

The Press Recognition Panel
107-111 Fleet Street
London EC4A 2AB
16 January 2015

By email

Lord Best
Chair, House of Lords Communications Committee

Dear Lord Best,

Further to the Press Recognition Panel's oral evidence to the House of Lords Communications Select Committee on Tuesday afternoon in connection with its inquiry into press regulation, I am attaching two letters for the Committee's information – one to the Chair of IMPRESS and one to the Chair of IPSO - to emphasise some of what Carolyn Regan and I said in evidence to the Committee in relation to timescales and dialogue.

I would also like to take this opportunity to clarify (as we did in our oral evidence to the Committee on Tuesday) the relationship between the Panel's coming into existence (3 November 2014) and the related provisions of the Crime and Courts Act 2013.

Sections 37-39 of the Act make provision for **exemplary damages**. By operation of section 61(7) of the Act, they come into force automatically one year from the date the Panel came into existence, namely 3 November 2015. They will apply whether or not a body has been recognised (by the Press Recognition Panel) as an approved regulator by that date.

Sections 40-42 of the Act make provision for **costs orders** and **the definition of 'relevant publisher' in section 41 and Schedule 15** (which also applies to the exemplary damages provisions). They need to be commenced by Order by the Secretary of State (as set out in section 61(2) of the Act). By operation of section 40(6) of the Act, the costs provisions of section 40, even when commenced, do not apply until such time as a body is first recognised as an approved regulator.

As explained in our evidence to the Committee and reiterated in the attached letters, while allowing sufficient time for appropriate public involvement in the establishing our approach to the task, we intend to be in a position to process applications for recognition before 3 November 2015. However, we have made clear that we would review that timescale if any regulator was to let us know that it was being prejudiced by our current plans. We have also made clear that we are keen to meet and discuss all relevant matters with any such regulator as they request.

Please do let me know if I can assist the Committee further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Wolfe', with a large, sweeping flourish underneath.

Dr David Wolfe QC
Chair of the Press Recognition Panel
dwolfe@pressrecognitionpanel.org.uk

Encs Letter to Walter Merricks CBE, Chair of IMPRESS
Letter to Sir Alan Moses, Chair of IPSO

The Press Recognition Panel
107-111 Fleet Street
London EC4A 2AB
16 January 2015

By email

Walter Merricks CBE,
Chair Designate, IMPRESS

Dear Walter,

It was good to welcome a member of your team as an observer at our Board Meeting on Tuesday morning and then to see you, Jonathan Heawood and other colleagues from IMPRESS at the House of Lords Communications Select Committee on Tuesday afternoon.

I am writing formally to follow up and emphasise some of what Carolyn Regan and I said in evidence to the Committee.

As you know, the Press Recognition Panel came into existence as a legal entity on 3 November 2014 with the appointment of its Board Members under the Royal Charter on that date. Since then, we have started the work to put in place the organisational and regulatory system and processes required for us to consider and decide on applications from press self-regulatory organisations that want to be recognised as compliant with the recognition criteria in Schedule 3 of the Royal Charter.

We believe that is important to frame our approach to those things in the light of an understanding of the views of all interested persons and so we plan to consult on them in the next few months. We intend to be in a position to process any applications before 3 November 2015, the date when the provisions of the Crime and Courts Act 2013 relating to exemplary damages come into force for the purpose of legal actions brought against relevant publishers.

It is our understanding that IMPRESS will not be looking to make an application imminently. However we wish to make clear that we would look to accelerate our plans if our timescales were putting you to any disadvantage in that regard.

On a separate but related matter, as you know, we have made it clear that we are keen to hear from, and potentially meet with, anyone with an interest in our work. As part of that, our Board agreed at its meeting on Tuesday to hold a series of meetings with interested parties over the coming months including with regulators such as IMPRESS. We currently intend that to be later in the schedule but if you felt that an earlier meeting would be helpful, we would of course respond positively.

For the record, I should emphasise that it is the Board's policy that the fact of meetings with interested parties are a matter of public record. However, the Board is entirely open as to whether the content of the meeting itself would be wholly private, or whether it would be held in private but with an agreed note published afterwards, or indeed entirely in public.

I am copying this letter to the Chair of the House of Lords Communications Committee, as these issues were touched on in our oral evidence on Tuesday.

I hope this clarification is helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Wolfe', written over a large, faint circular scribble.

Dr David Wolfe QC
Chair of the Press Recognition Panel
dwolfe@pressrecognitionpanel.org.uk

cc Lord Best
Chair, House of Lords Communications Committee
House of Lords
London SW1A 0PW

The Press Recognition Panel
107-111 Fleet Street
London EC4A 2AB
16 January 2015

By email

Sir Alan Moses
Chair, IPSO

Dear Sir Alan,

The Press Recognition Panel gave oral evidence to the House of Lords Communications Select Committee on Tuesday afternoon in connection with its inquiry into press regulation. I understand that you are scheduled to give evidence at their next meeting, on 20 January 2015.

I am writing formally to follow up and emphasise some of what Carolyn Regan and I said in evidence to the Committee.

As you know, the Press Recognition Panel came into existence as a legal entity on 3 November 2014 with the appointment of its Board Members under the Royal Charter on that date. Since then, we have started the work to put in place the organisational and regulatory system and processes required for us to consider and decide on applications from press self-regulatory organisations that want to be recognised as compliant with the recognition criteria in Schedule 3 of the Royal Charter.

We believe that is important to frame our approach to those things in the light of an understanding of the views of all interested persons and so we plan to consult on them in the next few months. We intend to be in a position to process any applications before 3 November 2015, the date when the provisions of the Crime and Courts Act 2013 relating to exemplary damages come into force for the purpose of legal actions brought against relevant publishers.

It is our understanding that IPSO has no current plans to make an application for recognition. However we wish to make clear that we would look to accelerate our plans if our timescales were putting IPSO to any disadvantage in regard to any decision it may make about submission of an application. Do please let us know if that is, or becomes, the case.

On a separate but related matter, we have made it clear that we are keen to hear from, and potentially meet with, anyone with an interest in our work. As part of that, our Board agreed at its meeting on Tuesday to hold a series of meetings with interested parties over the coming months including with regulators such as IPSO. We currently intend that to be later in the schedule but if you felt that an earlier meeting would be helpful, we would of course respond positively.

For the record, I should emphasise that it is the Board's policy that the fact of meetings with interested parties are a matter of public record. However, the Board is entirely open as to whether the content of the meeting itself would be wholly private, or whether it would be held in private but with an agreed note published afterwards, or indeed entirely in public.

I am copying this letter to the Chair of the House of Lords Communications Committee, as these issues were touched on in our oral evidence on Tuesday.

I hope this clarification is helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Wolfe', written over a large, light-colored circular scribble.

Dr David Wolfe QC
Chair of the Press Recognition Panel
dwolfe@pressrecognitionpanel.org.uk

cc Lord Best
Chair, House of Lords Communications Committee
House of Lords
London SW1A 0PW