



The Press Recognition Panel
10th floor, 88 Wood Street
London EC2V 7RS

28 August 2015

By Email only

Peter Wright
Associated Newspapers
Northcliffe House
2 Derry Street
London W8 5TT

Dear Peter

Thank you for your further letter.

Your consultation response on behalf of Associated Newspapers was based on legal advice that sections 34-42 of the Crime and Courts Act 2013 discriminate against and penalise certain groups of news publishers and are in breach of Article 10 of the European Convention of Human Rights. Many thanks for providing a copy of the legal advice which has been helpful in understanding Associated Newspapers' concerns.

Your legal advisers note that membership of an approved regulator will bring immunity from the exemplary damages provisions of the 2013 Act. They fear discrimination "between substantial commercial publishers whose business model allows them to afford such membership, and small publishers and bloggers which cannot afford membership or regard it as unnecessary or undesirable."

Other consultees (including both small and large publishers) raised similar concerns about the affordability of membership of an approved regulator. We have taken them into account in framing our approach to the recognition criteria with a view to ensuring that membership is affordable to all relevant publishers. The potential discrimination against smaller publishers about which Associated Newspapers and its lawyers were concerned should not arise.

Finally, Associated Newspapers' consultation response referred (as above) to legal advice on sections 34-42 of the 2013 Act. What you have sent covers only the exemplary damages provisions within those sections. If you have other legal advice dealing with the other provisions, do feel free to share it with us.

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
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