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.

To date, it has clearly been ineffective. Whether or not IMPRESS is recognised, many relevant publishers have decided to remain outside the recognised system in order to try to perpetuate the old failed system. Leveson — whilst offering one last voluntary chance to get their house in order - anticipated that this may occur 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.

For the avoidance of doubt, 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?

Leveson pondered 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 distinct ways:

Firstly, it reduces the effect of 'chilling' so it can publish stories without the subject of the story threatening to bankrupt the journalist and/or publisher.

Secondly, if a claimant rejects the arbitration and chooses to go to court, the publisher is protected from paying exorbitant court costs.

Moreover, It would create a 'win-win' outcome: ordinary people would be guaranteed access to justice through low-cost arbitration and the publishers would be freed from 'chilling' and potential court costs should a rich individual or company choose to reject the option of arbitration, instead electing to go 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 also endorsed this measure and intended it to apply. It is a part of the 'recognition system'.

But the Government is blocking it.

I urge the PRP to recommend both to Parliament and to the Government that section 40 is 'commenced' as soon as possible, as it is integral to the system of recognition and incentives.

Thank you for your kind attention.

Yours faithfully,

Paul Hemming