

News UK

Dr David Wolfe QC
Chair of the Press Recognition Panel
Press Recognition Panel
10th Floor, 88 Wood Street
London EC2V 7RS

31 July 2015

Dear Dr Wolfe,

Re: News UK response

I am writing regarding your current consultation into the criteria against which you will assess any applications received from potential press regulators.

News UK is particularly concerned that the whole recognition process might allow one regulator, which currently has no members, to kick-start a process that will have a huge impact on the press's ability to report and investigate. One key point is that recognition must surely be open only to a regulator that actually has members.

Schedule 4 of the Royal Charter on Self-Regulation of the Press says: 'For the purposes of this Charter: a) "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'. A recognised regulator must therefore have either been set up by publishers or work on their behalf.

Schedule 2 requires the Recognition Panel to consider effectiveness and fairness in determining whether a regulator meets recognition criteria. Such standards must by implication govern the recognition process. The criteria would not be satisfied if a regulator without any members, nor the support of those who it wishes to regulate, were to be recognised.

There is a wider point to which this relates. If a regulator is recognised, it will claim that publishers are incentivised to join it because the legislation will provide costs and damages protection in some legal actions pursuant to provisions under the Crime and Courts Act 2013. Those provisions, however, not only incentivise, but are designed to punish publishers who do not choose to join an approved regulator once one exists, regardless of the effectiveness of the publishers' own regime.



We do not accept that the recognition of a body with no industry support should trigger punitive measures threatening freedom of speech.

I trust that you will take into account the membership of any regulator seeking approval and ensure that the legitimacy of this process is maintained.

Yours sincerely,

Mike Darcey
Chief Executive
News UK