

**1 In your opinion, has the new system for overseeing press regulation in the UK been a success or failure so far? Please explain your reasons.**

It has been a failure.

Trans Media Watch deals with a number of enquiries about pieces published in the press which focus on trans and intersex people, as well as general discussions around issues affecting trans and intersex people. A number of publications produce such pieces, and it is not always clear which regulator complaints can be made to, or even if a complaint can be made at all.

We have noticed a trend towards pieces not naming individuals, but discussing trans and intersex identities in ways that would not be tolerated with regards to race, religion or disability. Trans people are protected under the Equality Act 2010, although the Law Commission recently proposed that protection under hate crime legislation in England and Wales is not extended to trans people – hate crime legislation in Scotland does cover trans people. IPSO and its predecessor, the PCC, reject complaints which do not name or identify specific trans people, so there is no redress for such pieces other than Scottish courts. The recent review of the Editors’ Code rejected our submission to strengthen it by allowing complaints about such pieces. Because IPSO is not covered by the Press Regulation Panel, and has indicated no desire to come under such cover, there is no overseer to raise this with.

IPSO deciding to not seek recognition is concerning, as it has a large number of publishers subscribing to it. We would like to remind the Panel that Lord Justice Leveson anticipated that some of the press would be unwilling to participate in effective regulation, in which case he recommended that *“Government should be ready to consider the need for a statutory backstop regulator being established, to ensure, at the least, that the press are subject to regulation that would require the fullest compliance with the criminal and civil law, if not also to ensure consequences equivalent to those that would flow from an independent self-regulatory system.”*

**2 For publishers, joining an approved regulator is voluntary. For regulators, applying for Charter recognition is voluntary. In your opinion, what factors or issues will affect regulators’ and publishers’ decisions when they consider these choices.**

At the moment, section 40 of the Crime and Courts Act 2013 has not been commenced. This provides the “carrot” to join a recognised regulator, and is key for the regulation process envisaged by Lord Justice Leveson, as it can restrict the costs to which a publisher is liable, and significantly reduces (or even eliminates) the costs to a complainant.

It is clear that the Secretary of State for Culture, Media and Sport and, by extension, the Prime Minister have no desire to commence this part of the Act, despite it passing both Houses of Parliament and receiving Royal Assent.

**About you**

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How are you responding?	For an organisation Third sector or campaigning organisation