you hold.

AN: But then, of course, the referendum did trigger a lawsuit which had potentially far-reaching constitutional implications. What was it like to be involved in Miller I [on whether the government had to seek parliamentary approval to begin the process of leaving the EU], and what was the fallout from the case?

JW: Yeah, I've got to say, when I started as a barrister and would routinely haul my bag off to Wolverhampton Magistrates Court, I did not think that I would one day be standing in the Supreme Court representing Her Majesty's Government in what was billed as the biggest constitutional case of a generation. That did not occur to me as a likely possibility. I mean, look, once you're in a case like that you have to focus on it and you have to give the best you can. One of the decisions that had to be made, of course, was do we go for this, do we not, do we appeal it, do we not. I think, in reality, given the status of the case, given its significance, frankly, whichever side had not succeeded in the High Court would, I think, have wanted the case to go to the Supreme Court, because it simply felt right that in a case of that significance the final decision would be taken by the highest court in the land. Otherwise, what's it for – why would you have a Supreme Court if it doesn't take decisions like this one? So regardless of merits or demerits of the case, I think it was right for the Supreme Court to decide it. The legal complexities of it were immense and there were some very important principles at play. Absolutely right to argue it out, in my view.

In terms of how you conduct the case, one of the great challenges for all politicians is to put their ego in check. I was a criminal lawyer, that's what I did. There were lots more experienced constitutional lawyers around for the government to hire than me and it would have been absolute folly if what I had decided to do, with my background, is conduct that whole case myself. So what we settled on was a compromise. I presented the case to start with and then we handed over to others to conduct the rest of it. That, I think, was the right thing to do. I don't regret that for a second. But, you know, just the occasion of it, you felt the pressure of the significance of that case. I mean, you walked into the Supreme Court every morning with a bank, three, four photographers high, of the world's press, all waiting to see what was going to happen next. You know, unless you're giving birth to the heir to the throne, I don't think you get that experience. It was a fascinating thing to do, huge privilege to be able to be part of it. Didn't get the result we wanted, of course, but, you know, that's how it goes. And actually what I'll remember much more is going out in front of that huge press pack at the end of the case and saying we live in a country where the rule of law prevails, and it doesn't matter who you are, including the government of the United Kingdom, when the court says it's reached its conclusion we abide by that judgement. For me, that was as significant almost as the outcome of the case. That you have to establish the pre-eminence of the rule of law. And it's cases like that where you don't win that test your belief in that, much more than cases where you do. So the whole experience – yeah, remarkable.

But, of course, when we look back on it, what were we all arguing about? We were all arguing about whether parliament ought to have a say on the triggering of Article 50.

We lost that case. The court said parliament must have its say on the triggering of Article 50. And then, when it did have its say, that appeared to be very much like an afterthought. It all went through, without very much argument, with a huge majority. It felt a bit like we had this huge constitutional wrangle over whether parliament should be given the opportunity to do this big thing and then parliament just did it like that. It certainly just happened. So it felt odd, I have to say, from that perspective. You thought, well, I've spent months of my life preparing for this case. It was supposed to be a hugely big deal to give parliament this say and then parliament basically said "yeah, go on, do it". Yeah, very strange.

AN: As you say, it was a kind of high drama and a very high-profile case and a lot of emotions were running very high. How have the politics of the last few years affected the government's relationship with the legal profession?

JW: I think it's one of those things that is always a problem, actually. I don't think there's ever been a government that's had an entirely smooth relationship with lawyers and with judges. Because, in the end, it is the job of lawyers and judges to challenge what government does. And no government likes to be challenged. I don't care what colour it is or how enlightened it thinks it is, no government likes to be challenged and that's the purpose of the legal process, particularly since we've had judicial review in this country. Now, I believe it is the responsibility of not just both lawyers and judges, but also those who have specific positions within the government – both the attorney general and the lord chancellor specifically – to defend the right of lawyers and judges, to push the government, to challenge the government, and occasionally yes, I'm afraid, to defeat the government. That's why I was keen to say what I said at the conclusion of the Supreme Court case.

But, of course, not every lawyer is perfect, not every judge is perfect, like not every minister or politician is perfect and there will be occasions where we will fundamentally disagree with the decisions that have been taken. I don't think you'd find a judge who would say that they believe they've always been perfect in the decisions that they have made. The friction, I think, is built in. I don't think there is any way of avoiding it. Where I think we were going wrong, not necessarily as individuals but collectively, was to allow the sort of abuse to play out in the newspapers, of those who were doing their job as judges and as lawyers, in trying these cases as they should have been tried. I don't think anyone can have any complaints, frankly, about the diligence and the seriousness with which the courts approach these huge constitutional questions. You might dislike the outcome, no one can say they weren't taken seriously, and no one can say they weren't considered properly. And I don't think it's right to criticise judges for coming to conclusions, that's what we pay them for. To call them "enemies of the people" was clearly wrong, clearly inappropriate, rightly condemned. So friction, yes. Abuse is unnecessary and actually corrosive to the important role that the judiciary and the legal system in general plays in keeping government in check as it needs to be, just as parliament does.

TD: After being attorney general, you became secretary of state of for digital, culture, media and sport. Can you tell us about the conversation you had with Theresa May when she made you secretary of state?

JW: I'd had conversations before because, of course, she had reappointed me as attorney general [after the 2017 general election], which was very gratifying. She didn't have to do that. She had plenty of other people she could have appointed and it's quite usual, as we've discovered, for there to be a bit of a clear-out. And this job, in particular, you should have someone who you trust. So actually, I found that hugely flattering, frankly, to be asked by Theresa to carry on. But by that point I'd been attorney general for a couple of years, at least. I can't remember exactly how long. And one of the things I was very conscious of is what I said before, that you tend to see the attorney general's job being people's last job in politics, not one on the way. And at the age I was, because I was the youngest attorney general since 16-something, I didn't want to feel as though that this was the last job I was going to get. Especially not because, going back to the point around being an advocate and wanting to defend the government's position from the despatch box, again, the attorney general's office gives you some chance to do that, but not a huge amount. Again, it felt a bit like the Whips' Office – it's more behind the scenes than in front of the scenes is the general run of things. So what I had said to Theresa at that time was "look, I'm of course honoured and will happily carry on, but I would like to think you've got something else in store for me one day". So she knew that I'd like to run a department one day. I didn't specify which one, but I said, that's what I'd like to do. So when that time came, it was hugely gratifying to be told, I would like you now to run a department.

The Department for Digital, Culture, Media and Sport [DCMS] is one of those departments that is massively varied. I mean, there aren't many departments of anything that do as many different things as DCMS does. One of the things I'm particularly grateful for in my life is that, as a matter of timing, I ended up doing DCMS when I did, rather than two years later. But there is all of that, of course there is. But actually, what people haven't normally appreciated about DCMS is now just how big an economic department it is. Because of the addition of the digital and because of the significance now in the nation's economy of the creative industries, which, as I kept telling people, creative industries now contribute more to the UK economy than the automotive industry. Even in automotive parts of the world like Warwickshire, if you said that, nobody would believe you, but it's true. And so the significance of DCMS as an economic department is something that's not well appreciated but it's hugely important. It's actually a much more significant department than people think it is. Of course, I would say that, wouldn't I?

But actually, the most interesting thing for me was – and this is something that Theresa was very clear about – at the time at which I arrived at DCMS, the most prominent political decision, policy decision to be taken, was around internet regulation. If there was ever a time – and there probably never has been a time, and there probably never

will again be a time – when it’s a good idea to have a lawyer in charge of DCMS, this surely was it. If you're going to do that, and that's the primary job of work and the prime minister was very clear that that was what she wanted to do, then actually my background was more fitted to DCMS than otherwise would have been the case, to be very frank. And so I really enjoyed it. I enjoyed it because it was getting to run a department. No, that's not right. Getting to lead a department. I think there's an important distinction actually. Permanent secretaries run departments, secretaries of state lead the departments. That's, I think, quite an important thing to get your head around when you're a secretary of state. But it was great to be able to do that. Almost in any government department, it’s great to be able to do that. It’s a sort of validation, isn't it? It makes you think, okay, I am actually okay as a politician, not just as a lawyer. So, for me, with my background and the kind of jobs that I've had, you could almost get to the point I've got to and, assume, well yeah, but he's a lawyer, isn't he, so he gets these kind of things because he's a lawyer. And although, I think, as I say, the legal experience was valuable at DCMS, no one could any longer say he's only getting promoted because he's a lawyer. That was hugely validating and exciting.

So lots of fun things to do. Great. I mean, I'm a huge [James] Bond fan. The highlight of my political career, probably life, was being able to have a tour of the Bond set by Barbara Broccoli and being told – the best bit – being told because we've managed to get something done on an apprenticeship scheme that she was quite keen on, I got to show up with my wife and my daughter and I got a big hug from Barbara Broccoli. And she said to my wife, she said “this, this is the first politician I've met who’s ever got anything done”. And I thought “right, I can retire happy now. If that's what Barbara Broccoli thinks, I don't care what the prime minister thinks”.

It’s all of that, brilliant, but actually the thing that I've had most satisfaction out of, and still think, by the way, is hugely important and needs doing, is the production of the online harms white paper. I think that is such a milestone in the approach that this country should take to what is a defining political challenge, how you manage the process of regulating the online world, when everybody will tell you how difficult it is, but everyone will also tell you how necessary it is. Being able to produce something that, in my view at least, was a coherent attempt to answer that question, was immensely satisfying. And I think, in terms of a policy, is the thing I'm proudest of and the only thing we've got to do now is actually make it happen. But that was the centrepiece of the year I was culture secretary.

TD: You mentioned you were leading the department as secretary of state. How was your approach to that leadership informed by your time at AGO and MoJ?

JW: Well, you’d probably best ask the civil servants, but I think what they would probably say is that because of that background, I did detail. I wanted to see things in detail and I wanted to understand them properly before I made any decisions. I'm not sure if they found that encouraging or frustrating. But it certainly comes with being a

lawyer, I think. You have a certain frame of mind. It's more about the training than the practice but you approach things in a particular way, and I think I undoubtedly have done that. I think that they had such a turnover of secretaries of state at DCMS, you know, barely anybody had lasted more than a year, that you had to recognise that their heads were probably spinning from the last secretary of state that they'd barely got used to. I think it's a combination, and I think all civil servants tend to say this, what they want is a minister who will set a clear direction but be realistic about the constraints on them in delivering that objective. Tell us what you want but don't be ludicrously unrealistic in how fast you think we can do it or how extensive the result will be. You need to be realistic as well as ambitious, that's what they want. And so you try and get that balance right.

But I think it was a matter of saying to DCMS and all those who work there, you know, you are an important department, "you are not the frilly nice-to-haves in government. You are a fundamentally significant economic department and what you do really matters". It doesn't just cheer people up; it also drives a large part of our economic wellbeing. And it's important to grasp that to feel good about what you do. And then to say in some of the policy areas that we were pursuing, it wasn't just online harms, it was women's sport, it was regulation in the BBC, it was all sorts of other areas that we were trying to do as well. It was school drama. You know, one of the things I was personally passionate about was to try and find a way in which we could get to those schools that didn't have a school production because they didn't have a school theatre and they didn't have the manpower and the resource to be able to put it on. How do you deliver that? Because I know what it did for me, and I know what it will do for others. So being able to find £5 million, not a huge amount of money in the government's scheme of things, but it makes a big difference for schools that can actually then put on performances, and give kids the opportunities, before and behind the scenes, to learn how to be putting on a dramatic production.

These are the things that really, really mattered. And I think there was a danger that DCMS had been sort of pigeonholed as this department that, they're fluffy and nice but they don't do anything really important. I think you have to try to undermine that assumption and to say to the people who work there, no, you do matter and what you do matters and you should be proud of it. So a bit of that but you're also conscious that, you know, I didn't know how long I was going to be there anyway. You can't say I'm your secretary of state for the next five years. Recent experience suggests that would have been a brave thing to claim. So you do what you can in the time you've got.

TD: That brings us to talk about your departure from government. You left when Boris Johnson became prime minister last summer. Can you tell us about what that experience was like?

JW: I think, because it was coincident with the change in prime minister, it wasn't entirely unexpected and I, frankly, was a bit ambivalent about it anyway. You know, I

genuinely, genuinely – and people never believe this – but genuinely, on the day of the reshuffle, I wasn't sure what I would have said if the new prime minister had offered me something. I genuinely didn't know. As it happens, he didn't leave me with the dilemma, so it wasn't a problem. But absolutely, I think you recognise that new prime ministers will take a new approach. And he had an awful lot of people he wanted to put into government and that meant somebody had to leave. And I don't think, being realistic about it, that I could possibly have claimed that I wasn't going to be on the list of people who would be required to make space if space was required. So none of this comes as a shock. I think what I was conscious of, and still am, is that I spent nine years in government and five of them at the cabinet table. Now, if you go back over recent history, that ain't bad. You don't find many people who have done that. So I can't claim I haven't had my turn.

I think important though it is to always say, well, I had more to do and all of that – and all of that's true, of course it is – I also think that you can't stay there forever. I think it's important to recognise that turnover is a good thing in government. You need fresh thinking, you need fresh blood. Of course, is it hurtful to be told you're not wanted? Yes, of course it is. Everybody will feel that. But I think, in politics, you've just got to accept that's the way it goes. And recognise that if you've had a decent term, and I did have a decent term, doing interesting things at interesting times – I can't regret that. I have to say, well, that's, you know, that's hugely good news. And a huge honour to have done it.

TD: Can you tell us what achievement in office you're most proud of?

JW: I think it's the white paper, the online harms white paper. I think, especially with my lack of ministerial experience in delivery departments, managing the process of getting something that's hugely controversial, provokes strong views both ways, through the process of approval within government, all the right hands, all the agreements you have to get in all the different places, to produce something like that, that then doesn't just land reasonably well domestically, but gets noticed around the world. For me, that's all you can ask. Well, not all you can ask because I'd like it actually to happen. But in terms of production of the white paper, that went as well as I could have expected. It was an intellectually challenging thing to do. It was an organisationally rewarding thing to do. I felt the people who were working on it, not just me, but other ministers, civil servants, genuinely believed, and still believe, they were making a positive difference by doing this. And I think that's the best of government. I think if you get to do that, you get to deliver efficiently through the government machine, but you also deliver something that you profoundly believe will make the world a better place, that, for heaven's sake, why are we in politics, if not for that. So that, for me, was the most satisfying experience.

TD: What advice would you give to a new minister about how to be effective in the role?

JW: You should think about the sorts of things that being a minister is about before you get there. And again, I think there's this huge value in starting to think about the answers to questions ministers get asked when they first arrive in the department. I mean, the weirdest question I've probably ever been asked in my life is when I showed up in a department and the civil servant in my private office said "how do you like to work, minister?". You think "well, what answer do you want, as little as possible, only on Thursdays?" I mean, what do you mean? I think having thought a bit about how your brain works, how you approach decision making, what you want to see in order to make the best decision you can, how much paper do you like to read, how much detail do you want to see, having thought about those things, just make the first few days go better. Because, you know, as we've discussed, unlike in the United States, as we're seeing now, you don't get a run-in period. You're expected to make decisions as a minister, from the moment you get out of the ministerial car arriving at the department. So having thought a bit about what ministers do, how you might do it, because everyone does it slightly differently, in advance of that, is a good idea. I actually think that all backbenchers who have any aspirations should take advantage of something, run by something like the IfG, that says "do you want to know what it's like to be a minister. Well, this is what it's like." And although we're not promising you you'll ever be one, you may never be one, if you are one, these are the kinds of things you'll have to confront very early, so give it some thought. I think doing that is valuable.

The other advice I'd give is don't imagine you will get done everything you want to get done. The machine doesn't accommodate everything you want. But also, on the other side of that ledger, do not assume that the civil service will attempt to stymie you at every turn. It turns out *Yes, Minister* was not in fact a documentary after all. My impression of the civil servants I worked with was that they genuinely would try and make happen what you wanted to make happen. They would tell you if it was a) stupid, or b) impossible, but they would nonetheless not try and physically obstruct you. However, there was a neutral status for the civil service which is that if the minister isn't pushing it and the minister isn't desperate to see it happen, then we will soft-pedal it, we will apply our energies to other things. And that's not necessarily illegitimate because there are lots of things government needs to do. So if you're going to be a new arriving minister and you do have something you want to do, then don't just start out thinking I want to see it happen and then expect it to and never see it again, you have to keep pushing for the thing you want. And if you do keep pushing, you will find that civil service will do their darndest to make it happen, but you may need to keep pushing.

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