

**From:** [Susie Uppal](#)  
**To:** [Paul Nezandonyi](#); [Caroline Roberts](#); [Holly Perry](#); [David Wolfe](#)  
**Subject:** Fwd: Questions and answers  
**Date:** 22 August 2016 13:11:30

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Begin forwarded message:

**From:** Susie Uppal <[suppal@pressrecognitionpanel.org.uk](mailto:suppal@pressrecognitionpanel.org.uk)>  
**Date:** 22 August 2016 at 13:10:30 BST  
**To:** Peter Wright <[Peter.Wright@assocnews.co.uk](mailto:Peter.Wright@assocnews.co.uk)>  
**Subject: Re: Questions and answers**

Dear Peter,

Many thanks for your email.

I will make sure it is brought to the attention of the Board.

Regards

Susie

On 22 Aug 2016, at 09:46, Peter Wright <[Peter.Wright@assocnews.co.uk](mailto:Peter.Wright@assocnews.co.uk)> wrote:

Dear Susie

Thank you for your letter of August 19.

I am afraid I have to disagree that David Wolfe's letter of August 19 answered the questions I asked in my letter of August 11. There were 20 specific questions - none of which has received a specific answer. I would have expected a public body committed to openness and transparency to have given direct answers to each question, rather than the generalised response I received.

However you have now asked some questions and I am happy to provide answers:

#### **1. 'Amendment'**

I am glad that you confirm that the Board understand they have no power to amend the Recognition Criteria and will strenuously avoid doing so.

I don't believe I actually used the word 'amendment' in either of my letters to David Wolfe.

In Question 6 in my letter of August 11 I asked: *'Where does the Charter authorise the PRP to make its own interpretation of the Charter Criteria?'*

In my email of August 18 I said: *'The PRP now appears to believe it has*

*the power to vary the Recognition Criteria at will by 'interpretation'; and: 'We have since discovered that key Criteria have subsequently been reinterpreted, and that reinterpretation has been communicated to IMPRESS before it was published (but significantly not notified) to other stakeholders.'*

However the effect of the PRP's interpretation of the Charter is to amend it. To give just two examples:

On funding the Charter Criterion 6 states clearly: *'Funding for the system should be settled in agreement between the industry and the Board'* . This is positive requirement - nowhere does the Charter say funding can be settled by agreement with a charitable trust controlled by a very wealthy private individual. However your interpretation takes the view that because Charter did not envisage funding by a private individual it is permissible: *'There is nothing in the criteria or the Charter which precludes funding for the regulator being provided via or from a third party and such funding does not preclude an application or mean that a regulator is automatically not 'independent'*. This is clearly intended to have the effect of allowing a method of funding which, without your 'interpretation' would fail to meet the requirements of Criterion 6.

Similarly Criterion 7 is very clear: *'Serving editors have an important part to play although not one that is decisive'*. However you have seized on the word 'may' to 'interpret ' this Criterion to allow recognition of a regulator with a Code Committee on which serving editors have NO role to play. Again this allows an arrangement which would otherwise fail to meet the Charter requirement.

## **2. Relevant publishers**

Question 7 of my August 11 letter was a question, not a statement, which has not been answered. However again the Charter is very clear. Schedule 4, Clause 1(a) states: *"Regulator" means an independent body formed by or on behalf of relevant publishers for the purpose of conducting regulatory activities in relation to their publications.'*

The Charter does NOT say a Regulator means a body formed by a small group of private individuals in the hope that they might later be able to find some publishers who can be persuaded to become members, which is how IMPRESS came into being.

## **3. Funding**

Again my Question 11 was a question, not a statement, and has not been answered. Neither my letter nor the Recognition Criteria say a regulator must be funded by its members. Criterion 7 says that to be recognised a regulator must be funded by the industry: *'Funding for the system should be settled in agreement between the industry and the Board'* .

What the Charter means by 'the industry' is clear from the preamble: *'AND WHEREAS the Report of the Inquiry recommended that for an effective system of self-regulation to be established, all those parts of the press which are significant news publishers should become members of an independent regulatory body'*, and from Schedule 4, Clause 1(a), quoted in answer 2 above.

At no point does the Charter allow for recognition of a regulator funded by a third party, as your interpretation seeks to permit.

I hope these answers will be helpful to the Board.

Best regards

Peter

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