

PRESS RECOGNITION PANEL
Minutes of the meeting of the Panel with Ken Skates AM
held on 14 July 2015 at National Assembly for Wales, Ty Hywel, Cardiff Bay
Cardiff, Wales CF99 1NA

Present:

From the Welsh Government

Ken Skates, Assembly Member and Deputy Minister for Culture, Sport and Tourism
Hywel Owen, Head of Media Policy, Welsh Government

From the Press Recognition Panel

Dr David Wolfe QC, Chair
Carolyn Regan, Board Member
Susie Uppal, Executive Director
Holly Perry, Head of Governance (taking notes)

Welcome and introductions

1. Ken Skates (KS) welcomed the Panel to the Assembly, and introduced Hywel Owen (HO). The purpose of the meeting was to provide the PRP with an opportunity to provide the Deputy Minister with information on the PRP's work and the current consultation process.
2. Following introductions, David Wolfe (DW) set out that the meeting with the Deputy Minister was one of a series of stakeholder meetings which the Board was holding in order to seek input to how the Panel could give life to the Royal Charter recognition criteria.
3. In terms of timescales, the Panel had now published draft proposals for how it intended to go about the task of receiving and considering applications for recognition. There would be two parts to the documentation: the 29 criteria themselves, as set out in the Royal Charter, and accompanying guidance in the form of proposed indicators and examples of possible evidence. Some criteria were specific, and required little elaboration; others were open to interpretation and needed specificity via guidance. The indicators would assist the PRP in assessing any further applications for recognition.
4. The public consultation would close on 31 July 2015, and the PRP expected to publish the framework and accompanying guidance in final form later in the summer, ahead of 'opening of applications' from press regulators.

5. DW emphasised that the PRP would very much welcome input from the Deputy Minister and officials on the proposals for assessing applications for recognition.
6. DW confirmed that the PRP was hosting a consultation event in Cardiff University later on 14 July, which Hywel Owen would be attending. This was the last of a series of 8 consultation events that had been held across the UK. DW and CR confirmed that so far there had been high levels of engagement from a wide range of people, including individual members of the public who had grievances with the press, commentators and lobbying groups, as well as those from the industry itself. The highest levels of concern had related to the handling of complaints, and the alleged victimisation of those who made such complaints.

Discussions

General points

7. DW stated that the PRP was not in a position to grant conditional approval – only if all 29 criteria were met would a regulator be recognised. If a regulator met 28 of the 29 criteria, it could not be approved – the Charter did not allow for a (lower) assessment of ‘good enough’.

Range of media covered by the Royal Charter

8. In relation to smaller publishers, DW explained that the Panel was cognisant of the issues relating to smaller publishers (including ‘hyperlocals’). Their numbers were in the 100s, and some of these might be considered ‘relevant publishers’ for the purposes of recognition. The benefits of being a member of a recognised regulator was likely to provide benefit to them in the form of removing the threat of court action, and instead diverting complaints to arbitration. This, in turn, would support courageous journalism and provide protection for small publishers and hyperlocals.
9. KS asked whether or not the PRP made a distinction between print and digital output. DW confirmed that the Royal Charter criteria were neutral as to format, and that the PRP intended to establish a framework that was fit for purpose for the full range of regulators (and by implication, publishers), from the very large to the very small. The PRP had a role to cater for publishers of all shapes and sizes, and would not wish to set any barriers. The Panel would approach its task in a way which recognised the issues arising in relation to the full range of relevant publishers, including hyper locals.

10. In response to a question about whether free council newspapers were in scope, DW responded that these were exempted from the definition of 'relevant publisher'.
11. KS asked about a situation of pre- and post- moderating comments. DW responded that the key test was the extent to which the relevant publisher could be sued.

Timetable

12. DW confirmed that the Panel expected to be open for business in mid-September 2015, with publication of the final criteria for recognition and accompanying guidance by the end of August 2015. To date, one regulator had indicated that it intended to apply for recognition (IMPRESS). IPSO, which represented most of the national print media organisations, had publicly stated that it would not apply for recognition. The PRP took a neutral position in relation to whether or not regulators decided to apply for recognition.

Wales specific issues

13. In relation to a question about how the PRP was operating in Wales, DW confirmed that While the Welsh Language Act 1993 did not apply to the Panel, the Panel had nevertheless developed a [Welsh Language Scheme](#) that set out how the Panel intended to give effect to the principle of equality in the services to the public in Wales for which it was responsible. The PRP had produced the current [consultation document in Welsh](#).
14. Following a [meeting](#) with academics at Cardiff University's School of Media and Journalism held in May 2015, it was clear that there was a hub of hyperlocal activity in Wales (there were other parts of the UK where this was also the case, including Birmingham).
15. Hywel Owen explained that there were a number of Welsh language magazines as well as Golwg 360, the Welsh language online daily news site which is supported by the Welsh Government (WG) through the Welsh Books Council. For the avoidance of doubt, DW clarified that the arrangements for recognition were language neutral, and instead were related to the location of publication (UK).
16. KS raised an issue about local authority advertising, and how this was a very real problem for new forms of publication which were seeking to tap into this income stream. Local authorities continued to use the dictionary definition of 'publisher' to determine where to place statutory notices, and smaller, start-up and web-based publishers were looking to break into this market. DW

indicated that while this wasn't an issue that came within the PRP's scope, it did demonstrate the interesting and perhaps peripheral issues which were being raised.

Annual reporting obligation

17. DW confirmed that the Panel would publish its first report on the state of press regulation (as envisaged by the Royal Charter) one year from the date the PRP 'opened for business', so around September 2016. The Panel had already started to consider what its annual report on press regulation might cover. The PRP made a commitment to ensure the report was laid before the National Assembly for Wales, as well as the Scottish Parliament and Houses of Parliament (the PRP was required by the Royal Charter to lay the report before the latter). *Action: HO to provide HP with information about the process for laying reports before the National Assembly for Wales.*

The Deputy Minister left the meeting at this stage to attend the First Minister's questions in the Senedd chamber

Other questions of specific interest to Wales

18. HO asked whether the PRP had identified any issues or areas that ought to be of particular interest to the Welsh Government. DW confirmed that at the meeting in May at Cardiff University, issues around the decline of print media, emerging media blackspots and the impact on media plurality had been raised. HO added that most people in Wales read the mainstream national press, which was generally not published in Wales, and did not report on issues in Wales or from a Wales perspective, which added to concerns.
19. HO reported that there been a call by some to devolve some aspects of broadcasting especially S4C. The Welsh Government had emphasised that there were risks with regard to the devolution of S4C, potentially as a result of the changes to the way the BBC would be funded after 2017, following Charter Renewal. Therefore, any change on this would have to be conditional on very strong safeguards about the continued overall funding of S4C.
20. The Welsh Government wished to improve the accountability of broadcasters as well as Ofcom to the National Assembly and to Welsh viewers and listeners. In the St David's Day Command Paper the UK Government agreed that this should be done by conferring a power on Welsh Ministers to appoint one member of the Ofcom board who would be capable of representing the interests of Wales. The Welsh Ministers would be required to consult the Secretary of State before making the appointment. Currently the Welsh Government had no role in relation to Ofcom appointments. Although DCMS

led on appointments to the S4C Authority and the BBC Trust Member for Wales, Welsh Ministers had traditionally been consulted on these appointments and the Welsh Government has been represented on the selection panel. It was noted that the First Minister was very interested in broadcasting issues, and now had Welsh language as part of his personal portfolio.

21. DW explained that while broadcasting was a boundary matter for the PRP, it was not an area within the PRP's scope.
22. In relation to four nation issues more generally, DW reported that there were different issues arising within Northern Ireland and Scotland, and that a recent meeting between the PRP and Scottish Office officials had been helpful.

Closing comments

23. DW concluded the session by inviting WG and officials to submit additional information as they wished. DW thanked the Deputy Minister and staff for hosting the meeting and for offering such important insights at a critical time for the Panel. It was hoped that the dialogue would continue.