

Press regulation in the UK post-Leveson

The Leveson Inquiry (2011-12) looked into press behaviour following the public outcry over illegal phone-hacking and after it emerged that there had been many victims of press intrusion.

A key recommendation of the report was the creation of a '**genuinely independent and effective system of self-regulation**'.

The new system was debated in Parliament and it received cross-party agreement. It involved creating the Press Recognition Panel (PRP) by Royal Charter in October 2013, as an **independent body** to oversee press regulators.

The Charter lists 29 criteria for regulators which, if met, ensure they are independent, properly funded and able to protect the public. The PRP assesses regulators against these criteria. Applying to be assessed is optional.

One regulator, IMPRESS, meets the criteria. IMPRESS is a **recognised regulator**.

The new system is designed to include a full range of print and online publishers, not just the traditional print press.

In England and Wales, the Charter sits alongside provisions in the Crime and Courts Act 2013 that are **key to the new system working**. These were debated and agreed by Parliament. They relate to:

1. **Exemplary damages**

It is now the case that any publishers who are not part of a recognised regulator face the prospect of exemplary damages in privacy and libel cases.

2. **Legal Costs (Section 40 of Act)**

Publishers who choose not to join a recognised regulator will have to pay both sides' costs in harassment, libel and privacy cases. Publishers who want to be protected from this can join or form a recognised regulator.

This provision needs to be commenced by the Secretary of State for Culture, Media and Sport. There has been **a significant delay** in doing this, **despite the Act being enacted nearly 4 years ago**.

Commencing section 40 will strengthen the public's access justice.

Everyone agrees that politicians should not interfere with the running of the press, but paradoxically, the failure to commence section 40 has kept **a political presence in place**. The new system intended by Parliament is not in place, and the public interest has not been safeguarded in the way that was expected.

Please contact us if you would like more information: office@pressrecognitionpanel.org.uk.