PRP INDEPENDENTLY OVERSEEING PRESS REGULATION

# BOARD PAPERS

**79th Press Recognition Panel Board Meeting**

**Tuesday 22 October 2024**

PRP INDEPENDENTLY OVERSEEING PRESS REGULATION

# PRESS RECOGNITION PANEL BOARD MEETING

79th Meeting of the Press Recognition Panel
14:00 - 17:00 on Tuesday 22 October 2024
Mappin House, 4 Winsley Street London W1W 8HF

## AGENDA

| | | | Indicative timings |
|---|---|---|---|
| | **Public session** | | |
| 1. | **Welcome** | Chair | 14:00 |
| 2. | **Apologies for absence** | Chair | 14:00 |
| 3. | **Declarations of interest** | Chair | 14:00 |
| 4. | **Minutes of the meeting held on 3 September 2024 outstanding actions and matters arising**<br>*For noting* | Chair | 14:00 – 14:05 |
| 5. | **Chief Executive's reports – September & October 2024**<br>Paper PRP25(24) and PRP30(24)<br>*For noting* | SU | 14:05 – 14:10 |
| 6. | **Finance report – September 2024**<br>Paper PRP26(24)<br>*For noting* | SU/JS2 | 14:10 – 14:15 |
| 7. | **Any other business and close of public session**<br>*Including comments from the floor* | Chair | 14:15 – 14:20 |
| | **Confidential session** | | |
| 8. | **Minutes of the meeting held on 3 September 2024, outstanding actions and matters arising**<br>*For noting* | Chair | 14:20 – 14:25 |
| 9. | **Chief Executive's report – September & October 2024**<br>Paper PRP25(24) and PRP30(24)<br>*For noting* | SU | 14:25 – 14:30 |
| 10. | **Finance report - September 2024**<br>Paper PRP26(24)<br>*For noting* | SU/JS2 | 14:30 – 14:35 |
| 11. | **Draft SORR planning**<br>Paper PRP27(24) | SU | 14:35: - 15:00 |

*For decision*

| | | | |
|---|---|---|---|
| **12.** | **Risk Register Review**<br>Paper PRP28(24)<br>*For discussion* | SU | 15:00 – 15:05 |
| **13.** | **Forward plan**<br>Paper PRP29(24)<br>*For noting* | SU | 15:05 – 15:10 |
| **14.** | **Any other business and close of meeting** | Chair | 15:10 – 15:20 |

Date and time of next meeting: Tuesday 10 December 2024 10:00 – 13:00
Location: Mappin House, 4 Winsley Street London W1W 8HF

**PRESS RECOGNITION PANEL**

**Minutes of the 78th Meeting of the Press Recognition Panel Board**

**Tuesday 3 September 2024, 10:00 – 13:00**

**Held at Mappin House, 4 Winsley Street, London W1W 8HF**

**Present:** Kathryn Cearns (Chair), Suzanne Rab, Mark Williams, Annie Mullins (joined online), Zahera Harb, Hayley Stallard, Chris Waiting and Harry Rich

**In attendance:** Susie Uppal, John Speed and Hal Briggs

## BOARD MEETING — PUBLIC SESSION

### Welcome and Opening

1. The Chair welcomed the Members and attendees to the 78th meeting of the Press Recognition Panel (PRP) and opened the meeting at 10:00.

### Apologies for absence

2. None.

### Declaration of member's interests

3. None noted.

### Matters of the meeting held 23 April 2024, outstanding actions and matters arising

4. The minutes of the meeting held on 11 June were **noted** as being factually correct. The Chair **agreed** to sign a copy of the minutes as a correct record.

### Draft Annual Report and Accounts 2023/24

5. The Chair of ARC presented the final draft Annual Report and Financial statements for year ended 31 March 2024 and confirmed that the NAO found no indication of management override was identified, and that the NAO anticipate recommending to the Comptroller and Auditor General that he should certify the 2023/24 financial statements with an unqualified audit opinion on the 9 September 2024.

6. The Board unanimously **agreed** to adopt the report. The Chair stated that if any further substantive changes were recommended by the C&AG following submission for certification they would be brought back to Board for discussion and decision. The Chair of ARC and the PRP Chair on behalf of the Board thanked the Executive, JS2 and the NAO team.

**Chief Executives Reports June, July and August 2024**

Papers PRP18(24) and PRP19(24)

7. The Board **noted** the contents of the Chief Executives reports for June, July and August 2024 and papers with thanks.

8. The Chief Executive informed the Board that contract have been renewed with Metatale Limited, the provider of monitoring and reporting services and SPACES, for the provision of the PRPs shared office at Mappin House.

9. The Chief Executive informed the Board that following on from the publication of the Press Intrusion report published and issued by the PRP on the 28 August 2024, the report was picked up by the BBC Newsnight programme and featured Mandy Garner and Christine Flack who both shared their experiences as case studies in the PRPs report.

**Finance Report August 2024**

Paper PRP20(24)

10. The Board **noted** the contents of the Finance report and supporting annex for the period ending 31 July 2024.

**Independent Chair of ARC – Reappointment**

Paper PRP21(24)

11. The Chair **noted** the paper and proposed extending Harry Richs term as Chair of ARC to the Board.

12. The Board **agreed** that by extending the appointment it provides flexibility and stability to the board. The Board unanimously **agreed** to extend the Chair of ARCs term for a further year.

13. The Chair **asked** the Executive to review and update the Terms of Reference.

**Any other business**

14. None raised.

15. The Chair closed the public session at 11:00.

**BOARD MEETING — CONFIDENTIAL SESSION**

**Matters of the meeting held 11 June 2024, outstanding actions and matters arising**

16. The minutes of the meeting held on 11 June 2024 were **noted** as being factually correct. The Chair agreed to sign a copy of the minutes as a correct record.

**Chief Executives Reports June, July and August 2024**

Papers PRP18(24) and PRP19(24)

17. The Board **noted** the contents of the Chief Executives reports for June, July and August 2024 and papers with thanks.

18. Redacted

19. Redacted

20. Redacted

**Finance Report August 2024**

Paper PRP20(24)

21. The Board **noted** the contents of the Finance report and supporting annex for the period ending 31 July 2024.

**Draft Annual Report and Accounts 2023/24**

Paper PRP22(24)

22. Redacted

23. Redacted

24. Redacted

**Draft SORR planning**

Paper PRP23(24)

25. Redacted

**Forward Plan**

26. The Board **noted** and **agreed** with the matters being brought forward for October and December 2024.

**Any other business**

27. The Board reviewed and agreed the board meeting schedule for 2025.

**Date and time of the next meeting**

28. The next scheduled meeting of the Board will take place at 10:00 on Tuesday 22 October 2024 at Mappin House.

**Meeting close**

29. The Chair closed the meeting at 12:30.

Drafted: Halina Briggs, PRP Executive Administration Manager

Signed: Kathryn Cearns, the Chair

# CE Report and Papers

# September 2024

PRP25(24)

## PRESS RECOGNITION PANEL BOARD

### Chief Executive's Report — September 2024

| | |
|---|---|
| **By email: 1 October 2024** | **Status:** For noting |
| **Lead responsibility:**<br>Susie Uppal, Chief Executive | **Contact details:**<br>contact@pressrecognitionpanel.org.uk |

### Purpose

1. The purpose of this paper is to provide an update to the Board on executive activity since the August 2024 report.
2. The Board is invited to note the contents of the Chief Executive's report and note the latest position regarding the PRP's finances.

### Executive Summary and Board Matters

3. The Board is being updated in respect of organisational matters.

**Finance**

4. A bank-reconciled set of management accounts as at 31 August 2024 is attached at Annex A. The management accounts also include the original budget for the year to March 2025.

5. The deficit for the period to date is £28,465 against a year to date budget deficit of £58,258. This represents a positive variance of £29,793 compared to the year to date forecast, this is largely due to a year to date underspend on Executive costs which is expected to narrow later in the year.

### Operational Updates

**Annual Accounts and Financial Statements 2023/24**

6. The Annual Report and Financial Statements for the year ended 31 March 2024 was laid in the Houses of Parliament and Scottish Parliament on the 10 September 2024. Electronic copies were provided to the libraries of the Northen Ireland Assembly and Welsh Parliament. A copy was published on our website.

**Communications**

7. The Chair wrote to Lord Faulks on the 1 August in reply to his letter of 30 July. Copies of the correspondence, along with the Chairs original letter are attached as Annex B.
8. On 28 August 2024, the Chair wrote to stakeholders regarding the PRP's Press Intrusion and Regulation research report, highlighting the continuing failure of the current regulatory system and the damage still being done in the pursuit of headlines at the expense of ordinary people. With so many new Parliamentarians since the General Election, the letter also introduced the PRP for those who may not be as aware of it, a copy of a sample letter is attached as Annex C.

9. The report was featured in a high-profile segment on BBC Newsnight on 28 August 2024. Host Victoria Derbyshire interviewed Christine Flack and Mandy Garner, the mothers of Caroline Flack and Anisha Vidal-Garner, about their experiences of press intrusion. BBC Newsnight posted two clips on X following the interview which have been viewed almost 100,000 times with hundreds people engaging with the post, liking and reposting.

10. PRP posts on X about the Press Intrusion report has been seen over 3,000 times and received many likes and reposts, including from Impress, Media Reform Coalition, Mandy Garner, and Peter Jukes. There were separate posts about the report and its case studies from Impress, Hacked Off, and Media Reform Coalition.

11. Two LinkedIn posts from the PRP about the Press Intrusion report and the BBC Newsnight story were seen over 500 times and saw over 60 engagements. A post from Jonathan Heawood referencing and linking to the report also saw significant engagement.

12. The Chair and I met with Paul Dadge on 12 September. At the meeting we discussed his experiences with the press phone hacking and his work to highlight the ongoing problems since then.

13. Redacted

**IMPRESS**

14. Redacted

**External Matters Update**

15. Annex E includes an update on key external matters relevant to our work.

**Devolved Nations**

16. There are no implications/differences in relation to the areas of work covered in this paper and the devolved nations.

**Communications**

17. There are no other issues to report which have communications implications, so far as I am aware.

**Risks**

18. There are a range of risks involved in the areas of work covered in this paper.

19. The repeal of Section 40 represented a risk to the wider Recognition System. Without a suitable alternative being put in place, there will continue to be no advantage for news publishers to join an Approved Regulator. This means that there is little prospect that the Recognition System can gain sufficient traction with the industry to work as intended and the public will not be protected from press harm.

**Recommendations**

20. The Board is asked to note the contents of the Chief Executive's report.

**Attachments**

Annex A: Management Accounts August 2024
Annex B: Copies of Lord Faulks letters
Annex C: Copy of sample letter issued 28 August 2024
Annex D: Redacted
Annex E: External matters update

## Press Recognition Panel
### Period ended 31st August 2024

| | 5 months to Aug 2024 | | | | Full year to March 2025 |
|---|---|---|---|---|---|
| | Actual £ | Budget £ | Variance £ | | Budget £ |
| **Income** | | | | | |
| Subscription fees | 115,603 | 115,603 | - | | 281,238 |
| Bank interest | 24,384 | 23,333 | (1,051) | | 56,000 |
| **Total Income** | **139,987** | **138,936** | **(1,051)** | | **337,238** |
| **Expenditure** | | | | | |
| **Board and Committee costs** | | | | | |
| Salaries & NIC | 29,528 | 34,890 | (5,362) | | 81,930 |
| Travel & Subsistence | 790 | 570 | 220 | | 1,270 |
| Other costs | - | 2,000 | (2,000) | Board day budgeted in July | 2,000 |
| **Total Board and Committee Costs** | **30,318** | **37,460** | **(7,142)** | | **85,200** |
| **Communications** | | | | | |
| Publications | - | - | - | | 3,800 |
| Communications tools | 1,014 | 1,500 | (486) | | 4,500 |
| Website and Upgrades | 1,004 | 1,713 | (709) | | 2,516 |
| **Total Communications Costs** | **2,018** | **3,213** | **(1,195)** | | **10,816** |
| **Other costs** | | | | | |
| Executive team costs | 81,946 | 100,515 | (18,569) | Executive costs not yet incurred | 260,279 |
| HR & Recruitment | 15,000 | 15,717 | (717) | | 17,057 |
| Strategic research | 15,000 | 15,000 | - | | 40,000 |
| Office costs | 2,750 | 3,283 | (533) | | 8,097 |
| Meeting rooms | 2,753 | 4,500 | (1,747) | Provision for meeting rooms (for recruitment) not utilised | 9,500 |
| Travel & Subsistence | 483 | 600 | (117) | | 1,440 |
| IT Hardware | - | 1,600 | (1,600) | IT cost allowance not yet utilised | 1,600 |
| Information Technology | 2,988 | 3,440 | (452) | | 7,920 |
| Accountancy | 7,910 | 8,006 | (96) | | 25,939 |
| Audit Fees | - | - | - | | 15,000 |
| Printing & Stationery | 27 | 100 | (73) | | 1,480 |
| Insurance | 2,082 | 1,806 | 276 | | 4,909 |
| Legal | 2,640 | - | 2,640 | Legal fees not budgeted until later in the year | 10,000 |
| Subscriptions & publications | 2,414 | 1,904 | 510 | | 4,636 |
| Finance charges | 113 | 50 | 63 | | 180 |
| Sundry expenses | 10 | - | 10 | | 10,640 |
| | **136,116** | **156,521** | **(20,405)** | | **418,676** |
| **Total Expenditure** | **168,452** | **197,194** | **(28,742)** | | **514,692** |
| **Surplus / (Deficit) for the period** | **(28,465)** | **(58,258)** | **29,793** | | **(177,453)** |
| **Reserves Bfwd** | **1,564,303** | **1,564,303** | | | |
| **Reserves Cfwd** | **1,535,838** | **1,506,045** | | | |

# Press Recognition Panel
## Period ended 31st August 2024

| | Aug-24 | | Mar-24 | |
|---|---|---|---|---|
| | £ | £ | £ | £ |
| **Current Assets** | | | | |
| Current account | 338,860 | | 70,606 | |
| Fixed term deposit accounts | 1,008,957 | | 1,004,293 | |
| Deposit account | 255,291 | | 252,474 | |
| Cash at bank | | 1,603,108 | | 1,327,373 |
| Prepayments | 4,642 | | 8,337 | |
| Accrued Income | 14,038 | | 433,514 | |
| Third Party Deposit | 911 | | 911 | |
| **Sundry debtors** | | 19,591 | | 442,762 |
| **Creditors: amounts falling due within one year** | | | | |
| Trade creditors | 1,103 | | 3,220 | |
| Deferred income | 48,357 | | 163,960 | |
| Social security and other taxes | 5,780 | | 6,267 | |
| Pensions | 2,602 | | 3,166 | |
| Sundry creditors and accruals | 29,019 | | 29,219 | |
| | | 86,861 | | 205,832 |
| **Net Current Assets** | | **1,535,838** | | **1,564,303** |
| **Net Assets** | | **1,535,838** | | **1,564,303** |
| **Funds brought forward** | | | | |
| Funds bought forward at 31 March | | 1,564,303 | | 820,488 |
| (Deficit)/ surplus for the period | | (28,465) | | 743,815 |
| | | **1,535,838** | | **1,564,303** |

Press Recognition Panel
Mappin House
4 Winsley Street
London W1W 8HF

Annex A to PRP25(24)

The Lord Faulks KC
Chair

16 July 2024

Dear Lord Faulks KC

**The Media Act 2024**

Following the passage of the Media Act, I wanted to write in response to some of the comments you made at Committee Stage.

As you know, part of our role, mandated in the Royal Charter on Self-Regulation of the Press, is to report on any success or failure of the recognition system. Given some of the arguments being presented by the Government, and reported by sections of the press, regarding the repeal of Section 40 of the Crime and Courts Act 2013 ('Section 40'), as the independent body with responsibility for the oversight of the recognition system, it is incumbent upon us to ensure that both Parliament and the public are not misled. Contrary to standing back from the fray, our role is explicit in this regard.

While we have reached a different view than Sir Bill Jeffrey's on a range of the conclusions presented in his review of IPSO, we share some of his, and indeed Sir Joseph Pilling's, more significant concerns. These include the:

- lack of transparency regarding how IPSO's funding is agreed annually with the Regulatory Funding Company and the lack of a robust, longer-term (quinquennial) funding arrangement
- lack of a power to direct an apology
- lack of ownership over the standards code which IPSO is required to enforce
- challenges and constraints faced by IPSO with implementing effective remedies in an increasingly digital world where stories can persist online
- to date, apparent reluctance to initiate a standards investigation or issue a fine.

Our objective is only to ensure that an effective system of press self-regulation operates to both protect the public and safeguard freedom of speech of news publishers. The matters identified above, amongst others, represent a significant impediment to IPSO's ability to act as a press self-regulatory body.

I know that you have put a plan in place to address Sir Bill Jeffrey's recommendations in so far as you are able to. However, as I know you are acutely aware, the regulations establishing IPSO impose or imply many constraints on you and I know that only some of the matters listed above are within IPSO's ability to address. Consequently, we also agree with Sir Bill Jeffrey that a review of IPSO's regulations is overdue.

If it would be helpful, we would be very happy to meet and discuss these matters further. Particularly now that Section 40 has been repealed, the need for current standards and complaints systems to be enhanced is becoming increasingly pressing.

Yours sincerely,

Kathryn Cearns
Chair
Press Recognition Panel
Mappin House
4 Winsley Street
London
W1W 8HF
Weblink: *PRESS RECOGNITION PANEL*

ipso. independent press standards organisation

Ms Kathryn Cearns
Chair, Press Recognition Panel

30 July 2024

Dear Ms. Cearns

Many thanks for your letter of 16th July.

I am concerned at the possible implication that I misled parliament during the debate on the above.

This is a serious allegation, and I would be grateful if you could be specific.

I would never seek to abuse parliamentary privilege in the way you appear to suggest.

I note that you part company with some of Sir Bill Jeffrey's conclusions.

I think I understand you to accept them when critical and reject them when complimentary.

IPSO shares with you a desire to ensure an effective system of press regulation.

But the briefing you provided to parliamentarians and your letter makes it clear that you do not consider that IPSO can provide this.

We do not agree.

Given such a difference of opinion, I am not clear what purpose would be gained from a meeting. Perhaps you might explain what benefit you believe there might be in opening such a dialogue.

Yours Sincerely

Edward Faulks

Edward (Lord) Faulks
Chairman

Press Recognition Panel
Mappin House
4 Winsley Street
London W1W 8HF

The Lord Faulks KC
Chair

Dear Lord Faulks KC

Thanks for your letter of 30 July 2024.

1 August 2024

You are misreading my letter. As I said in my letter of 16 July 2024 a number of arguments were presented by the Government and subsequently reported by sections of the press regarding the repeal of Section 40 of the Crime and Courts Act 2013 which mischaracterised Section 40 and were in some instances factually incorrect. I am not sure how you have reached the conclusion that this meant I was saying that you personally misled Parliament.

We have written directly to, amongst others, former Government Ministers in both Houses of Parliament who made such claims, to correct the record and provide specific examples. The purpose of my letter to you, in response to your statement in Parliament that we should "stand back from the fray" was to clarify that we have an explicit responsibility, set out in the Royal Charter, to ensure Parliament and the Public are fully informed regarding the successes and failures of the Recognition System.

Turning to the purpose of any potential meeting, as you will have seen in our briefing note, the core of our concerns relate to IPSO's structure and echo your own reviews of governance. IPSO is uniquely placed given its membership to advance independent press self-regulation but cannot demonstrate that it meets the criteria for an independent press self-regulator as envisaged by the recommendations of the Leveson Inquiry and the Recognition Criteria in the Royal Charter. Reviewing IPSO's regulations to identify those areas which are contrary to the Recognition Criteria in order to develop proposals for change could address many these issues. We would always welcome the opportunity to discuss the prospect of such a review further in pursuit of our shared ambition to ensure an effective system of independent press self-regulation.

Yours sincerely,

Kathryn Cearns

Kathryn Cearns
Chair
Press Recognition Panel
Mappin House
4 Winsley Street
London
W1W 8HF

PRP

INDEPENDENTLY OVERSEEING PRESS REGULATION

Dear (NAME)

**Press Intrusion and Regulation**

The Press Recognition Panel (PRP) is responsible for overseeing the system of independent press self-regulation in the UK (known as the Recognition System). One of our obligations, set out in the Royal Charter on self-regulation of the press, is to report to Parliament on any successes and failures of the Recognition System. As part of this role, we commissioned qualitative research into the impact of press intrusion on ordinary people.

**Press Intrusion and Regulation ReP-ort 2024**

The full report, published today, shows that, nearly 12 years after the publication of the landmark Leveson Inquiry report into the culture, practices and ethics of the newspaper industry in the UK, many ordinary people are still suffering at the hands of the press and are being denied justice. At the same time, key reforms intended to strengthen press self-regulation by ensuring that news publishers can be held accountable whether they participate in independent press self-regulation or not have been rolled back.

The report highlights the damage that can be done in the pursuit of headlines at the expense of ordinary people, including:

- Parents learning of the death of a child from journalists doorstepping them;
- A mother seeing the tragic last moments of her daughter's life posted as a shocking video "exclusive" on a news publisher's website;
- A 14-year-old boy being doorstepped and informed about the death of his 19-year-old brother before their parents had been told if he was still alive;
- A journalist 'undercover' secretly filming in the home of a small business owner, including filming a primary school-aged child in his underwear, failing to find any evidence but running the story anyway and causing significant mental health and financial consequences;
- A mother followed around London by journalists trying to find out where her TV presenter daughter, who later took her own life after years of ongoing harassment by the press, was living;

- False or misleading allegations destroying people's lives and job prospects.

These individuals and others quoted in the report all highlight the continuing failure of the current regulatory system, largely based around the Independent Press Standards Organisation (IPSO). IPSO was established to replace the Press Complaints Commission (PCC) in response to criticisms of the PCC in the Leveson Inquiry. IPSO was advertised as a 'tough new regulator' but, in fact, replicates many of the structural issues that undermined the independence and effectiveness of the PCC and does not meet the recommendations of the Leveson Inquiry.

While there is an effective press self-regulator which meets the criteria for independence and impartiality, called Impress, the majority of news publishers, including all major national titles, have failed to engage with the Leveson Inquiry's recommendations, instead joining IPSO, or running their own in-house standards and complaints processes.

The cases presented in this report highlight that victims of press intrusion are often unaware of the availability of self-regulatory organisations and forms of redress other than costly legal action. There is also evidence to suggest that the processes of dealing with complaints outside of the Recognition System are open to bureaucratic and administrative loopholes to evade swift and effective redress and disproportionately favour press organisations over the public.

Action is urgently required to make the system of independent press self-regulation envisaged by the Leveson Inquiry work as intended before another scandal emerges. Victims of press harm and intrusion deserve justice.

I hope you find our latest research report helpful, and if you would like to discuss these matters in more detail, my team and I would be very happy to meet or have a telephone call.

Yours sincerely,

Kathryn Cearns

Kathryn Cearns OBE
Chair
Press Recognition Panel

T: 020 3443 7072
E: kcearns@pressrecognitionpanel.org.uk

**Update on key external matters**

1. The update on key external matters is a research-informed piece based on a sample of information available in the public domain.

**Commercial Landscape**

2. Press Gazette reported that the Daily Star Sunday now has a smaller circulation than the free City AM for the first time. The average Daily Star Sunday weekly circulation fell by 2% month-on-month and 16% year-on-year in August to 66,994. London-only title City AM stayed steady compared to July and grew by 5% compared to August last year, with an average of 68,144 on Mondays to Thursdays. The majority of the paid-for newspapers in Press Gazette's monthly ABC circulation round-up saw a double-digit year-on-year drop in August, led by the Sunday People, which was down 20% to 51,961. The only paid-for newspaper not to fall on an annual basis was the Financial Times, which stayed steady on 104,826.

3. As reported by Press Gazette, circulation of the UK's regional daily newspapers was down by an average of 17% year-on-year in the first half of 2024. This was a slower rate of decline than in the same period a year ago when the regional dailies audited by ABC were down by an average of 20%. Excluding digital editions, the average print circulation decline in the first half of this year was 16%. Digital editions were steady, going from an average of 11,699 (all paid subscriptions) across ten newspapers in the first half of 2023 to 11,659 this year. These figures compare with an average monthly audience growth of 33% year-on-year among the top 78 regional news websites in the UK in July, according to Ipsos iris data, as well as a 12% growth in monthly audience minutes.

4. Sky News has moved from sixth to third place in Press Gazette's monthly ranking of the biggest news websites in the UK in July, reporting a month-on-month growth of 10% and year-on-year growth of 22% for a monthly audience of 22.7m people. It was behind only the BBC on 40.3m (up 3% month-on-month and 6% year-on-year) and the Sun on 23.7m (up 1% compared to June and down 2% compared to July 2023). Mail Online (22.2m) returned to fourth place ahead of the Mirror (22.1m). Sky News and the Guardian (22m) were both up 10% month-on-month, while on an annual basis the Telegraph (18.3m) was up 32%.

5. HoldTheFrontPage reported that regional publisher Newsquest has announced it has reached the milestone of 100,000 paying digital subscribers four years after launching soft paywalls on some of its websites. The publisher has recorded 101,109 digital subscribers, with its websites also achieving record audience figures with 187m page views in August. Newsquest launched soft paywalls on some of its larger local news sites in 2022, with online visitors typically able to read up to 30 stories a month before paying. Digital subscriptions include access to all content in an ad-light environment as well as an e-edition of the print paper

and, in some cases, subscriber-only newsletters. The company says its revenue from digital subscribers now stands at more than £500,000 a month.

6. BBC News reported that the Spectator has been sold for £100m to Sir Paul Marshall, a hedge fund manager and major investor in GB News. The Telegraph newspapers remain for sale, and Sir Paul is also in the running to buy those. Others thought to be among the bidders include Rupert Murdoch's News UK and former chancellor Nadhim Zahawi. After the deal was announced, Spectator chairman Andrew Neil said he would resign with immediate effect, having previously stated that hedge funds should not be allowed to own news publications because of the risk of conflict of interest.

7. Press Gazette reported that Guardian Media Group is considering a sale of the Observer to Tortoise Media. The company reported a fall in revenue for the year to 31 March 2024 after a four-year growth streak, although digital reader revenues were up by 8%. The publisher said the 2.5% year-on-year drop to revenue of £257.8m reflected a "market slowdown in advertising and sustained structural pressures on print". Tortoise Media, run by former Times editor James Harding, is in talks to buy the Observer after approaching with "an offer that was significant enough to look at in more detail". Tortoise plans to invest £25m over the next five years in the title.

8. As reported by the Guardian, Gary Jones has exited the role of editor of the Daily and Sunday Express. His departure follows that of senior editorial executives, including the Daily Mirror editor Alison Phillips and the group editor-in-chief Lloyd Embley. Reach has undertaken the biggest annual reduction in jobs in the newspaper industry for decades, axing 800 roles in the past year to cut costs.

9. Press Gazette reported that City AM will take up the vacant spots in the Evening Standard's distribution network across London when the latter paper launches its new weekly edition. City AM will be available from 6am on Mondays to Thursdays, having dropped its Friday edition last year. The new-look weekly edition of The London Standard, as it will be renamed, will then be distributed from 4pm on Thursday afternoons starting on 26 September and be available until Monday morning each week. City AM will continue to distribute about 70,000 copies per edition. The London Standard will drop its distribution from an average of 276,885 copies each weekday to 150,000 copies per week.

**Academic**

10. Ofcom research has shown that television is no longer the single main source of news for UK adults, with online sites and apps now as popular as TV news for the first time. TV has been considered the leading source of UK news since the 1960s, but Ofcom's annual study into how we access news shows that 71% of adults now do so online, compared to 70% for TV. More than half of UK adults (52%) now use platforms such as Facebook, YouTube, and Instagram to access news, up from 47% in 2023. The reach of TV news fell sharply from 75% to 70%

last year. Going online is the most popular way for younger people to access news (88% of 16–24-year-olds). Over half (54%) of people aged 55+ find news online – up from 45% in 2018 – with most navigating directly to news websites. Only 28% access news via social media, significantly lower than 16-24s at 82%. Despite this trend towards online news sources, TV remains the leading platform for news among older age groups (85%), compared to only half of 16-24s (49%).

**Political**

11. Jamie Stone (Liberal Democrat, Caithness, Sutherland and Easter Ross) tabled a question asking the Minister for the Cabinet Office, whether (a) the Prime Minister and (b) his officials have had discussions with representatives of (i) NewsCorp and (ii) News UK on a potential part two of the Leveson Inquiry between 5 July 2024 and 24 July 2024.

    Nick Thomas-Symonds (Labour, Torfaen) responded: "As was the practice under the previous Administration, information about official ministerial meetings with external organisations and individuals will be published as part of the Cabinet Office transparency returns and made available on the GOV.UK website."

12. Lord Lexden (Conservative) tabled a question asking His Majesty's Government, further to the Written Answer by Lord Ponsonby of Shulbrede on 1 August (HL330), on what basis the Ministry of Justice made a payment to the Press Recognition Panel of £430,000 in April; and whether they intend to place in the House of Lords Library a copy of all correspondence between the Ministry of Justice and Press Regulation Panel relating to the payment.

    Lord Ponsonby of Shulbrede (Labour) responded: "The Royal Charter on Self-Regulation of the press sets out that The Exchequer (acting through the Lord Chancellor) will fund the Press Recognition Panel (PRP) until it becomes effective. It also sets out that in the event that the PRP considers its income is likely to be insufficient it will have a right to request further reasonable sums so it is not frustrated by a lack of funding. Whilst the Lord Chancellor is the conduit for the PRP with HM Treasury, they have no policy responsibility under the Royal Charter that created the PRP. The PRP publish their accounts on an annual basis, confirming their annual income of £430,000."

13. Dame Caroline Dinenage MP has been elected unopposed as Chair of the Culture Media and Sports Committee. She takes up her position when the remaining members of the committee have been appointed by the House. Dinenage said: "I'm delighted to be re-elected … and entrusted to build on our achievements in the last parliament. These sectors are our global economic super-power, they have remarkable abilities to drive regeneration and bring communities together. I will continue to work cross-party to ensure the government doesn't take them for granted and they continue to fire on all cylinders."

14. The i reported that Conservative leadership candidates Robert Jenrick and Kemi Badenoch met with Rupert Murdoch when he was in London this month. Jenrick also saw the editors of the Sun and the Times and their Sunday sister titles. Murdoch did not meet with Tom Tugendhat or James Cleverly, the other two Conservative leadership candidates.

**Approved regulator**

15. The Bureau of Investigative Journalism, openDemocracy and The Bristol Cable are the latest publications to join Impress. Impress Chief Executive Lexie Kirkconnell-Kawana said: “As Impress reaches the end of its first decade, it is incredibly heartening to see these prestigious platforms eager to join the membership. With plummeting trust in journalism and increased threats to freedom of speech, the importance of Impress and the protection we offer public interest journalism has never been more apparent. So I welcome TBIJ, openDemocracy and The Bristol Cable and applaud them for their leadership in adopting truly independent self-regulation and hope others will follow.”

**IPSO**

16. Press Gazette reported that the Daily Telegraph had the most breaches of the Editors’ Code upheld by IPSO in 2023. The paper was ruled to have breached the code five times during the year, ahead of liverpoolecho.co.uk and the Jewish Chronicle, which reported four breaches each. IPSO’s own annual report for 2023, which dates breaches based on when complaints are entered into its system rather than when they conclude, also puts the Telegraph top for breaches, tying with Mail Online on three complaints fully upheld and one partially upheld. The Telegraph and Mail were followed in IPSO’s count by mirror.co.uk and express.co.uk, which each saw two complaints partially upheld.

17. Press Gazette reported that a group of individuals who have won IPSO adjudications and libel complaints against the Jewish Chronicle have asked IPSO to launch a standards investigation against the title, following the title’s decision to delete all the articles written for it by freelance journalist Elon Perry because of doubts over their accuracy. It is the third time the group has asked IPSO to intervene. A number of prominent columnists have also resigned from the title.

18. IPSO has announced a funding settlement protecting its funding in real terms for the next five years. It also allows it to call on additional resources if needed for exceptional costs. IPSO has also reached an agreement with its member publishers to amend its Regulations, giving it greater discretion to allocate resources to “the most significant complaints”. It says this will be achieved by reducing the burden of dealing with complaints that do not identify a potential breach of the Editors’ Code.

19. Press Gazette reported that Mail Online has removed a story describing a village as Britain’s “grimmest” after its MP, Gavin Williamson, complained to IPSO. Williamson complained to the regulator that the story included several inaccurate

claims about Featherstone. Mail Online initially stood by its report but later made some amendments. This did not resolve the complaint, however, and IPSO began an investigation, during which Mail Online offered to remove the article from the website altogether. Williamson agreed that this would satisfy him, and so IPSO did not determine whether a breach of the code had occurred.

**Campaigners' news**

20. The UK Anti-SLAPP Coalition has sent a fictional legal letter from a London law firm to every sitting MP, calling for them to withdraw public statements and apologise or face court proceedings. The letter is part of a campaign supported by Labour and Liberal Democrat MPs to highlight the impact of receiving a threatening legal letter aimed at protected speech and the need to bring forward a law protecting against SLAPPs.

# CE Report and Papers

# October 2024

PRP26(24)

## PRESS RECOGNITION PANEL BOARD

## FINANCE REPORT – SEPTEMBER 2024

**Meeting:** 22 October 2024

**Status:** for noting

**Lead responsibility:** Susie Uppal, Chief Executive

**Contact details:** Susie Uppal, Charlie Billingham (JS2)

### Purpose

1. The purpose of this paper is to update the Board on the finance and banking position as at 30 September 2024.

2. The Board is invited to note the latest financial position.

### Background and analysis

### Finance

3. A bank-reconciled set of management accounts as at 30 September 2024 is attached at Annex A. The management accounts also include the original budget for the year to March 2025 and the 6 month reforecast carried out in October 2024.

4. The deficit for the period to date is £33,977 against a year to date budget deficit of £69,549. This represents a positive variance of £35,572 compared to the year to date forecast. This is largely due to a year to date underspend on Executive costs which has been reflected in the 6 month reforecast.

5. The forecast deficit for the year is £137,136 compared to the original budget of £177,453. This represents a positive variance of £40,317 compared to the original budget. The key variances in expenditure between the budget and October reforecast are summarised as below.

| | **Variance (Reforecast - Budget)** | **Detail** |
|---|---|---|
| | | |
| | **£** | |
| Board Salaries & NIC | 5,122 | Delay in recruitment of Board members compared to budget |
| Executive team costs | 16,705 | Exec costs not utilised |
| Strategic research | 20,000 | Provision for research work reduced |
| Total of other differences | (1,511) | |
| | | |
| | **40,317** | **Total reduction in expenditure (Reforecast vs budget)** |

## Devolved Nations

6. There are no specific implications/differences in relation to the areas of work covered in this paper and the devolved nations.

## Communications

7. There are no specific communications implications to draw out.

## Risks

8. A robust position in relation to the PRP's finances is required in order to avoid reputational damage and to ensure compliance with HM Treasury's *Managing Public Money*.

## Recommendations

9. The Board is invited to **note** the latest financial position regarding the PRP's finances.

## Timeline for future work

10. JS2 Ltd will continue to provide updates on the PRP's financial position at meetings of the Board.

## Attachment

**Annex A –** Management accounts as at 30 September 2024

## Press Recognition Panel
**Period ended 30th September 2024**

| | 6 months to Sep 2024 | | | | Full year to March 2025 | |
|---|---|---|---|---|---|---|
| | Actual | Budget | Variance | | Budget | Reforecast Oct 2024 |
| | £ | £ | £ | | £ | £ |
| **Income** | | | | | | |
| Subscription fees | 138,270 | 138,270 | - | | 281,238 | 281,238 |
| Bank interest | 29,737 | 28,000 | (1,737) | | 56,000 | 56,612 |
| **Total Income** | **168,007** | **166,270** | **(1,737)** | | **337,238** | **337,850** |
| **Expenditure** | | | | | | |
| **Board and Committee costs** | | | | | | |
| Salaries & NIC | 36,487 | 41,611 | (5,124) | | 81,930 | 76,808 |
| Travel & Subsistence | 951 | 670 | 281 | | 1,270 | 1,550 |
| Other costs | - | 2,000 | (2,000) | Board day budgeted in July | 2,000 | 3,000 |
| **Total Board and Committee Costs** | **37,438** | **44,281** | **(6,843)** | | **85,200** | **81,358** |
| **Communications** | | | | | | |
| Publications | - | 1,300 | (1,300) | Translation provision not yet utilised | 3,800 | 3,800 |
| Communications tools | 1,014 | 2,000 | (986) | | 4,500 | 3,514 |
| Website and Upgrades | 1,343 | 2,255 | (912) | | 2,516 | 2,356 |
| **Total Communications Costs** | **2,357** | **5,555** | **(3,198)** | | **10,816** | **9,671** |
| **Other costs** | | | | | | |
| Executive team costs | 103,408 | 123,712 | (20,304) | Executive costs not yet incurred | 260,279 | 243,574 |
| HR & Recruitment | 15,000 | 15,860 | (860) | | 17,057 | 18,697 |
| Strategic research | 15,000 | 15,000 | - | | 40,000 | 20,000 |
| Office costs | 3,296 | 3,939 | (643) | | 8,097 | 7,272 |
| Meeting rooms | 3,608 | 5,500 | (1,892) | Provision for meeting rooms (for recruitment) not utilised | 9,500 | 7,609 |
| Travel & Subsistence | 639 | 720 | (81) | | 1,440 | 1,359 |
| IT Hardware | - | 1,600 | (1,600) | IT cost allowance not yet utilised | 1,600 | 2,887 |
| Information Technology | 3,639 | 4,080 | (441) | | 7,920 | 7,358 |
| Accountancy | 9,485 | 9,655 | (170) | | 25,939 | 28,637 |
| Audit Fees | - | - | - | | 15,000 | 15,000 |
| Printing & Stationery | 306 | 1,360 | (1,054) | Design and print costs not yet incurred | 1,480 | 1,325 |
| Insurance | 2,490 | 2,160 | 330 | | 4,909 | 5,582 |
| Legal | 2,640 | - | 2,640 | Legal fees not budgeted until later in the year | 10,000 | 10,000 |
| Subscriptions & publications | 2,548 | 2,277 | 271 | | 4,636 | 3,711 |
| Finance charges | 120 | 120 | - | | 180 | 180 |
| Sundry expenses | 10 | - | 10 | | 10,640 | 10,766 |
| | **162,189** | **185,983** | **(23,794)** | | **418,676** | **383,958** |
| **Total Expenditure** | **201,984** | **235,819** | **(33,835)** | | **514,692** | **474,986** |
| **Surplus / (Deficit) for the period** | **(33,977)** | **(69,549)** | **35,572** | | **(177,453)** | **(137,136)** |
| **Reserves Bfwd** | **1,564,303** | **1,564,303** | | | | |
| **Reserves Cfwd** | **1,530,326** | **1,494,754** | | | | |

# Press Recognition Panel
## Period ended 30th September 2024

| | Sep-24 | | Mar-24 | |
|---|---|---|---|---|
| | £ | £ | £ | £ |
| **Current Assets** | | | | |
| Current account | 103,944 | | 70,606 | |
| Fixed term deposit accounts | 1,276,224 | | 1,004,293 | |
| Deposit account | 205,778 | | 252,474 | |
| Cash at bank | | 1,585,946 | | 1,327,373 |
| | | | | |
| Prepayments | 3,990 | | 8,337 | |
| Accrued Income | 8,016 | | 433,514 | |
| Third Party Deposit | 911 | | 911 | |
| **Sundry debtors** | | 12,917 | | 442,762 |
| | | | | |
| **Creditors: amounts falling due within one year** | | | | |
| Trade creditors | 1,789 | | 3,220 | |
| Deferred income | 25,690 | | 163,960 | |
| Social security and other taxes | 7,559 | | 6,267 | |
| Pensions | 3,749 | | 3,166 | |
| Sundry creditors and accruals | 29,750 | | 29,219 | |
| | | 68,537 | | 205,832 |
| | | | | |
| **Net Current Assets** | | **1,530,326** | | **1,564,303** |
| | | | | |
| **Net Assets** | | **1,530,326** | | **1,564,303** |
| | | | | |
| **Funds brought forward** | | | | |
| | | | | |
| Funds bought forward at 31 March | | 1,564,303 | | 820,488 |
| | | | | |
| (Deficit)/ surplus for the period | | (33,977) | | 743,815 |
| | | | | |
| | | **1,530,326** | | **1,564,303** |

PRP30(24)

# PRESS RECOGNITION PANEL BOARD

## Chief Executive's Report — October 2024

**By email:** 22 October 2024

**Status:** For noting

**Lead responsibility:**
Susie Uppal, Chief Executive

**Contact details:**
contact@pressrecognitionpanel.org.uk

## Purpose

1. The purpose of this paper is to provide an update to the Board on executive activity since the September 2024 report.
2. The Board is invited to note the contents of the Chief Executive's report.

## Executive Summary and Board Matters

3. The Board is being updated in respect of organisational matters.

## Operational Updates

### Communications

4. The Chair sent follow up letters to the Rt Hon Sir Keir Starmer and the Rt Hon Lisa Nandy on the 7 October 2024 expressing concern and to report confusion amongst stakeholders arising from the Governments communications on the issue of independent press self-regulation, copies of the letters and previous letters referred to are attached at Annex A. I have also attached copies of earlier communications sent to Sir Keir on the 21 May and 23 May, copies attached at Annex B. At the time of writing no response has been received to any of our letters.
5. Redacted
6. Redacted
7. The Chair and I met with Fiona O'Brien, UK Director, Reporters Without Borders (RSF) on 11 October and discussed RSF's position on regulation of the press.

### IMPRESS

8. Redacted

### External Matters Update

9. Annex F includes an update on key external matters relevant to our work.

## Devolved Nations

10. There are no implications/differences in relation to the areas of work covered in this paper and the devolved nations.

## Communications

11. There are no other issues to report which have communications implications, so far as I am aware.

## Risks

12. The repeal of Section 40 represented a risk to the wider Recognition System.

## Recommendations

13. The Board is asked to note the contents of the Chief Executive’s report.

## Attachments

Annex A: Copies of letters to the Rt Hon Sir Keir Starmer and the Rt Hon Lisa Nandy 7 October 2024
Annex B: Copies of correspondence to Sir Keir Starmer 21 and 23 May 2024
Annex C: Redacted
Annex D: Redacted
Annex E: Redacted
Annex F: External matters update

Press Recognition Panel
Mappin House
4 Winsley Street
London W1W 8HF

The Rt Hon. Sir Keir Starmer KC MP
Prime Minister
10 Downing Street
London
SW1A 2AA

7 October 2024

Dear Prime Minister

**Future of independent press self-regulation**

Further to my letter of 16 July 2024, which I have attached again for ease of reference, I am writing to express some concern and report confusion amongst our stakeholders arising from the the Government's communications on the issue of independent press self-regulation.

As you know, following the repeal of Section 40 of the Crime and Courts Act 2013, we are keen to understand the Government's future intentions on this issue but currently find ourselves unable to respond to questions regarding what the Government's policy might be.

Recent correspondence which has been shared with us from the Department of Culture, Media and Sport (DCMS), seems to follow the previous Government's position that since the Leveson Inquiry that there has been a fundamental reform of press self-regulation across the major news publishers. There is no evidence to support these assertions and as this letter describes below the evidence is very much to the contrary.

Although the structure of independent press self-regulation, in the form of the Recognition System that we oversee is functional, and Impress have demonstrated that it can work in practice, the ongoing failure of sections of the press, including all the national titles, to engage means that the system cannot work as intended.

The perception that the Independent Press Standards Organisation (IPSO) is independent of the industry does not stand up to scrutiny. This is not least because IPSO is required to enforce the Editors' Code of Practice which is owned and written by the separate Editors' Code of Practice Committee. Although the IPSO Chair and Chief Executive both hold seats on this committee, they are only two voices amongst its wider membership which is dominated by news publishers. It is concerning that Government communications contain factually incorrect statements that IPSO 'issues' this code of conduct.

As you may have seen in our Annual Report on the Recognition System last year, we have serious concerns that the Editors' Code of Practice weights consideration of any breaches of the code firmly in favour of news publishers by creating a circular logic that freedom of speech and the public interest are synonymous.

It is even more concerning that the Editors' Code of Practice remains the recognised industry code of practice to which data controllers (in this case news publishers) must have regard when applying the derogations and exemptions to data protection legislation.

We have published a further analysis in May this year of IPSO's decision making against the Editors' Code of Practice which highlights just how far IPSO lacks the tools to deal with news publishers who choose to breach the code without a genuine public interest. You will also have seen our more recent report on Press Intrusion and Regulation which presents ten case studies in which news publishers (all IPSO members) have chosen to cause harm to ordinary members of the public caught up in events beyond their control.

The reality is that IPSO upholds a vanishingly small proportion of the complaints it receives. Our analysis of IPSO's complaints system and related matters, published in Janaury this year, identified that IPSO upheld just 0.56% of the complaints it received between 2018–2022, compared to 21.67% uphold by Impress across a similar period. IPSO also lacks powers to direct an apology (in contrast to its predecessor the Press Complaints Commission) and has never initiated a standards investigation on its own account despite repeated, public and ongoing concerns being raised, even internally within IPSO, about one of its members. In theory, IPSO can also issue a fine but has never in practice done so.

All of these reports are publicly available on our website. We would suggest that the weight of this evidence does not support the statement that there has been a 'fundamental reform of the self-regulatory landscape' but rather that Sir Brian Leveson's prediction of the 'pattern of cosmetic reform' being repeated is playing out in front of us. Government action is therefore required to address this issue.

I am writing in similar to terms to the Secretary of State for Culture, Media and Sport and I would be very grateful for a meeting to discuss these concerns urgently.

We have, in effect, returned to a pre-Leveson Inquiry state where sections of the press can choose to operate largely unaccountably unless a member of the public has the means to bring a claim in the courts. Even then, these cases are complex and take years to resolve. Ordinary members of the public have been abandoned in favour of the commercial practices of large news groups. The public deserve better.

Yours sincerely,

Kathryn Cearns

Kathryn Cearns
Chair
Press Recognition Pane
Mappin House
4 Winsley Street
London
W1W 8HF

Weblink: PRESS RECOGNITION PANEL

CC: Sue Gray, Chief of Staff

Enc: PRP Chair correspondence to the PM 16 July 2024

Press Recognition Panel
Mappin House
4 Winsley Street
London W1W 8HF

The Rt Hon Sir Keir Starmer KC MP
Prime Ministers Office
10 Downing Street
London
SW1A 2AA

Dear Prime Minister

**Future of independent press self-regulation**

16 July 2024

Following the repeal of Section 40 of the Crime and Courts Act 2013 ('Section 40') in the Media Act 2024, and my previous correspondence of 23 and 21 May 2024, I am writing to ask for a meeting to discuss your Government's future intentions regarding independent press self-regulation.

We are concerned that the public remain at significant risk from harmful and intrusive press practices. We have a plethora of examples where ordinary members of the public have been unable to seek remedy or redress. Particularly, with social media now pervasive in a way which was only just becoming understood at the time of the Leveson Inquiry, the opportunity for press intrusion and to cause harm instantaneously with a global reach is only increasing.

Without Section 40, there is no commercial advantage for news publishers to join Impress, form a new self-regulatory body which can then seek recognition or indeed reform the Independent Press Standards Organisation (IPSO) such that it could meet the requirements of an Approved Regulator. The current state of affairs, with a significant section of the press subscribing to IPSO (about whom we have serious concerns regarding efficacy) or operating their own in-house complaints process or no complaints process at all, is likely to persist. The press will be able to continue to choose to operate largely unaccountably leaving the public at risk unless they have the means to pursue a claim in the courts. Even then, such claims are complex and take years to resolve.

Without a commercial advantage for news publishers to join an Approved Regulator, there is also no commercial advantage for any self-regulatory body to seek or maintain recognition given the costs involved and no meaningful consequences for the self-regulatory body or their members in failing to do so.

We do not believe that the current situation is sustainable. A clear roadmap for the future of independent press self-regulation is a matter of some urgency if we are to avoid another scandal emerging from an industry that enjoys both privileges and protections in law without any corresponding responsibility except to their own commercial interests. The public remain at risk and news publishers, particularly smaller news publishers, continue to be exposed to Strategic Litigations Against Public Participation ('SLAPPs').

I was pleased to see your commitment to do what is right and to put into place the recommendations from Inquires which have been subject to long legal delays. I look forward to your reply and would be very happy to meet with you or your team at your convenience to discuss these matters further.

Yours sincerely

Kathryn Cearns

Kathryn Cearns
Chair
Press Recognition Panel
Mappin House
4 Winsley Street
London
W1W 8HF
T: 020 3443 7072
E: kcearns@pressrecognitionpanel.org.uk

Weblink: *PRESS RECOGNITION PANEL*

Press Recognition Panel
Mappin House
4 Winsley Street
London W1W 8HF

Rt Hon Lisa Nandy MP

By email: Redacted

7 October 2024

Dear Secretary of State

**Future of independent press self-regulation**

Further to my letter of 16 July 2024, which I have attached again for ease of reference, I am writing to express some concern and report confusion amongst our stakeholders arising from the the Government's communications on the issue of independent press self-regulation.

As you know, following the repeal of Section 40 of the Crime and Courts Act 2013, we are keen to understand the Government's future intentions on this issue but currently find ourselves unable to respond to questions regarding what the Government's policy might be.

Recent correspondence which has been shared with us from the Department of Culture, Media and Sport (DCMS), seems to follow the previous Government's position that since the Leveson Inquiry that there has been a fundamental reform of press self-regulation across the major news publishers. There is no evidence to support these assertions and as this letter describes below the evidence is very much to the contrary.

Although the structure of independent press self-regulation, in the form of the Recognition System that we oversee is functional, and Impress have demonstrated that it can work in practice, the ongoing failure of sections of the press, including all the national titles, to engage means that the system cannot work as intended.

The perception that the Independent Press Standards Organisation (IPSO) is independent of the industry does not stand up to scrutiny. This is not least because IPSO is required to enforce the Editors' Code of Practice which is owned and written by the separate Editors' Code of Practice Committee. Although the IPSO Chair and Chief Executive both hold seats on this committee, they are only two voices amongst its wider membership which is dominated by news publishers. It is concerning that Government communications contain factually incorrect statements that IPSO 'issues' this code of conduct.

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I am writing in similar to terms to the Prime Minister and I would be very grateful for a meeting to discuss these concerns urgently.

We have, in effect, returned to a pre-Leveson Inquiry state where sections of the press can choose to operate largely unaccountably unless a member of the public has the means to bring a claim in the courts. Even then, these cases are complex and take years to resolve. Ordinary members of the public have been abandoned in favour of the commercial practices of large news groups. The public deserve better.

Yours sincerely,

Kathryn Cearns

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Chair
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Mappin House
4 Winsley Street
London
W1W 8HF

Weblink: PRESS RECOGNITION PANEL

CC: Stephanie Peacock MP, Minister for Sport, Media, Civil Society and Youth

Chris Bryant MP, Minister of State for Data Protection and Telecoms and Minister for Creative Industries, Arts and Tourism

Enc: PRP Chair correspondence to the SofS DCMS 16 July 2024

Press Recognition Panel
Mappin House
4 Winsley Street
London W1W 8HF

Rt Hon Lisa Nandy MP

By email to: Redacted

Dear Rt Hon Lisa Nandy MP

**Future of independent press self-regulation**

16 July 2024

Congratulations on your appointment as Secretary of State for Culture, Media and Sport. I very much look forward to working with you on independent press self-regulation to protect the public from harmful and intrusive press practices and upholding the freedom of speech of the press.

I am writing to ask whether you would be willing to meet to discuss options for the future of independent press self-regulation.

By way of background, the Press Recognition Panel (PRP) is the independent body set up by the Royal Charter on Self-Regulation of the Press (the Charter) to ensure that regulators of the UK press are independent, properly funded and able to protect the public. The PRP works in the public interest by supporting and promoting a free press in a free and fair society.

Following the exposure of alleged criminal activity and growing complaints about the behaviour of the press in the UK in 2011, the Leveson Inquiry made a series of recommendations for a new, more effective regulatory system. On 30 October 2013 the Royal Charter was granted and on 3 November 2014, the PRP came into formal existence. Our role is to consider whether or not press regulators meet the recognition criteria recommended by the Leveson Report and now part of the Royal Charter.

The PRP is entirely independent of the Government, Parliament, the Press or any other such interest – independence and transparency are absolutely fundamental to the way in which we operate.

The recommendations of the Leveson Inquiry have been largely ignored by the previous government leaving ordinary people without recourse to justice and the press unprotected against litigation bought by those with deep pockets. I am pleased to note your governments commitment to do what is right and to resolve injustices, many of which have been made worse by years of legal delays.

You may be aware that one of the last acts of the previous Government was to repeal the legislation underpinning the system of independent press self-regulation in this country following the recommendations of the Leveson Inquiry — Section 40 of the Crime and Courts Act 2013 (‘Section 40’).

Without Section 40, we are concerned that the Recognition System (as the system of independent press self-regulation is known) is not sustainable. As things stand, many major news publishers do not participate in the Recognition System and instead are members of the Independent Press Standards Organisation (IPSO). IPSO replicates many of the same features as its forerunner, the Press Complaints Commission which was heavily criticised by the Leveson Inquiry for being ineffective. Our own analysis of IPSO[1] leads us to the conclusion that IPSO does not represent much improvement over its predecessor. Many more news publishers either operate their own in-house systems of standards and complaint management or no systems at all.

While over 100 news publishers have joined Impress, the only press self-regulator that has met the standards for independence and effectiveness assured by us, these are, in the main, small and specialist titles. Consequently, we continue to be concerned that the public remain at significant risk from harmful and intrusive press practices. We have a plethora of examples where ordinary members of the public have been unable to seek remedy or redress. Particularly, with social media now pervasive in a way which was only just becoming understood at the time of the Leveson Inquiry, the opportunity for press intrusion and to cause harm instantaneously with a global reach is only increasing.

Section 40, had it ever been commenced, would have incentivised news publishers to participate in the Recognition system by:

- protecting news publishers from wealthy organisations and individuals misusing the court system to muzzle investigative journalism by burying journalists in costs (known as Strategic Litigations Against Public Participation or ‘SLAPPs’; and
- ensure that the public could access justice and hold news publishers to account, whether they were participating in independent press self-regulation or not.

Without Section 40, there are no incentives for news publishers, beyond demonstrating a commitment to high professional and editorial standards. The experience over the last ten years has been that this is insufficient. We do not believe that current situation is sustainable. A clear roadmap for the future of independent press self-regulation is a matter of some urgency if we are to avoid another scandal emerging from an industry that enjoys both privileges and protections in law without any corresponding responsibility except to their own commercial interests.

I look forward to your reply and would be very happy to meet with you or your team at your convenience to discuss these matters further.

Yours sincerely,

Kathryn Cearns

Kathryn Cearns
Chair
Press Recognition Panel
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Weblink: *PRESS RECOGNITION PANEL*

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[1] Available on our website: https://www.pressrecognitionpanel.org.uk/ipso-review/

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Mappin House
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The Rt Hon. Sir Keir Starmer KC MP

By email: Redacted

21 May 2024

Dear Sir Keir

**Independent Press Self-Regulation**

I am writing to you to ask for clarity regarding the Labour Party's policy regarding independent press self-regulation following comments made by Thangham Debbonaire MP reported in an article for *The House*[1] published on 16 May 2024.

As you know, we were surprised by the announcement at Second Reading of the Media Bill in the House of Commons that the Official Opposition did not intend to stand against the repeal of Section 40 of the Crime and Courts Act 2013 ('Section 40'). Section 40 was designed to underpin the system of voluntary independent press self-regulation in this country, as envisaged by Sir Brian Leveson, by ensuring that the whole of the industry can be held to account whether they participate in the Recognition System by joining an Approved Regulator or not. Rather than being repealed, it should be commenced to allow that system to take proper effect.

We were reassured by the Official Opposition's support in the House of Commons for George Eustice MP's amendment to retain the safeguards for freedom of speech for news publishers who have subscribed to an Approved Regulator. However, as I said in my letter of 8 February 2024, this was, as George Eustice himself described, only a compromise position and, without the corresponding public protection element of Section 40, would not deliver on the objective of ensuring that the press as a whole could be held accountable.

The Shadow Secretary of State for Culture, Media and Sport now raises new concerns. Particularly, as reported in *The House,* the implication seems to be that the Official Opposition considers the existing arrangements to be sufficient and that 'We don't have plans to do anything, any new legislation in that area, no'.

Given the current Government's intention to repeal Section 40, this policy position would be to abandon public protection, when the public is still affected daily by poor press behaviour.

1 https:f/www.PQliticshome.com/thehouse/articlelthangam-debbonaire-i-never-take-voter:s:9ranted

This is at odds with the previous position of the Official Opposition which had been not only to commence Section 40 but also to proceed with Part 2 of the Leveson Inquiry.

I would be very grateful if you could provide some clarity regarding the Official Opposition's policy regarding independent press self-regulation following the Leveson Inquiry recommendations as described by the Royal Charter on Self-Regulation of the Press.

The success of the Recognition System has been stymied by successive governments' failure to commence Section 40. As things stand, the public remain at risk from harmful and intrusive press practices and are largely unable to seek remedy or redress unless they have the means to make a claim through the courts. Even where individuals do have the means to bring a claim, legal proceedings remain complex and frequently take years to resolve by which time the damage has been done. Abandoning public protection by repealling Section 40, and not replacing it, will cement this position.

Assertions of the robustness of mechanisms to deal with complaints via the Independent Press Standards Organisation (IPSO) cannot be substantiated. We have recently published two documents reviewing IPSO's complaints handling and related matters which demonstrate the inadequacy of IPSO's processes and decision-making. Not only is IPSO not independent of the industry, it upholds only a tiny proportion of the complaints it receives (0.56% between 2018–2022)[2] and its rulings fails to protect children and victims of crime, interprets the right to privacy so loosely that the press are able to infringe this at will, continues to allow publications to discriminate against groups and lacks effective tools to prevent press harrassment[3].

Press intrusion, which cannot be justified in the public interest, unfortunately remains a feature of both public and private life. While claims are made regarding improvements in standards, evidence suggests the contrary and that what we are seeing is, as the Leveson Inquiry Report put it, 'ephermal improvement', which is used to justify the rolling back of the regulatory reforms designed to protect the public. If Section 40 is repealed, and no alternative mechanism is put in place to ensure that the industry as a whole can be held to account, then the conditions will be set for press misconduct to thrive. It can only be a matter of time before another crisis emerges.

I look forward to your reply and if it would be helpful, I would be very happy to arrange a meeting or a telephone call to discuss further.

Yours sincerely

Kathryn Cearns

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2 https://www.pressrecognitionpanel.org.uk/ipso-review/
3 https://www.pressrecognitionpanel.org.uk/2024/05/08/ipso-fails-to-protect-children-victims-of-crime-and-the-public-at-large/

**From:** Kathryn Cearns
**Sent:** Thursday, May 23, 2024 9:24 AM
**To: Redacted**
**Subject:** Media Bill and proposed repeal of S40 Crime and Courts Act

Dear Sir Keir

Further to my letter of 21 May 2024 (attached) regarding the public comments made by Shadow Secretary of State for Culture, Media and Sport regarding press self-regulation, now that the proposed repeal of Section 40 of the Crime and Courts Act 2013 has been debated in Committee in the House of Lords, I wanted to get in touch again to highlight the very strong support, cross-party, for, at least, some form of compromise position to prevent a return to a pre-Leveson Inquiry state.

This is clearly a very sensitive and contentious issue and evidence of press intrusion causing harm to ordinary people continues to emerge alongside new high-profile claims of illegal activity in the courts.

Sir Brian Leveson's intervention in providing the original rationale and purpose behind his recommendations, which evolved into Section 40 and the Recognition System, exposes the serious flaws in the way that the Government is presenting, and sections of the press are reporting, the proposed repeal of Section 40. We have published Sir Brian's letter, with his permission, on our website: https://www.pressrecognitionpanel.org.uk/wp-content/uploads/2024/03/Sir-Brian-Leveson-Letter-to-Baroness-Hollins-1-May-2024.pdf

We remain of the view that Section 40 is the only mechanism currently on the table that delivers on the three policy objectives of public protection, safeguarding news publishers' freedom of speech and incentivising participation in the Recognition System. However, we can see the argument for the compromise position that has been proposed in both Houses of Parliament to retain the safeguards for freedom of speech in Section 40 in favour of total repeal. This is not a complete answer but may help to increase participation by news publishers in the Recognition System and delivers on the protections for news publishers that were promised following the Leveson Inquiry in return for making a commitment to high ethical and professional editorial standards by joining an Approved Regulator. Nevertheless, it is unlikely that this incentive will be enough to persuade the major national titles amongst IPSO's membership to participate.

Given that this is such a contentious issue, we agree with those arguments made by peers last night that the repeal of Section 40 should not be rushed through and accepted as part of the washup procedure prior to the election.

I know that you will be receiving a range of views on this, and I would be very happy to speak over the telephone today before we lose even the modest progress that has been made to protect the public from press intrusion since the Leveson Inquiry.

Yours sincerely

Kathryn Cearns OBE
Chair, Press Recognition Panel

**Update on key external matters**

1. The update on key external matters is a research-informed piece based on a sample of information available in the public domain.

**Commercial Landscape**

2. As reported by Press Gazette, the circulation of the Financial Times was up 5% between August and September, the latest ABC figures show. The FT had a circulation of 109,966, a drop of 2% compared to September 2023 – the smallest annual decline among the publicly audited national newspapers. The next smallest was at the i, down 4% to 124,075. The biggest annual decline was at the Sunday People, down 20% to an average of 50,394. The Daily Star Sunday (64,645) and Scottish title Sunday Mail (44,144) were both down 18%. On a monthly basis, the FT was the only title to see growth, although free papers Metro (951,154) and City AM (68,144) both stayed steady. The biggest monthly drops were at the Daily Mirror (212,300), Daily Star Sunday and Sunday Mail, all down 4%.

3. The Guardian was the biggest commercial news website in the UK in August, with an audience of 21.8m, according to Ipsos iris data analysed by Press Gazette. This was a slight dip since July of 1% but year-on-year growth of 1%. The only top ten news website that grew between July and August was Yahoo!, up 4% to an audience of 17m. The Sun was down 10% month-on-month and 7% year-on-year to 21.3m, while Mail Online was down 5% and 9%, respectively, to 21.1m.

4. Press Gazette reported that former Conservative cabinet minister Michael Gove has been appointed editor of the Spectator following its purchase by Sir Paul Marshall. Fraser Nelson will leave the magazine after 15 years as editor but will continue to write for it as an associate editor, which he said was at the request of Gove. Meanwhile, former Spectator (1984-1990) and Telegraph editor Charles Moore will become non-executive chairman after the departure of Andrew Neil. Before becoming an MP in 2004, Gove spent eight years at The Times as leader writer, comment editor, news editor, assistant editor and Saturday editor. He started his career as a trainee reporter for The Press and Journal in Aberdeen.

5. As reported by Press Gazette, Future has announced it is closing several “low to no growth assets”, including magazines and events. The publisher said in a trading update that it is carrying out continuous “portfolio optimisation… to ensure the Group is best positioned to deliver sustainable organic growth”. The overall group is expected to bring in around £786m in revenue this year (down from £789m in 2023). The magazine brands so far confirmed to be ceasing publication include Total Film, 3D World, All About Space, and Total 911.

6. Press Gazette reported that the Independent had strong growth in operating profit for 2023 on revenue that was flat year on year. In 2023, Independent Digital News and Media increased its annual operating profit by 82% to £3.5m for a new 15-month reporting period (compared with £1.9m in the 2022 accounts, which covered 12 months). Last year, the company changed its financial period to match the calendar year, resulting in a 15-month reporting period with £56m in revenue overall. Revenue was down by 0.3% year-on-year on an annual basis to £46.1m in 2023. Projections for 2024 show the Independent is on course to have doubled revenues since 2019, to £53.2m from £27m five years ago. It is also set to almost double trading profitability from £2.3m in 2019 to £4.5m.

7. As reported by Press Gazette, Mail Online publisher and editor-in-chief Danny Groom is becoming publisher and chief executive of DMG Media's publishing, product development and commercial operations. Current CEO Rich Caccappolo will become vice chairman of DMG Media. Groom will be succeeded overseeing Mail Online by Ted Verity, editor of Mail Newspapers since November 2021. Verity will become editor-in-chief of the Daily Mail across all platforms. Lord Rothermere's 29-year-old son Vere Harmsworth has been appointed chief commercial officer, having previously been appointed in the new role of director of publishing strategy in May 2023.

8. Press Gazette reported that the FT made more than half a billion pounds in revenue for the first time in its history in 2023. According to consolidated and unaudited figures shared internally, the FT Group brought in revenue of £510m globally amid growth in all its major revenue lines. The internal performance report also shows operating profit of £30m, which chief executive John Ridding described as "healthy" and "keeping us on track for our medium-term targets and a sustainable operating margin". Operating profit was £28.7m in 2022, meaning 5% annual growth.

9. The Guardian reported that the Evening Standard, which has rebranded as the London Standard in a move to become a digital-first publication supported by a weekly print edition, reported a pre-tax loss of £20.6m in the year to 1 October 2023. The latest annual loss, up from £16.4m in 2022, means the title has recorded total losses of £105.1m over the past seven years. The last time the Standard was in the black was 2016 when it made a pre-tax profit of £517,000. In its financial accounts, the company said the relaunch of a "new and improved" website last year had not been successful.

**Legal**

10. Press Gazette reported that the amount former Conservative MP Charlie Elphicke has to pay The Sunday Times in legal costs has been reduced. Elphicke, who was jailed for two years in September 2020 after he was convicted of sexually assaulting two women, sued Times Media Ltd for libel over three articles published in The Sunday Times in 2018, including two which referenced an investigation of rape allegations against him. He ended his defamation case

before it went to trial in 2022 but asked to avoid paying the costs of multiple applications made by Times Media, saying the publisher had “wiped” evidence. Former judge Victoria McCloud found that Times Media failed to “preserve evidence” in the case and that it was “appropriate to mark the seriousness” by reducing the amount that Elphicke had to pay to 80%.

**Political**

11. Dr Luke Evans (Conservative, Hinckley and Bosworth) tabled a question asking the Secretary of State for Culture, Media and Sport, what steps her Department is taking to support local journalism.

    Stephanie Peacock (Labour, Barnsley South) responded: “The Culture Secretary has announced our intention to develop a local media strategy, in recognition of the importance of this vital sector and with a view to helping ensure it can continue to tell the stories that matter in communities. We are working across Government as we develop this strategy and see how we can improve local communities’ access to news.”

12. Labour MP Paul Waugh posted on X that he had been elected to the Culture, Media and Sport Committee alongside fellow Labour MPs Jo Platt, James Frith, Natasha Irons, Bayo Alaba, Rupa Huq, and Tom Rutland.

**Approved regulator**

13. New rules in English and Welsh courts could soon see more cases recommended for Alternative Dispute Resolution (ADR), such as that offered by Impress. It comes after changes were made to the Civil Procedure Rules (CPR), which control civil litigation in English courts. Impress Chief Executive Lexie Kirkconnell-Kawana said: “These changes to encourage and promote alternative dispute resolution are very welcome. Far too many people have been unable to access justice via the court system due to the enormous costs associated with it … We are proud to offer these faster and more cost-friendly alternatives, to enable people to assert their rights and get to a much faster resolution at substantially lower cost.”

**IPSO**

14. As reported by Press Gazette, the Daily Mail was justified in reporting that businessman and husband of Conservative Peer Baroness Michelle Mone, Douglas Barrowman, made millions from tax avoidance schemes that led to suicides, according to IPSO. The article also described Barrowman as a “roly-poly Scottish businessman” with “cocktail-sausage fingers” and “recently bleached teeth”. IPSO ruled that the Daily Mail article was not inaccurate because saying the scheme “led to” suicides did not apportion responsibility. It also said: “The committee appreciated the complainant found the article’s description of his physical appearance to be insulting. However, clause one does

not address issues of offence”, referring to the accuracy portion of the Editors’ Code of Practice.

**Campaigners’ news**

15. Hacked Off has responded to the criticism levelled at the Prime Minister and other Government figures by the press for accepting donations and hospitality from donors. CEO Nathan Sparkes said: “For years News UK and other publishers have lavished politicians with dinners, drinks and hospitality at private events. They have shown staggering hypocrisy in criticising other donors now. At least when party-political donors hand out freebies we know what they want: the electoral success of their favoured party. Newspaper publishers, on the other hand, are far less forthcoming about the political advantage they hope to receive in return. These same newspapers lobbied to suppress Leveson Part Two, the public inquiry into press and political corruption. They throw allegations of corruption at everyone but themselves.”

16. Hacked Off has launched a new website and refreshed its branding, made possible with the support of the Waterloo Foundation. Hacked Off Chairman Hugh Tomlinson KC said: “Britain faces a generational opportunity to address falling standards and trust in the press. Over the last 80 years there have been seven inquiries into press standards; each finding that ordinary people are suffering from appalling abuses at the hands of some national newspapers. Yet to date, no Government of any stripe has found the courage to act. As we enter a critical period dealing with a new Government and a very different Parliament, it’s the right time for a refresh of our brand and a brighter, more accessible website.”

17. Missing People has published guidelines to provide “clear, informative, and helpful direction” on how to approach the subject of missing persons in media coverage. They emphasize the importance of accuracy, empathy, and respect for the privacy of those involved, offering practical advice on how to report on missing persons cases without causing undue distress to families and communities while also ensuring that the public remains informed. The guidelines have been supported by IPSO, who commented: “This is well thought-out guidance which will assist journalists when it comes to reporting the subject of missing people.”

18. NUJ national broadcasting organiser Laura Davison has been elected as the NUJ’s next general secretary at what she called “a critical time for the organised voice of working journalists to be heard”. Following a ballot of members, Davison will take over from outgoing general secretary Michelle Stanistreet, who announced in July she was stepping down after three terms. Davison has been a full-time union official since 2007, having joined from the BBC, where she was a lay rep and then an assistant organiser in both broadcasting and publishing. She was NUJ national organiser for newspapers and news agencies for ten years until this summer when she took over the broadcasting brief.