



What Makes a Good Self Regulator of the Press? Interpreting the Royal Charter on Press Regulation

Tuesday, 9 June 2015, Thai Theatre, LSE London

Between 8 June and 31 July 2015 the PRP held a public consultation on how the PRP would assess applications from independent press self-regulators. As part of the consultation we held eight public events across England, Scotland, Wales and Northern Ireland.

The consultation launch event on 9 June 2015 was hosted and chaired by Dr Damian Tambini, Director of the LSE Media Policy Project. The notes below summarise the views expressed by the attendees. The notes have been anonymised to protect the identity of the individual.

Panel members

- David Wolfe QC, Chairman, Press Recognition Panel
- Eve Salomon, Global Chairman of the Regulatory Board of RICS, Commissioner of the Gambling Commission of Great Britain, and Chair of the Internet Watch Foundation
- Jonathan Heewood, Founding Director, IMPRESS Project

Discussion

David Wolfe opened the discussion with a short presentation on the role and functions of PRP. He then explained the proposed process for press self-regulators applying for recognition.

Jonathan Heewood stated that IMPRESS intended to seek recognition. He said that he was aware that this was controversial, with some in favour and others against it. He said that the 'hyperlocals' and the 'long tail' of relevant publishers were in favour, and valued the protections against court costs and damages.

Eve Salomon stated that the proposed application process was a 'licensing application' type process similar to the approach adopted by Ofcom for competitive markets. She said that more 'hand-holding' was needed to make it as easy as possible for applicants to meet the requirements of the Charter requirements.

Eve stated that there was too much unnecessary focus on subscribers' needs. She said that there needed to be a greater focus on making it easy for the public to understand the process.

Eve said that the proposed indicators seemed geared towards organisations who already exist, so it was hard for bodies to apply until they were up and running. She said that the indicators need to meet the needs of fledgling applicants, be replicable and allow for some sort of discretion.

David responded that he was conscious of the issues Eve raised. He said that his objective was to make the Charter work for regulators of all sizes. The PRP would not write regulators' procedures but it could offer guidance. The PRP wanted to strike the right balance.

How the applicant was going to operate would be a key consideration but there was no inference that a regulator had to be up and running to apply. The PRP would review a regulator on a cyclical basis or on an ad hoc basis, if necessary.

Jonathan Heawood asked about costs and fee structures. He noted that PRP was well resourced with little to do, whereas IMPRESS was poorly resourced but in three years' time would be hit by the fee regime if it was recognised by the PRP. He asked whether the PRP could hold its reserves to cover for the future.

David explain that the PRP had funding for three years after which it will need to be self-funding. The PRP did not anticipate spending all of the £3 million allocated by the Exchequer as it expected the workload to drop off after year one. Regulators effectively had a 'free pass' for the first three years which could be an incentive for making an early application. Only cyclical reviews would fall within the charging regime.

There was a discussion about whether the PRP and IMPRESS should be sharing a platform.

David explained the nature of the PRP's independence, and stated that the PRP had a neutral view on whether IMPRESS would be applying for recognition. He said that the PRP was striking the right balance in holding open and transparent discussions. David explained that all PRP meetings were a matter of public record. The PRP was fully committed to openness and transparency. If IMPRESS applied for recognition, its application would be assessed against the Charter criteria like anyone else's.

Eve stated that the PRP and IMPRESS should work more closely together as that was where the public interest lies.

There was a discussion about the impact of Section 40 of the Crime and Courts Act on libel and privacy cases and what would this mean if IMPRESS was recognised by the PRP. It was stated that this could devastate the national and regional markets. There was also a discussion about whether or not regulators would be compared with each other by the PRP when they apply for recognition.

David stated that judges could respond to the consultation if they wished. As for comparisons between regulators, the PRP would assess each regulator solely against each of the criteria. He added that Section 40 was not an issue for the PRP as it had no view or control over it.

There was a discussion about whether the government could remove the PRP's Royal Charter and disband the organisation. David explained that the PRP had received £900k of the £3 million budget to cover its first three years of operation with the balance of £2.1 million to arrive in the next few weeks. There was no mechanism for funding from year 4 - the Charter was explicit that funding must be through charges (except for ad hoc reviews or if PRP were to be sued). If the PRP received no applicants, it would take on a 'holding pattern' and scale down its operations.