

HACKEDOFF

THE CAMPAIGN FOR A FREE + ACCOUNTABLE PRESS

5th March 2019

Dear Dr Wolfe,

Hacked Off welcome the Panel's latest annual State of Recognition Report. Our full reaction is included below.

We would be grateful however for clarification in respect of two points.

Firstly, in your Chair's introduction to the Report, I note the following:

"The recognition system does not currently cover all significant relevant publishers. We note however that the existence of the PRP, the existence of the Charter and having section 40 remain on the on the statute books has led to some limited improvements in standards."

Could you explain the basis for your view that there has been any improvement, however limited, in standards? Other than IPSO's arbitration system, referred to below, the report does not give any examples to support this claim.

Secondly, regarding IPSO's arbitration scheme, you say:

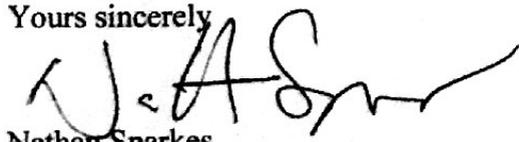
"For example, although IPSO runs a voluntary arbitration scheme, it has introduced a compulsory version for some publishers, which provides increased public safeguards."

It is not our understanding that the IPSO scheme is "compulsory" in any meaningful sense.

1. As you acknowledge, the so-called "compulsory" element only applies to some publishers. Indeed it can be signed up to or declined. It is not a condition of membership; therefore it cannot be said to be compulsory.
2. The Scheme Membership Agreement on IPSO's website is very clear that the scheme is optional for publishers:
No PGRE shall be obliged to participate in the Arbitration Service. (Para 5.4).

Is there any substantial evidence that there is a truly compulsory arbitration scheme being run by IPSO for all or for a specific class of publisher?

Yours sincerely



Nathan Sparkes

Policy Manager, Hacked Off

PRP Report finds IPSO fails Leveson tests; calls for access to justice for media claimants

12 February 2019

The Press Recognition Panel has today published its annual report considering the success of the recognition system, which certifies press regulators as independent and effective.

Participation in the recognition system is incentivized by protections on political interference in press regulation and a provision which makes legal claims far cheaper to defend for newspapers within the system. Most newspapers have instead persisted with membership of IPSO; a body which is subject to political interference, while the Government have refused to implement the costs-shifting provision that can help newspapers defend against legal claims.

The report found:

1. The recognition system has still not been brought into effect; it has been frustrated by the Government's interventions in press regulation, such as to block the access to justice incentive;
2. IPSO, the industry association most publishers are members of, fails the Leveson criteria for independence and effectiveness;
3. The Government should introduce Leveson's access to justice measure immediately, and the system should be given a chance to work.

Commenting, Hacked Off Director Kyle Taylor stated:

"The recognition system is the only way to ensure that newspaper regulation is free from political interference so that journalists can do their jobs without hindrance and that the public are protected from press misconduct.

"The Panel's report today confirms what we already knew: IPSO falls hopelessly short of the requirements for recognition. A politician exercises a veto over rule changes, its standards are written by editors and in the last five years it hasn't managed a single fine or investigation.

"IPSO is having a corrosive effect on freedom of expression in our country, by failing to be a check on fake news and allowing a politician influence over press regulation. This poses a grave and immediate danger to democracy itself, which relies on a free and accountable press to function."

"The Government should listen to the Panel's recommendations and introduce access to justice for media claimants immediately so that we can restore faith in journalism once again."