

# Overseeing press regulation in the UK

Please share your views

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## Introduction

The Press Recognition Panel (PRP) was created as part of a new system of regulatory oversight with the aim of ensuring the freedom of the press whilst also protecting the interests of the public.

The PRP is now gathering information in order to report on the extent to which the new system has succeeded in its aims, ahead of publishing a report in September 2016.

We have briefly outlined the history of the system, and posed some questions for you to consider to help inform our report.

We would like to hear from anyone with an interest in UK press regulation, including members of the public, journalists, academics, and campaigners.

Please let us know your views by 12 June 2016.

# Brief background to the UK's new system for overseeing press regulation

## About the Press Recognition Panel

The Press Recognition Panel (PRP) was created under a Royal Charter. The PRP does not regulate the press – it is not a regulator.

The PRP's role is to assess whether press regulators meet the 29 criteria set out in the Charter. This includes ensuring that regulators are independent of the publishers they regulate, adequately funded, adhere to standards of accuracy and fairness, and that the public have proper opportunities to raise concerns about the conduct of the regulator's members.

Regulators who are assessed by the PRP Board as meeting the criteria are known as approved regulators. Applications are entirely voluntary.

## About the Royal Charter

The Royal Charter ensures that the PRP remains independent. The PRP cannot be unduly influenced by anyone, including Parliament or the press.

The Royal Charter is difficult to amend. It can only be changed by a two thirds majority in the House of Commons, the House of Lords and the Scottish Parliament, and with the unanimous agreement of the PRP Board.



### July 2011

Following public outcry over the scale of unethical and criminal activity by some sections of the press, the Prime Minister announced a public, judge-led inquiry.



### November 2012

Lord Justice Brian Leveson published his report on the inquiry (the Leveson Report). Whilst the report recommended that the press should continue to regulate itself, it identified the need for a new system of regulatory oversight.



### October 2013

The Press Recognition Panel (PRP) was created by Royal Charter, in order to provide independent oversight of press regulation.



### April 2013

The Crime and Courts Act 2013 established a legal framework for incentives to encourage membership of approved regulators.



### June 2014

IMPRESS confirmed its plans to establish itself as a regulator of the UK press.



### September 2014

The Independent Press Standards Organisation (IPSO) established itself as a regulator of the UK press.

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# Brief background to the UK's new system for overseeing press regulation

## About the Crime and Courts Act 2013

The Royal Charter sits alongside this Act. One of the Act's purposes is to encourage publishers to join approved regulators. The two sections of the Act related to press regulation are:

### 1 Exemplary damages provisions

From 3 November 2015 (the anniversary of the establishment of the PRP) publishers who are not a member of an approved regulator face the threat of exemplary damages in privacy and libel cases. Publishers who are members of an approved regulator will be protected from this.

### 2 Costs provisions

If the PRP recognises a regulator, its member publishers would have their legal costs (win or lose) paid if someone brought relevant court proceedings against them rather than raising the point in an arbitration.

Those who choose not to be a member of an approved regulator would have to pay both sides' costs in legal cases whether they win or lose. This section of the Act needs to be brought into force by the Secretary of State.



**May 2015**

IPSO confirmed that it would not apply to the PRP for recognition. IPSO regulates over 1500 print titles and over 1100 online titles.



**October 2015**

The Culture Secretary John Whittingdale announced that he was "not convinced the time was right for the introduction of these costs provisions" in the Crime and Courts Act 2013.



**January 2016**

IMPRESS applied to the PRP for recognition, and its application is currently under review. IMPRESS has 14 members.



**November 2014**

The PRP formally came into existence with the appointment of the Board.



**September 2015**

The PRP announced that regulators could apply for recognition that they meet the Charter criteria, if they wished to do so.



**November 2015**

Exemplary damages provisions of the Crime and Courts Act 2013 came into force.

# Share your views

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Having read the brief background to the UK's new system for overseeing press regulation, please answer the two questions below.

You can provide your response by completing this form and emailing it to **consultation@pressrecognitionpanel.org.uk** or posting it to Susie Uppal, Chief Executive, Press Recognition Panel, Mappin House, 4 Winsley Street, London W1W 8HF. Alternatively you can complete the online form on our website – **pressrecognitionpanel.org.uk**

You can also respond over the phone by calling 020 3443 7070.

If you would like to share your views with us in person, you can arrange a face-to-face meeting by calling 020 3443 7070.

## Questions

1 In your opinion, has the new system for overseeing press regulation in the UK been a success or failure so far? Please explain your reasons.

2 For publishers, joining an approved regulator is voluntary. For regulators, applying for Charter recognition is voluntary. In your opinion, what factors or issues will affect regulators' and publishers' decisions when they consider these choices.

# About you

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Please tell us a bit more about yourself. We would encourage named responses where possible, particularly from organisations, to help us understand and analyse the different interests reflected in the responses.

If you do not wish us to publish all or part of your response because you regard the information you have provided as confidential, please indicate so.

Forename(s)

Surname

Name of the organisation (if applicable)

Your email address

## How are you responding?

As an individual (please indicate)

- Academic
- Member of the public
- Journalist or media employee
- Politician
- Student
- Other – please specify

For an organisation (please indicate)

- Academic institution
- Third sector or campaigning organisation
- Government
- Member organisation/representative body
- National newspaper/magazine
- Local/regional newspaper/magazine
- Digital only publication
- Publisher/media owner
- Regulator
- Trade union
- Other – please specify

# Confidentiality

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Where appropriate, the PRP wishes to publish a list of respondents and their responses. We may also quote or refer to specific responses in our final report. Please indicate below if you do not wish your name and/or response to be published.

Please do not publish my name

Please do not publish my organisation's name

Please do not publish my response

Please do not publish part of my response

Please specify which parts

## Confidentiality and data protection

The PRP is not currently listed within the Schedule to the Freedom of Information Act 2000 (FOIA) and so the PRP is not a body to which its provisions apply. We have nevertheless taken a decision to operate as if the provisions of the Act apply, including the provisions relating to considering and responding to information requests.

Please note that there is no right of appeal to the Information Commissioner as the PRP is not formally bound by FOIA.

Unless you state otherwise (and an automatic disclaimer generated by your IT system will not be taken as such) we will assume that you are content for us to publish your response to this consultation, including your name and any other information provided.

For more information, please refer to our Freedom of Information Policy on our website [pressrecognitionpanel.org.uk/external-policies](http://pressrecognitionpanel.org.uk/external-policies).

## Equality Duty

If you are responding as an individual it would assist us in complying with our obligations under the Public Sector Equality Duty if you could complete the separate diversity monitoring form. The completed form will be held confidentially, and will be separated from your consultation response. The data will be used for statistical purposes only.

This is included as a separate form on our website – [pressrecognitionpanel.org.uk](http://pressrecognitionpanel.org.uk)