

## **PRESS RECOGNITION PANEL**

### **Minutes of the meeting of the Panel with Cardiff University academics held on 6 May 2015 at Cardiff University School of Journalism, Media and Cultural Studies, Bute Building, King Edward VII Avenue, Cardiff, CF10 3NB**

**Present:** Dr David Wolfe QC (Chair of the Panel), Susie Uppal (Executive Director of the Panel), Professor Justin Lewis (Professor of Communication, School of Journalism, Media and Cultural Studies, Cardiff University), Dr Andy Williams (Lecturer, School of Journalism, Media and Cultural Studies, Cardiff University) and Holly Perry (Head of Governance at the Panel) (taking notes)

#### **Welcome and introductions**

1. Professor Lewis (JL) welcomed Dr David Wolfe QC (DW), Susie Uppal (SU) and Holly Perry (HP) to the meeting, and introduced Dr Andy Williams (AW).
2. Following introductions, the Chair set out the planned format for the meeting, which was expected to last around an hour and a half. This was one of a series of meetings which the Board was holding in order to seek early input to how the Panel could give effect to the Royal Charter recognition criteria. A number of meetings had been held and, to date, there had been a wide range views on many of the key issues.
3. In terms of timescales, the Panel had now started preparing documentation setting out proposals for how it intended to go about the task of receiving and considering applications for recognition. The Panel expected (between May and July 2015) to consult widely on those proposals before publishing guidance in final form later in the summer of 2015.
4. In addition to the points set out in writing by the Panel in advance of the meeting<sup>1</sup>, the Chair emphasised that the Panel would very much welcome comments – as part of the discussions, or in writing after the meeting – on the following points<sup>2</sup>:
  - general views on the role of the Panel;
  - issues relating to hyper-locals (given the particular expertise which JL and AW had on the subject);
  - Wales-specific issues;

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<sup>1</sup> The Panel wrote to attendees setting out the areas for discussion ahead of the meeting; details of the points covered in discussions with all stakeholders are published on the Panel's website: <http://www.pressrecognitionpanel.org.uk/documents/Letter%20to%20attendees.pdf>

- in the context of the consultation events, thoughts about who the Panel should consult with in Wales, assistance with identifying relevant stakeholders in Wales and what else it should be doing.
5. The expectation was that the meeting would provide a forum for free and frank exchange of views. The meetings was being held in private, however a note of the key points discussed would be agreed by the attendees for publication on the Panel's website.

## **Discussions**

### *Background*

6. JL outlined some background on the Cardiff School of Journalism, including the School's role in giving evidence in the Leveson Inquiry, as well as to the House of Lords Communications Committee inquiry into media plurality. The School's view on the Leveson process and what had happened since could be summarised as follows:
- issues were raised in the report that needed resolving – it was clear that the existing structure wasn't working;
  - there was clear and significant evidence of continuing inaccuracies and misinformation in press reporting which needed to be addressed;
  - recourse for those damaged by inaccuracies and misinformation was limited or non-existent;
  - while there was a wide range of views about the extent of a regulatory framework, the need to avoid over-regulation and to protect good journalism and freedom of the press, there was broad support for establishing a framework to protect citizens' interests; and
  - the need for equality of arms for both the complainant and the press in terms of legal action (libel or privacy cases).

### *Community journalism and the growth of hyper-locals*

7. AW outlined the work the School was undertaking in relation to community journalism and hyper-locals. This is a sector that provided impressive community and civic value, with a large proportion covering local politics, running campaigns, and providing local "watchdog" journalism. It is also had a growing audience. It was mainly made up of volunteer labour, and there was a small, but growing group of local news entrepreneurs experimenting with new business models and modes of news production and dissemination. This group was impressive, but precarious, and needed support. One area of risk was that they lack the institutional and editorial support (e.g. legal support) routinely afforded to mainstream local newspaper journalists. The School had

set up a Centre for Community Journalism which undertook research into the area, but also provided community journalists and hyper-locals with advice, support, training and networking opportunities in Wales and beyond.

8. In relation to Wales specifically, local news press had suffered significant decline over the past 25 years, the most important element of which had been large reductions in journalism staffing numbers at a local level. In part, this reflected the changing nature of the industry (concentration of ownership of local journals by national newspaper institutions), but also reflected mismanagement at a local level also. DW emphasised that the Panel was keen to ensure that it did not do anything to contribute to a further decline.
9. AW explained that the Trinity Mirror Group now owned a significant majority of the press in Wales. Taking Cardiff and the surrounding area as an example, the Group owned the Western Mail (Wales' daily newspaper), South Wales Echo (Cardiff's daily newspaper) and a series of local papers. Other regions, such as those around Newport and Swansea, were dominated by other major newspaper publishers such as Newsquest and Local World. In North Wales, a Trinity Mirror subsidiary owned the Daily Post. There were some newspapers owned by smaller companies, including the Tindle newspapers and other family-owned groups. **AW agreed to provide the Panel with details of contacts so that these could be added to the Panel's contacts database.**
10. AW outlined the extent of the decline in journalism numbers – in 1999, almost 700 staff were employed in journalism in Wales. By 2013, this figure had dropped to 108. Whilst a similar decimation and hollowing out of the newsroom had taken place across the UK (backed up by analysis from the likes of Claire Enders), the picture was starker in Wales than elsewhere, and had resulted in a significant narrowing of the range of voices. A tranche of local news had disappeared altogether, and 'black holes' were emerging in some areas e.g. Port Talbot. Hyper-locals were evolving to fill the space to some extent, and many of these were online (there were notable examples in Cardiff, Wrexham, Caerphilly and Port Talbot). In some cases, fixed-point, or door-to-door, distribution of printed copy had generated income (mainly through a free advertising model).

*Interpretation of 'relevant publisher', regulator models and funding*

11. DW referred to the report co-authored by AW, [\*The State of Hyperlocal Community News in the UK: Findings from a survey of practitioners\*](#). This was a very useful piece of research, however there was insufficient information available within it to assess how many of the hyper-locals might fall within the definition of 'relevant publisher' for the purposes of the Royal Charter.

12. 'Relevant publisher' is defined in section 41 of the Crime and Courts Act 2013<sup>3</sup>. On balance, and looking carefully at the definition, AW estimated that around 20% of hyper-locals were likely to be captured, mainly those at the more professional end of the spectrum. Whilst he discussed potential problems such as over-regulation of an emergent sector, and the dangers of small news media players having to sign up to "top-heavy" regulators designed for larger publishers, he could see that there could be clear benefits to these hyper-locals being part of a regulator which was recognised under the Charter, most importantly the protection provide in relation to libel or privacy actions. This was significant, as many of the publications had an important role in representing communities and holding community leaders to account, as well as campaigning. Another facet of hyper-locals was a lack of institutional or journalistic support - there was no editorial or legal team on which to rely. This created exposure. Hyper-locals had already lost libel actions, and it was likely only to be a matter of time before an individual faced significant losses e.g. the loss of their house. Being part of a recognised regulator could provide protection and therefore a degree of freedom for hyper-locals.
13. It was possible that a new, sector-specific regulator might emerge, which might be able to attract funding. Finding external funding would be crucial, however, as resources were a significant challenge for this emergent sector, which had implications for the funding model.
14. The Panel needs to implement the recognition system in a way that is flexible enough to cater for all nature and size of regulators within the framework of the Royal Charter.

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<sup>3</sup> Section 41, Crime and Courts Act 2013

(1) In sections 34 to 40, "relevant publisher" means a person who, in the course of a business (whether or not carried on with a view to profit), publishes news-related material—

(a) which is written by different authors, and  
(b) which is to any extent subject to editorial control.

This is subject to subsections (5) and (6).

(2) News-related material is "subject to editorial control" if there is a person (whether or not the publisher of the material) who has editorial or equivalent responsibility for—

(a) the content of the material,  
(b) how the material is to be presented, and  
(c) the decision to publish it.

(3) A person who is the operator of a website is not to be taken as having editorial or equivalent responsibility for the decision to publish any material on the site, or for content of the material, if the person did not post the material on the site.

(4) The fact that the operator of the website may moderate statements posted on it by others does not matter for the purposes of subsection (3).

(5) A person is not a "relevant publisher" if the person is specified by name in Schedule 15.

(6) A person is not a "relevant publisher" in so far as the person's publication of news-related material is in a capacity or case of a description specified in Schedule 15.

(7) But a person who is not a "relevant publisher" as a result of paragraph 8 of that Schedule (micro-businesses) is nevertheless to be regarded as such if the person was a member of an approved regulator at the material time.

### *Disparate nature of the sector*

15. It was impossible to know how many hyper-locals were in existence given their web-based nature and the difficulties of tracking down such small operations on the local web. Nor was there a representative body or a trade organisation. This meant there was a limited amount of unity, a factor that made the sector difficult to engage with.

### *Press Recognition Panel consultation event in Cardiff*

16. JL and AW reported that a conference on community news was scheduled to take place at the School on 9 September 2015. It would be possible to host a discussion or a dedicated session at the event to seek views on press regulation. DW thanked JL and AW for the offer, however the Panel needed to engage the sector during the recognition criteria consultation period i.e. during June and July 2015.
17. JL and AW offered the Panel use the School's networks to secure views and input, and could, for example, write a blog on the issues. A nascent group, comprising Carnegie UK, Talk About Local, Nesta, the Media Trust and Community News Association was also worth engaging. **AW agreed to forward a communication about the consultation event to the group.**
18. In terms of a venue, **JL and AW offered to host an event at the School**, which was widely regarded as neutral and well-respected. Similar sorts of events were held regularly. One option was to hold a main event, and add a session or a focus group specifically for hyper-locals either before or after the main event.

### *Wales-specific issues*

19. JL and AW flagged that a key issue to be factored in was the Welsh language. DW explained that the Welsh Language Act did not apply to the Panel, but it had made a decision to develop a Welsh Language Scheme, and as such the consultation document would be published in Welsh. JL and AW advised that many of the hyper-locals in Wales were published in Welsh.
20. The London-based press tended not to cover devolution issues, which contributed to problems with the democratic deficit. The BBC Trust has commissioned work, which resulted in the King report recommendations that recommended broadcast networks needed to give better coverage to the devolved nations and devolved issues. The BBC had subsequently developed and issued guidelines on reporting devolved matters, and the position had

improved, however there had been no improvement in relation to the other broadcasters.

21. The Welsh Assembly, the Welsh Government, and numerous Welsh politicians were also vexed about the issue of the concentration of press in London, and a relative lack of media specific to, and produced in, Wales. The Centre for Community Journalism had hosted a day at the Senydd, bringing together Assembly Members and hyperlocals to discuss the issues, and to model ways of engaging the community news sector in covering Welsh politics.

#### **Additional information**

22. DW concluded the session by inviting JL and AW to submit additional information as they wished.

#### **Closing comments**

23. The Chair thanked JL and AW for hosting the meeting and for speaking so openly and frankly about issues. The Panel looked forward to ongoing engagement, particularly in the context of hyper-locals, and the hosting of an event in Cardiff.