

Dear [REDACTED]

I was glad to learn that Steven DeLay had been to see you, along with his wife. And I do hope that Steven has gained some sense of our personal support and regard for him as one of our students, mindful as we are of the processes he is now engaged in with the Proctors, and in respect of his viva. He will know that we cannot intervene in this process of appeal, but I hope he will understand that we will continue to support him as best as we can during this period – pastorally and personally.

I was of course sorry to learn about the internet/Google prominence given to the article in The Cherwell – reporting on the incident here during the last academic year. I do appreciate how stressful this is for Steven, and his concerns are perfectly understandable and quite natural. It may be helpful for Steven to come and have an informal conversation with me about this, if he would like – and I am happy to oblige here.

My initial counsel to Steven would be as follows. First, challenging a newspaper article can be done under the Codes that govern all newspapers in the UK – this is with IPSO (Independent Press Standards Organisation). The Codes deal with factual inaccuracies and with unfair bias, etc. However, a complaint has to be carefully made within a specified time limit. And an attempted or successful complaint often draws more public attention and publicity. It can be a bit like trying to put out a naked flame with a slug of petrol. So I would urge caution on Steven's side here. Does he really want more publicity, and for the 'story' to go 'live' again?

Second, it is almost impossible to redact the web. The legal lever here is a (so-called) "super-injunction". Those who seek these do not qualify for any legal aid or support. Most barristers will charge in excess of £100,000 to mount a case. The odds of winning, and achieving a result, tend to be fairly small. The plaintiff would have to show a number of things: that the original press report was inherently libellous and inaccurate; that the report/story was not in the public interest; etc. I think a 'squall' in a college on an LGBT issue, and reported in a student newspaper, is fair game, to be honest. One may argue that the report was sloppy or poor, or even imperfect. But "super injunctions" don't cover this terrain, as a rule.

Third, and as you may know, in the past I have been on the receiving end of egregiously false claims made in open court, and these carried severe reputational risks – both personally for me, and for the institution that I worked for at the time. Such allegations are potentially ruinous, and as you can imagine, I sought advice on how this allegation could be redacted. (It can't – the seminarian concerned could use and abuse the privilege of open court to allege almost anything, and did...even suggesting at one point that the judge was not up to the job!). So I sought advice on libel proceedings and injunctions (but these are too expensive to fund). But my barrister was very wise here, and he pointed out that by challenging the allegation, all I would do was draw even more attention to it. And that given the overall quality of the evidence from the seminarian, it was unlikely that newspapers would repeat and amplify her story anyway. He was right about this; so the press paid virtually no attention to her allegations...a few lines in the Oxford Mail, if memory serves me.

My counsel to Steven would be that a very short article in The Cherwell will eventually recede from

the internet radar. If you leave it alone, it will wither away in due course, of its own accord. Steven, and his work and aspirations, are bigger than the story. And so it is better to ignore The Cherwell – and not give the story an entirely new lease of life by trying to redact or challenge the story and its presence on the internet. Whilst this will seem frustrating for Steven – and even unjust – it is the best course of action, in my view. So I am more than happy to meet with Steven, and talk through the dynamics of this, and also the risks. So please do ask him to be in touch if this would be helpful. And do, by all means, share this note with him too.

All good wishes,

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