

PRESS RECOGNITION PANEL

Note of the meeting of the PRP with Karen Bradley MP, Secretary of State for Culture, Media and Sport, on 19 December 2016 at Department for Culture, Media and Sport

David Wolfe, Chair of the Press Recognition Panel (PRP), was invited to meet with Karen Bradley MP, Secretary of State for Culture, Media and Sport. The note below covers the conversation that took place.

Attendees

DCMS

Karen Bradley MP - Secretary of State for Culture, Media and Sport
Stephen Darke - Private Secretary to Secretary of State
Aidan Corley - Special Advisor to Secretary of State
Paul Oldfield - Deputy Director for Media Policy
Natalie Davis - Head of Press Policy

PRP

David Wolfe (DW) - Chair
Harry Cayton - Board member
Susie Uppal (SU) – Chief Executive

The Secretary of State welcomed the PRP. As this was their first meeting, the Secretary of State was keen to hear about the organisation and its work.

DW explained:

1. The process of his, the PRP Board's and SU's appointment, and emphasised how independent of Government and external influence this was.
2. The PRP have a policy of openness and transparency and had engaged in a wide scale consultation before the process on how the PRP would process applications was finalised.
3. Having met with many people and organisations over the last two years, the sheer range and number of 'relevant publishers' had become clear. The Charter framework applied equally to traditional publishers and online publishers.
4. The PRP opened for applications in September 2015 and it has since consulted on how to deal with cyclical and ad hoc reviews.
5. The PRP received and dealt with an application for recognition from IMPRESS which involved three public calls for information and a decision by the PRP Board. After a very thorough process, IMPRESS was recognised and the PRP would now be keeping that under review.

6. The Charter allows for multiple regulators. The option for relevant publishers is not therefore that they need to join IMPRESS or stay outside of the system. If publishers don't want to join IMPRESS but want to fall within the system of recognition, and take advantage of the benefits this brings, it was within their gift to set up their own regulator, which could apply for recognition.
7. The PRP was not susceptible to influence by any person or organisation. The process followed in determining IMPRESS' application was entirely independent and IMPRESS was recognised because it met the 29 criteria. The Secretary of State confirmed that neither she nor any other politicians or part of government or the state had any ability to steer us in our role in relation to applications or at all.
8. In that context, the PRP struggled to understand the suggestion that it was somehow under Government or political control.
9. In respect of the Charter criteria, it was important to understand that to gain recognition, all the criteria had to be met. In fact, it was impossible to meet some and not all, as they were interconnected.
10. One of the criteria required the regulator to have an arbitration system. That criterion was of no more importance to the PRP than the others but as concerns have been raised about arbitration it may be useful to explain the key features of a Charter compliant arbitration system:
 - It must be mandatory, so it provides the public with a low-cost way of raising legal issues;
 - It must be free for complainants to use;
 - It can allow claims to be struck out for legitimate reasons (including on frivolous and vexatious grounds);
 - It can charge an admin fee for the cost of assessing the initial application; and
 - If providing such an arbitration scheme causes serious financial harm to local and regional publishers, we can review the requirement when we carry out a cyclical review of the regulator.
11. There had been allegations that section 40 contravenes Article 10 of the Human Rights Act 1998 (Freedom of Expression). The PRP had specifically sought further information about this but the legal advice produced by those making the allegation did not relate to section 40 at all. It related to exemplary damages and were arguments that had been aired and considered before the legislation had been passed.