

House of Lords Communication Select Committee
NOTE FROM THE PRESS RECOGNITION PANEL
AHEAD OF THE COMMITTEE'S MEETING ON 13 JANUARY 2015

Introduction

1. The Press Recognition Panel came into existence as a legal entity under the Royal Charter on 3 November 2014 with the appointment of its Board Members. Brief profiles of the six Board Members are in the first Annex to this Note.
2. Fundamental to how we will discharge our obligations under the Charter is our independence from external influence in working to ensure that regulators of the UK press are independent, properly funded and able to protect the public.
3. Also fundamental is our commitment to working in the public interest by supporting and promoting a free press in a free and fair society.
4. As explained below, we intend to adopt an approach which is as open and transparent as possible, including by holding Board meetings in public, by documenting all meetings with interested people and organisations and by making public correspondence and other materials.
5. But when doing all that, we have no power to compel any press regulator to apply for recognition. Our power is in recognising any that do as complying with the criteria set out in the Royal Charter, and in removing recognition if those criteria later cease to be met.
6. The Board is pleased to have this opportunity to let the Committee know what has happened since the Panel came into existence and of our plans for the immediate future. The Board will be represented at the meeting by Dr David Wolfe QC its Chair, and by Carolyn Regan, a Member of the Board. They can provide further information, and answer the Committee's questions. Other Board Members will be in attendance as observers, able to assist the Committee on this or other occasions on request.

Appointment of the Board Members

7. The Board Members were directly appointed by an independent Appointments Panel itself appointed for this purpose by the Commissioner for Public Appointments as required by the Royal Charter. The 'essential criteria' applied for recruitment of the Board Members were as follows:

“Successful candidates must have:

- Senior level experience in public, private or voluntary sector;
- An understanding of the context within which a regulator operates.

Successful candidates must be able to demonstrate:

- Clarity and rigour of thought, with strong analytical skills and the capacity to examine issues and reach judgements in an impartial way on the basis of the relevant evidence;
- A participative approach to decision making; and
- Effective communication skills, with the ability to convey complex issues clearly and compellingly.

To be a success the Board as whole will need to include diversity of opinion and of representation.

The Board as a whole will also need to include people with one or more of the following skills and experience:

- Experience and understanding of the media industry;
- Legal qualifications and skills, together with an understanding of the legal framework within which the Board must operate;
- Financial skills, including experience of delivering value for money;
- Experience of public policy; and
- Experience of consumer rights.

Successful candidates will also need to demonstrate a reputation for personal integrity, professional conduct and credibility, with an exceptional sense of propriety and regard for the Seven Principles of Public Life.”

8. Our appointment under the terms of the Charter gives us, as individuals and as a Board, the highest level of independence from any potential external influence, whether from Government, the press or elsewhere. We see that as key to the successful operation of our role. We have agreed that Board Members will commit a minimum of 20 days per year to their role (60 for the Chair).

Progress to date

9. We held Board meetings on 5 December 2014 and 18 December 2014, with a third scheduled for 13 January 2015. That meeting, and our Board meetings in the future, will be generally open to the public. The Board may also hold strategy sessions.
10. Our initial priority has been to establish the Panel with policies and procedures, personnel and premises and other infrastructure to function as an organisation appropriate and fit to meet the requirements of the Royal Charter. As those things are put in place, we will also work to put in place the policies and procedures required to receive and consider applications from press self-regulators for recognition in accordance with the requirements of the Royal Charter.

Timescales

11. In establishing timescales and priorities for what we do, we are well aware that the relevant provisions of sections 34-42 of the Crime and Courts Act 2013 will come into force (in England and Wales) on the anniversary of the Panel’s establishment i.e. 3 November 2015. Their application and operation is not our direct concern. But they provide the backdrop, in England and Wales, to our work as required by the Royal Charter.

Practical steps

12. Our initial work has included setting up a web site, obtaining premises (in Fleet Street), putting in place banking and other financial arrangements and recruiting three people to assist with the initial operational tasks on a part-time and flexible basis. Further details are available on our web site.
13. The Panel has received initial funds (through the Ministry of Justice) from the Lord Chancellor on behalf of the Treasury as required by the Royal Charter. Our only contact with the Government or any part of it has been in relation to mechanics of

receiving that money, and from officials responsible for the operation of the Freedom of Information Act who have written to us in contemplation of the application of its provisions to the Panel. We expect any further contact to be very limited and of a similar nature, if at all. It will, of course, be a matter of public record. We are clear that we are entirely independent from Government and other potential sources of external influence. We would immediately make public any attempt, direct or indirect, to influence us in our work from any quarter.

Our intended approach

14. Consistent with the requirements of the Royal Charter, we have decided to operate in a fully open, transparent, and consultative way. With that in mind, we have adopted, and are consulting on, an interim/draft Statement of Mission and Approach as set out in Annex 2 to this Note.
15. At its heart are our independence and our role in helping to protect the public and also the public interest by supporting and promoting a free press in a free and fair society. It also outlines the approach we intend to take to those things. We would welcome comments from the Committee or anyone else on that proposed text.

Proposed/draft policies

16. We have also adopted on an interim/draft basis those policies which we consider essential to getting going on an appropriate basis. More will follow on a similar basis in due course. Each will be subject to public consultation before final adoption so that the Board can take into account the views of people interested in its work as part of going about its task.
17. At the moment we are seeking views (by 13 February 2015) on our proposed/draft policies for:
 - the procedures for Board Meetings;
 - openness and consultation;
 - confidentiality;
 - the expression of views;
 - data protection;
 - the Freedom of Information Act;
 - Equality, Diversity and Inclusion;
 - the delegation of decision-making within the Panel;
 - the Panel's role in Scotland/Northern Ireland;
 - indemnities;
 - expenses;
 - declarations of interest and relevant matters;
 - Board Member remuneration; and
 - disciplining the Chair and Board Members.

Further details are available on our web site www.pressrecognitionpanel.org.uk, along with information about the other policies/procedures on which we expect to be consulting shortly.

Appointment of an Executive Director and other staff

18. We are also currently seeking to appoint an Executive Director to help recruit and lead our executive team. We hope to make an appointment in mid-January following an openly advertised process. The short timescale of advertising over the Christmas break was not ideal. But we considered it struck an appropriate balance between urgency and the need to recruit openly.
19. Once an Executive Director is in place, we will embark, with their assistance, on recruiting the full and/or part time staff we consider are necessary to give us the capacity to discharge the Royal Charter obligations and on developing the policies and procedures for that task. We will seek public views on drafts of those things. That will help us to ensure that we meet the requirements of the Royal Charter and act in the public interest by supporting and promoting a free press in a free and fair society.

Communications

20. We have so far announced the items described above through our web site, through Twitter @PRPanel, and by direct communication with nearly 500 people whose names we have compiled on as wide a basis as possible to form a contact database. We have made clear that people can ask to be added to our database, and some have. No-one has yet asked to be removed although we have made clear that option. Our announcements and activities have received media coverage.

Meeting with people interested in our work

21. As part of those processes we will also meet with people and organisations interested in our work – indeed meeting with the House of Lords Communications Committee is to be an early example of that. All such meetings will be formal and on the public record (unless they take place in accordance with our whistle-blowing policy). We will be specifically inviting people and organisations who we think might be interested in speaking to us, but we also welcome contact now or at any time from anyone else.
22. We envisage inviting press organisations, including press regulators, at a point where we have better developed our thinking on the mechanics of the recognition process (likely to be from Spring 2015) but we would be happy to meet them sooner, as they wish.

Overall

23. We expect to be in a position to receive applications for recognition in accordance with the requirements of the Royal Charter ahead of the coming into force of the applicable provisions of the Crime and Courts Act 2013.
24. When we attend the Committee's meeting we would, of course, be happy to assist the Committee with any further information about our activities and plans. We also, of course, have formal obligations to report under the Royal Charter in due course.

Dr David Wolfe QC, on behalf of the Board of the Press Recognition Panel

5 January 2015

Annex 1: The Board of the Press Recognition Panel appointed 3 November 2014



Dr David Wolfe (Chair of the Press Recognition Panel) works as a barrister (QC) helping people and organisations who want to challenge the legality of decisions taken by public bodies and, very often, the Government itself. He was a founding Board member of the Legal Services Board, which oversees the operation of the self-regulators of lawyers and other legal professionals, and also a member of the Board of the then Legal Services Commission.

Harry Cayton is the Chief Executive of the Professional Standards Authority, the body which oversees the self-regulators of health and social care professionals across the UK. Harry was previously Director of the National Deaf Children's Society and then Chief Executive of the Alzheimer's Society. For five years Harry was the NHS National Director for Patients and the Public at the Department of Health. He is a Trustee of Comic Relief.



Emma Gilpin-Jacobs has worked in strategic communications for over 17 years, much of it advising media companies. From 2000-2006, she was International Director of Public Affairs for Time Inc. Emma then worked at the Financial Times Group for six years and, from December 2013 to February 2014, as Director of Communications for the Deputy Prime Minister. At the FT, she was Global Communications Director and one of the Executive Board that successfully managed the FT's transition to digital. Emma began her career in journalism.



Carolyn Regan was Chief Executive at the then Legal Services Commission having been Chief Executive of major NHS bodies including the North East London Strategic Health Authority, where she took the lead for the NHS in promoting London's successful bid for the 2012 Olympics. Most recently, she was responsible for establishing and leading the newly formed NHS West London Clinical Group. Carolyn is Chair of the Board of Trustees of Just for Kids Law, a Council Member at City University, London chairing its Remuneration Committee, and a Trustee of Action Space Ltd., a visual arts organisation for people with disabilities. She is a member of the appeal board for Depression Alliance.

Harry Rich is the Chief Executive of the Royal Institute of British Architects and a Governor of the University for the Creative Arts. He was previously Chief Executive of Enterprise UK and Deputy Chief Executive of the Design Council. Harry served as a Board member of the Advertising Standards Authority which regulates UK advertising. Harry was a Magistrate and, for two years, an external member of the Charter Compliance Panel of the then Press Complaints Commission.



Tim Suter worked on Newsnight before becoming Deputy Head, Managing and Executive Editor for BBC Television and Radio Current Affairs. He was head of Broadcasting Policy at the Department of Culture Media and Sport before becoming the Founding Partner of Ofcom with responsibility for its regulation of broadcast and other content. Tim gave evidence to the Leveson Inquiry on possible structures for UK press regulation. He is a Visiting Fellow at the Reuters Institute for the Study of Journalism at Oxford University and a freelance consultant who has advised a wide range of national and international media organisations including the BBC, ITV, Channel 5, The Newspaper Society and (on issues of media ownership) News Corporation.

Annex 2 – Our consultation draft Mission and Approach Statement

“The Press Recognition Panel is the independent body set up by Royal Charter to ensure that regulators of the UK press are independent, properly funded and able to protect the public. The Panel works in the public interest by supporting and promoting a free press in a free and fair society.

We do this by:

- deciding whether or not a regulator who applies for recognition complies with the criteria set out in the Royal Charter;
- making sure, through review, that they continue to meet the criteria;
- withdrawing recognition if they don't; and
- reporting on any success or failure of the recognition system, including the impact of our work.

We will perform our duties:

- **independently**, using to the full the complete freedom we have from state, government or any other interest, and expressing our views honestly and courageously;
- **fairly**, guided by the principle of understanding the public interest, and always putting it first;
- **openly**, asking questions, using the widest possible range of evidence available to us to make our decisions, and explaining them clearly; and
- **transparently**, wherever possible holding our meetings in public, publishing our papers, and making our meetings formal and documented – ensuring that the public and those we serve can see how we are putting our principles into practice.

When we consult, we will seek out, and listen to, the broadest range of views. We will speak plainly and promote the widest possible dialogue with all those with an interest in our work.

When we take decisions, we will always consider how regulation can best respond to the developments in the industry on which it will impact, and the changing reality of people's lives, behaviour and expectations.

We will be challenging where challenge is necessary; we will not seek out controversy but we will speak fearlessly.

Above all, we will ensure that we play a valuable, and valued, role in delivering a press independent of state regulation, but well regulated in the public interest.”