

Dear Press Recognition Panel

You are consulting on what is a clearly failed system, and I hope you recognise that the situation before Leveson – where the power of the press was becoming out of control and politicians were going cap in hand to the Murdochs and their ilk – was little short of a crisis of democracy, and very little has changed since then. It is absolutely vital that Leveson be completed and fully implemented.

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.

The press is swiftly reverting to its old ways. The appalling behaviour of The Sun which rode roughshod over the requirements of IMPRESS – by using its ruling merely to reiterate its claim that the Queen backed Brexit – is just one recent example. It clearly does not work.

I thoroughly concur with the thoughts of the Hacked Off campaign:

So far, it has not worked. Whether or not IMPRESS is recognised, many relevant publishers have decided to stay outside the recognised system in order to try to continue the old failed system. Leveson – while offering one last voluntary chance to get their house in order – anticipated that this may happen and said that if it did, Parliament needed to act. **The PRP should take the opportunity of its report to remind Parliament of Leveson's words on this matter.**

He said: *"if some or all of the industry are not willing to participate in effective independent regulation, my own concluded view is to reject the notion that they should escape regulation altogether. I cannot, and will not, recommend another last chance saloon for the press. With some measure of regret, therefore, I am driven to conclude that the Government should be ready to consider the need for a statutory backstop regulator being established, to ensure, at the least, that the press are subject to regulation that would require the fullest compliance with the criminal and civil law, if not also to ensure consequences equivalent to those that would flow from an independent self-regulatory system."*

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?

Once again, there is an urgent need for both high-profile individuals AND ordinary people to have the chance to stand up against the bullying of a popular press which appears to have lost any moral compass it might once have had.

Our press was once something to be proud of. Now if I compare it to the press in Germany and France I feel ashamed and almost humiliated by its indifference to anything approaching responsibility. Clearly it can be held to account only by a powerful and externally imposed independent body. People in the UK have a right to this, and those responsible for imposing regulation have a duty to the population to ensure it.

Again I concur with the ideas of Hacked Off:

Leveson considered this question and concluded that the voluntary version of the system would only have a chance to work if publishers were offered incentives for joining it. As such, he proposed a system of “cost-shifting” and it is this measure which is the main incentive for a publisher to join a recognised regulator – and for a regulator to seek recognition.

By attaining recognition and agreeing to offer low-cost arbitration, publishers are protected in two ways. First, it reduces the effect of ‘chilling’ so it can publish stories without the subject of the story threatening to bankrupt the journalist/publisher. Secondly, if a claimant rejects the arbitration and chooses to go to court, the publisher is protected from paying courts costs.

It would be a win-win situation: ordinary people would be guaranteed access to justice through low-cost arbitration and the publishers would be freed from chilling and potential court costs if a rich individual or company chooses to reject the route of arbitration, instead insisting on going to court. This measure should have been achieved by section 40 of the Crime and Courts Act 2013: a critical part of the Royal Charter system which Leveson recommended in outline terms. Parliament endorsed this measure too and intended it to apply. It is a part of the “recognition system”.

Regards

HBT Daniel

