

Response to requests for information

- 1) The PRP Executive have produced this document to enable the Board to respond to requests from stakeholders for more information in relation to suggestions that IPSO meets the requirements of the Royal Charter. It is not a formal assessment, let alone by the PRP Board, not least because as explained below, a lot of the information needed to assess key matters does not appear to be in the public domain.
- 2) It is in any event, key to recall that there are many publishers including many significant print and on-line publications (e.g. FT, Guardian, HuffPost, Bloomberg, BuzzFeed) that do not belong to either IMPRESS or IPSO.
- 3) The Charter lists the 29 requirements that must all be met in order for a press regulator to be recognised as being independent, properly funded, able to protect the public and secure freedom of speech. They operate as a complete package with clear cross-cutting requirements such as for an openly and independently appointed board.
- 4) However, even a cursory consideration of IPSO's present arrangements shows that it does not meet the requirements of the Charter; or that the information is simply not in the public domain which would enable a properly informed view to be reached. What follows are comments on some of those matters.

Arbitration

- 5) On 1 May 2018, IPSO announced 'that it is creating a compulsory version of its low cost arbitration scheme'. We understand that the new scheme will be compulsory only for those of its national newspaper members which opt-in. It is not possible to tell with the detail currently available whether the scheme would meet the Charter requirements even in relation to those publications which opt-in.
- 6) Based on the information available, IPSO's arbitration scheme is not currently Charter compliant.

Independence

- 7) The Charter sets out a number of requirements in relation to the independence of board member appointments, including to openness and fairness. We are unable to find sufficient information to assess this.

Funding and financial matters

- 8) The Charter requires regulators to be open and transparent about their funding. There is insufficient information available for the PRP to make even an informal assessment against this criterion. In relation to IMPRESS, the PRP had access to, and assessed, a considerable amount of detail related its funding and that information was also made publicly available for others to review and provide feedback on.
- 9) The Charter requires a press regulator to establish a ring-fenced enforcement fund, into which receipts from financial sanctions could be paid, for the purpose of funding investigations. According to the information available to us, this criterion is not currently met.

Powers

- 10) The Charter requires a press regulator's standards code to ultimately be the responsibility of, and adopted by, the Board, advised by a Code Committee which may comprise both independent members of the Board and serving editors. Based on the information available to us, this criterion is not currently met.
- 11) The Charter sets out clear requirements for a regulator's complaints procedures. There is not currently enough information available to enable the PRP to assess the effectiveness and credibility of IPSO's systems.
- 12) The Charter requires an approved regulator to have the ability to conduct investigations on its own initiative if there is evidence of serious or systemic breaches of its standards code. This criterion is not currently met. According to published information, IPSO can only initiate investigations if there is evidence of serious and systemic breaches of its standards code. The minimum requirement for public protection is not currently met.

Sanctions and remedies

- 13) The Charter sets out the sanctions and remedies that should be available to available to a regulator. In relation to complaints, a regulator should have the power to direct appropriate remedial action for breach of standards and the publication of corrections and apologies. In addition, the power to direct the nature, extent and placement of apologies should lie with the board.
- 14) Based on the information available to us, these criteria are not currently met. IPSO does not have the power to direct apologies.