Dear Press Recognition Panel,

I am a member of the public, a supporter of the Royal Charter and have a longstanding interest in ensuring that the Leveson Report is delivered fully and effectively. I have considered the consultation and read Hacked Off's submission to the PRP consultation, a copy of which can be found at http://hackinginquiry.org/prp-consultation-response. I am writing firstly to say that I back Hacked Off's submission, prepared with the input of victims of press abuse. I hope you will take note of this.

One issue which I am passionate about in a press regulator is investigations and sanctions, and in response to the Consultation I would like to draw your attention to my views (which I share with Hacked Off) on how the PRP should apply the Charter criteria in respect of this particular matter below.

Investigations and sanctions

Criterion 18 is:
The Board, being an independent self-regulatory body, should have authority to examine issues on its own initiative and have sufficientpowers to carry out investigations both into suspected serious or systemic breaches of the code and failures to comply with directions of the Board.
The investigations process must be simple and credible and those who subscribe must be required to cooperate with any such investigation.

I believe that:

- The following Guidance should be provided:

- The first indicator currently says this:

The Regulator has a reasonable approach to deciding what are serious or systematic breaches of the code.

It should say:
The PRP will need to assess sufficiency of powers, and in doing so will assess whether the Regulator has sufficient powers to carry out an effective investigation into both serious or systemic breaches of the code and failures to comply with the directions of the Board (including the means of establishing whether the grounds for an investigation exist when reasonably suspected).

- The PRP will need to assess whether the investigations process is “simple and credible” and that those who subscribe are required to cooperate with any such investigation.

- The following should be stated for the avoidance of doubt:

- For the powers to be sufficient and the process credible, the co-operation required must include the disclosure of otherwise confidential relevant information subject to a non-disclosure/non-publication undertaking by the regulator. [Note that Previous non-recognised self-regulators have found themselves in a position where those they regulate are under no obligation to disclose any documents or records they deem to be non-disclosable for example on the basis of it being “confidential”.]

Criterion 19 is:

The Board should have the power to impose appropriate and proportionate sanctions (including but not limited to financial sanctions up to 1% of turnover attributable to the publication concerned with a maximum of £1,000,000) on any subscriber found to be responsible for serious or systemic breaches of the standards code or governance requirements of the body.
The Board should have sufficient powers to require appropriate information from subscribers in order to ascertain the turnover that is attributable to a publication irrespective of any particular accounting arrangements of the publication or subscriber. The sanctions that should be available should include power to require publication of corrections, if the breaches relate to accuracy, or apologies if the breaches relate to other provisions of the code.

I believe that:

- The following guidance should be provided:

- The first indicator currently says:

The Regulator's approach to imposing sanctions is a reasonable one.

It should say:
The PRP will need to assess whether

· the Regulator's approach to imposing sanctions is a reasonable one in relation to whether it is "appropriate and proportionate".

· the Board has sufficient powers to require appropriate information from subscribers in order to ascertain the turnover that is attributable to a publication irrespective of any particular accounting arrangements of the publication or subscriber.

- The following should be added for the avoidance of doubt:

- The sanctions required to be available are not restricted to fines, corrections and apologies as set out in the criteria but should for example include the power to require the publication of a the outcome of an investigation.

Thank you for your kind attention.

Kind regards
Tim Fenton