

Conservative commitments to the implementation of Section 40 of the Crime and Courts Act 2013

Below is a table of commitments to the implementation of the incentives included in the Cross-Party Agreement (either directly implying or specifying commencement of Section 40 of the Crime and Courts Act) made by Government Ministers.

Section 40 is the “costs shifting incentive”, in media libel and privacy actions, which is a crucial component in the Leveson Cross-Party Royal Charter Agreement.

All comments can be verified by the citation and the link.

After the table are the following appendices:

1. Instances of the Conservative ministers (correctly) stating it is not the role of ministers to be “monitoring IPSO”. This position was consistent with Leveson, because it is the sole job of the Royal Charter Panel to do so against specific Leveson criteria. But this was suddenly contradicted by Secretary of State John Whittingdale’s recent comments at the Society of Editors Conference (October 19th) and before that at the Commons Culture Select Committee (September 9th) where he said that he would be monitoring IPSO.
2. An extract from the Conservative manifesto, which states that the party has “legislated to toughen media libel laws”. That can only be a reference to the Section 40 incentive.
3. When constituents across the country engaged with their local Conservative election candidates over Leveson they received a “standard line” from Conservative MPs. This line, set out in App 3, contains a commitment to the cross-party agreement which included the incentives.
4. The Government’s response to a report by the House of Lords Communications Committee Report on Press Regulation. That Report drew conclusions based, as clearly referred to throughout the Report, on the costs incentives being implemented. The Government’s response in June 2015 made no mention of any prospect of not commencing those incentives.

Date	Author	Context	Comment	Citation	Link
18/03/13	Maria Miller	2 nd Reading of relevant CCA Clause	<p>We have before us an important set of real incentives that have real effect to make sure that we can move forward, with today as a turning point where we stop talking about the theory of Leveson and start putting the practice of Leveson out for everybody to benefit from it. The provisions are a crucial part of this new tough regulatory regime and I commend them whole- heartedly to the House.</p>	HC Deb, 18 March 2013, c726	Hansard source
18/03/13	David Cameron	Commons debate	<p>Two important but relatively small legislative changes need to be made. Let me explain what they are. First, Lord Justice Leveson said—the Government agreed at the time—that, in order to create an incentive for newspapers to take part in the system, we should establish a system of exemplary costs and damages that would not apply to newspapers that take part. We have accepted that recommendation and will be legislating for it—it can be done only via legislation.</p> <p>...</p> <p>Let me set out for the House the cross-party agreement on the royal charter. As I have said, the new system of press regulation will deliver Lord Justice Leveson’s principles, including up-front apologies and £1 million fines. As I have just explained, we will use the Crime and Courts Bill to table the minimal legislative clauses needed to put in place those incentives, which Lord Justice Leveson regarded as important. They will give all newspapers a strong incentive to participate in the voluntary scheme of self-regulation. Exemplary damages will be available against publishers who do not join a regulator if they utterly disregard the rights of ordinary people. We will also change the rules on costs in civil claims against publishers so that there is a strong incentive to come inside the regulator, with its independent arbitration system.</p> <p>...</p>	HC Deb, 18 March 2013, c633	Hansard source

			<p>The point of what we are doing is to create an incentive for publishers to be part of the self-regulatory system, because, other than in exceptional circumstances, they will not be subject to exceptional costs or damages if they are within the regulatory system—that is important.</p> <p>...</p> <p>Let me conclude by saying a word about the process by which the agreement has been reached and about the next steps. The royal charter agreed today has benefited hugely from hundreds of hours of detailed negotiations with representatives of victims, all main political parties and the press themselves, and has been further improved by the hours of discussions between the parties this weekend. I am grateful for the spirit of give and take on all sides. We stand here today with a cross-party agreement for a new system of press regulation that supports our great traditions of investigative journalism and free speech and protects the rights of the vulnerable and the innocent. If this system is implemented, the country should have confidence that the terrible suffering of innocent victims, such as the Dowlers, the McCanns and Christopher Jeffries, should never be repeated. My message to the press is now very clear: we have had the debate, now it is time to get on and make this system work.</p>		
18/03/13	Maria Miller	Debate on relevant clauses to the Crime and Courts Bill	<p>Today marks a turning point. We can move on from simply talking about Lord Justice Leveson’s report to starting to act on it, with a new package that is agreed by all three party leaders. The package includes a new royal charter, as announced by the Prime Minister earlier; a new costs and damages package that seeks to maximise incentives for relevant publishers to be part of the new press self-regulator; and one short clause reinforcing the point that politicians cannot tamper with the new press royal charter, which is the subject of debate in the other place.</p> <p>...</p>	HC Deb, 18 March 2013, c698	Hansard source

		<p>We are in the House to debate amendments that will put in place a new, tough set of incentives for publishers. There are two such incentives—the first relates to the award of exemplary damages, and the second relates to the award of costs in litigation involving relevant publishers. The package forms a crucial part of the new regulatory regime, providing strong new incentives to relevant press publishers to join the press regulator. When they choose to join the press regulator, they will receive a series of benefits on costs and damages. However, those that choose not to join the regulator will be exposed to the tough new regime, which includes payment, in most cases, of the costs of people who bring claims in the courts against publishers on civil media laws, regardless of whether those people win or lose; and exposure to a new exemplary damages regime—we are introducing a new punitive damages regime for breaches of those media laws for those who do not sign up to the regulator.</p> <p>...</p> <p>I turn to the provisions relating to costs in new clause 27A. The proposals are designed to give further real and powerful incentives and give effect to Lord Justice Leveson's recommendation that the award of costs should be another tool to encourage publishers to join the regulator. The new clause would provide a clear presumption that where a claimant took a publisher inside the regulator to court, even if the claimant was successful, the normal rule that their costs would be met by a losing publisher would not apply. In other words, a defendant publisher that had joined the regulator should only pay a claimant's costs in limited circumstances—if the issue could have been resolved at arbitration, had the defendant agreed to its being referred, or if it was just and equitable for the defendant to pay the claimant's costs.</p> <p>...</p>		
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			<p>party talks, we agreed a set of proposals that will create a tough new system of self-regulation.</p> <p>I believe the package put in front of us all today provides real incentives with real effect. It embodies a crucial part of Lord Justice Leveson's proposals and part of the tough new regime for press regulation. These amendments have been put forward with cross-party support, so I commend them to the House.</p> <p>...</p> <p>We have before us an important set of real incentives that have real effect to make sure that we can move forward, with today as a turning point where we stop talking about the theory of Leveson and start putting the practice of Leveson out for everybody to benefit from it. The provisions are a crucial part of this new tough regulatory regime and I commend them wholeheartedly to the House.</p>		
18/03/13	Viscount Younger of Leckie	Enterprise and Regulatory Reform Bill, Lords Report Stage	<p>Lord Clinton-Davies:</p> <p>I am troubled by dissension among certain organs of the press. I am not sure that I can be as optimistic as my noble friend about the consequences of that. I think that there is every possibility that those dissenting organs will decide to ride out the views of Parliament, and I am concerned that they might succeed in that direction. I hope not. I hope that the optimistic views of my noble friend Lord Lipsey will prevail, but what happens if they do not? I hope that the Minister will reply to that.</p> <p>...</p> <p>Lord Phillips of Sudbury:</p> <p>...might it be possible—and one is thinking of possibly years hence—that the newspaper industry could decide not to dissolve these arrangements but simply to sidestep them by establishing a parallel and separate body? I would like to have the answer to that question, because I think it is germane.</p> <p>Viscount Younger of Leckie:</p>	HL Deb, 18 March 2013, c450	Hansard

			The noble Lords, Lord Phillips and Lord Clinton-Davies, suggested that members of the press could side-step the self-regulatory umbrella. They could do that, but at their peril. To pick up the point made by the noble Lord, Lord Lipsey, those members of the press who chose to do so would be more likely to lose respect and therefore circulation and they would be liable to greater punitive costs.		
10/04/13	Ed Vaizey	Answer to Commons Parliamentary Question	As Leveson recommended, and in line with the cross-party agreement on 18 March, the Government will be establishing a system of exemplary costs and damages to create an incentive for the press to take part in the new self-regulatory system. The clauses being introduced to the Crime and Courts Bill are to give effect to this new system and include a definition of 'relevant publisher'; groups such as lone bloggers and tweeters would not be expected to join the self-regulator.	HC Deb, 10 April 2013, c1141W	Hansard source
16/04/13	Maria Miller	CMS Cttee	Since the report was published on 29 November last year, our focus has not been whether there needs to be change, it is clear that the status quo is not an option, but rather we have been concerned on how best to achieve these principles of voluntary self-regulation using incentives, not compulsion, as recommended by Lord Justice Leveson, without compromising the vital role that a free and vigorous press has in our British democratic process.	Q363	Transcript
16/04/13	Maria Miller	CMS Cttee	Now it is for us to take forward the proposals that have been agreed by the main three parties. Particularly, our part in that is to make sure that the Charter can be used as a way of establishing the Recognition Panel and also taking forward those incentives through the legislative process that is happening now. That will provide important and very positive impetus for the industry to take part in this, and there is a benefit for them in doing that.	Q364	Transcript
16/04/13	Maria Miller	CMS Cttee	Chair: Moreover, you did start off by saying that the status quo was not an option. If the outcome of this is that we have a regulatory body that is created by the press that is not	Q366	Transcript

			<p>Leveson-compliant and they do not seek approval under the recognition process, essentially is that not the same as we have had in the past?</p> <p>Maria Miller: I, Mr Chairman, believe that the incentives to be part of the self-regulatory body are strong and compelling when you look at the opportunities that will be afforded to publications by being part of a self-regulatory body in terms of the costs provisions that we have made and, on the other side, the potential for exemplary damages if they are not part of this system.</p>		
16/04/13	Maria Miller	CMS Cttee	<p>Chair: However, you would accept that so far the reaction of the press, at almost every level, has been wholly negative? There is not much sign at the moment that they think these are very attractive incentives that will persuade them to join up.</p> <p>Maria Miller: Look, obviously it is early days. We are still in the process of putting in place the incentives that we need. We believe that the approach that we have taken is strong. It is the right way forward. It is very much in the spirit of what Lord Justice Leveson is proposing and we do think that it will provide a material improvement in the self-regulation of this country. It is something that we are actively working on now and looking to implement.</p>	Q367	Transcript
16/04/13	Maria Miller	CMS Cttee	<p>Paul Farrelly: My final question goes back to the key question that John was asking. Within a year, this recognition body has to report on its activities. What do you do, what do we do, if it has nothing to report in terms of any recognition or applications it has received?</p> <p>Maria Miller: The work that has been done since 29 November will mean that there is absolutely a very strong reason why the press in this country would want to take part in this new system of self-regulation.</p> <p>There are clear incentives to take part and there are clear disincentives for not taking part. That is the premise that Lord</p>	Q388	Transcript

			Justice Leveson set out in his report. That is what we followed and we believe very strongly that the system that we have discussed in Parliament now on a number of occasions will provide absolutely the right basis for us to move forward. So, I have to say we are convinced that this is the right way forward and that the press will want to take part, and that is important.		
16/04/13	Maria Miller	CMS Cttee	<p>Mr Leech: Secretary of State, is there a danger that this could turn into a bit of a game of poker whereby the Government is saying there are all these incentives for the newspapers to sign up to but then on the other side the newspapers are taking the view that if we just refuse to sign up, then nothing is going to happen? Is it not important, from the Government's perspective, that the newspapers know that ultimately the Government holds all the aces and that if, ultimately, the newspapers do not sign up-they have to know that the alternative would be worse for the newspapers?</p> <p>Maria Miller: Look, let us be clear. The newspapers are already subject to self-regulation and it is pretty well accepted that the current system has not worked well and that there is a general acceptance in the industry that something new should be put in place; hence the work that has been done by Lord Hunt already. This is not something where there is a complete resistance to change. I would suggest the opposite. The system that has been set out by Lord Justice Leveson is not one of compulsion; it is one of incentives. That is absolutely at the heart of what he proposed; self-regulation with a series of incentives that would create the momentum for people to join. The only difference, and I am sure we will come on to this in our discussions, between Lord Justice Leveson and the Conservative Party and, particularly, the Prime Minister, is exactly how you underpin that. The cross-party support that we now have for a charter approach shows that that can be achieved without statutory regulation.</p>	Q393	Transcript

16/04/13	Oliver Letwin	CMS Cttee	<p>Philip Davies: So you never gave any thought to what might happen if nobody signed up?</p> <p>Mr Letwin: We have yet to have Parliament legislate. Parliament has not yet finally legislated to create the incentives. We have yet to establish the Royal Charter through its seal. We have yet to have Sir David Normington and his colleagues appoint a Recognition Panel. No doubt, from the point of view of the press, all of those three elements are very important. They will need to see exactly how Parliament legislates in the end. They will need to see that the body has been established, the Recognition Panel, and they will need to see who has been put on it because no doubt that will be of some importance to them in considering whether they wish to join up.</p> <p>The incentives that are provided here are not minor incidental incentives, particularly from the point of view of those parts of the press that have most often been in the courts. They are very powerful incentives both on the exemplary damages and on the costs front. They have been designed that way. Neither the Committee nor we are yet in a position to judge how the press will respond to those very powerful incentives in the light of the structure and the people who are manning the structure. There is some considerable time to go. The exemplary damages clause, for example, does not clock in until a year after the Recognition Panel has been established.</p>	Q398	Transcript
16/04/13	Maria Miller	CMS Cttee	<p>Philip Davies: Just a final two areas that might encourage the press to sign up. One is about whether or not the arbitrary arm should be empowered to award costs against people who bring forward vexatious complaints. That was something Lord Leveson raised in his report and may provide some kind of a safeguard for certainly the local and regional press. Why does that appear to have been removed from the verification criteria in the Royal Charter?</p>	Q402	Transcript

			<p>Maria Miller: You are right that the issue of costs is very important and it is a very important part of the incentives for people to be part of the new self-regulatory system. Within the arbitral arm, obviously the detail of that and how that is going to operate is going to be for the press to determine. That will be part of their self-regulatory process but within the recognition criteria, within the part of the Charter that deals with this there are some important things set out.</p> <p>First, this will be free for individuals to access. That is a material thing the Committee should recognise: this will enable people who have absolutely undeniable problems to take them forward, without some of the concerns they may have at the moment around the cost of doing that; but equally, the self-regulatory body would be able to ensure that those cases were not frivolous or vexatious.</p> <p>That will address the issue that you are raising, which is how we make sure that that arbitral arm and that access to justice works as an incentive for the press but also a benefit for the people who may be trying to access justice.</p>		
16/04/13	Oliver Letwin	CMS Cttee	<p>At around 6pm, I met with the Deputy Prime Minister again, if I recall correctly, in his office. The issue that he raised as a result of the discussions that he had had between 3pm and 6pm with the Leader of the Opposition-and, for all I know, although I would not like to speculate exactly, the Deputy Leader of the Opposition and others in the Opposition team-he reported that although there did not seem to be a problem about our proposed Charter, there was an issue about the costs clauses. The proposal that he put was that the costs clauses should be made more directly symmetrical in line with what we had already proposed about the exemplary damages. You will see before you that proposal because it is the one we then brought to Parliament, namely that, as the Committee will be</p>	Q405	Transcript

			<p>well aware, the costs proposal is now entirely symmetrical. You are either in a hugely favourable position if you are in a recognised regulator, from the point of view of costs, and you are a newspaper, or in a hugely unfavourable position if you are not in a recognised regulator and you will face court action.</p> <p>We were very willing to accept that. It comes back to our earlier discussion. It made the incentives to join the recognition process for your regulator stronger. So we signalled at, I think, around 6.50pm that we would be very happy to entertain that possibility. Thereafter, the Deputy Prime Minister went back to talk to the Leader of the Opposition on that basis. So, with our proposed Charter, and with our acceptance of revision to our costs clause, we awaited a further response.</p>		
16/04/13	Maria Miller	CMS Cttee	<p>Mr Sutcliffe: That is pointing us in the direction that it could be another 12 months before this is resolved. In that time we will have other court cases and the outcomes of those court cases. This will be a live issue as it is undoubtedly is now, perhaps even more so by then. So, is there not a timing issue here in terms of trying to get this sped up as much as possible? In the negotiations I have done, you got the feeling from the other side that they were likely at some point to sign up, and even though they may have had difficulties in terms of particular items that have to be gone through, there was a willingness to sign up. Are you saying you have that willingness to sign up at some point if all these things can be ironed out?</p> <p>Maria Miller: The process now is clear. It is about setting up the Recognition Panel, which will eventually lead to the exemplary damages and the cost provisions being put in place and providing those incentives for a self-regulatory body to put itself forward to be recognised. That is the process.</p>	Q417	Transcript

16/04/13	Maria Miller	CMS Cttee	<p>Mr Sutcliffe: I understand what you are saying, but the Committee would like to have confidence that there is going to be an outcome to all this. It goes back to what the Prime Minister said: this is not about what the press wants or what politicians want. It is about the victims who deserve internal protection and there has to be a momentum to this. I am trying to draw out if you have any doubts that we will get to a conclusion to this.</p> <p>Maria Miller: We will certainly get to a conclusion because we will set up a Charter that will have a Recognition Panel and that will lead to the incentives for people to want to take part in this process.</p>	Q418	Transcript
16/04/13	Oliver Letwin	CMS Cttee	<p>Tracey Crouch: Drafted and approved by the Privy Council, who are Ministers and politicians?</p> <p>Mr Letwin: Yes, but once established they cannot change it because of this whole apparatus. Let me step back for a moment. I think you are far from being naive, if I may say so; you are absolutely at the centre of what was our concern throughout here. The whole point of this is, within the context of the British constitution, which was not in our power to suddenly undo, we were trying to find a means of establishing something that created incentives for self-regulation but was nevertheless recognised on Leveson principles, without crossing the Rubicon of Parliament at any stage laying down the law about what had to be in that regulator, and without politicians being able subsequently to change what was in that in any easy way at all.</p>	Q425	Transcript
16/04/13	Maria Miller	CMS Cttee	<p>Once the Recognition Panel is in place and operating, then the incentives legislation would come forward 12 months after that.</p>	Q430	Transcript
25/04/13	Jeremy Wright	Answer to Commons PQ	<p>Provisions in the Crime and Courts Bill, which is currently before Parliament, give effect to the recommendations made by Lord Justice Leveson relating to aggravated and exemplary</p>	HC Deb, 25 April 2013, c1296W	Hansard source

			damages (Recommendations 71 and 72) and the awards of costs (Recommendation 73). These provisions will introduce strong and effective incentives for relevant publishers to join a recognised independent self-regulator.		
03/07/13	Lord Gardiner	Lords debate	My Lords, I understand your Lordships' frustration about timing. Indeed, already two elements of Acts of Parliament with cross-party agreement deal with some of the Leveson recommendations.	HL Deb, 3 July 2013, c1213	Hansard source
04/07/13	Maria Miller	Ministerial Statement	The cross-party agreement, which continues to have cross-party support, included a royal charter to set up a verification body for a new independent press regulator; elements of legislation needed to secure the incentives for newspapers to participate; and a "no change" provision that protects the charter from future political interference. We have delivered those incentives through the provisions included in the Crime and Courts Act 2013 and the Enterprise and Regulatory Reform Act 2013.	HC Deb, 4 July 2013, c60WS	Hansard source
11/07/13	Lord Gardiner	Lords debate	Parliament has already, as we know, passed two Acts of Parliament—the Crime and Courts Act and the Enterprise and Regulatory Reform Act. All the recommendations made by Lord Justice Leveson will provide strong and effective incentives for relevant publishers to join a recognised independent self regulator.	HL Deb, 11 July 2013, c396	Hansard source
04/12/13	Ed Vaizey	Commons debate	The key elements of the recommendations in the report can be summarised as follows. The first was maintenance of a vigorous free press. The second was having the maintenance of press self-regulation at the heart of the new system that delivers the key principles set out in the report. The third was to have incentives that encouraged the press to use that self-regulation system and created benefits for those who signed up to and followed it. In addition, an independent recognition body should be able to recognise that a press self-regulator was adhering to the principles. ...	HC Deb, 4 December 2013, c319WH	Hansard source

			<p>The independent recognition body should be able to recognise when a press self-regulator is upholding the principles. By adhering to them, the press can take advantage of incentives.</p> <p>...</p> <p>I would put it another way: the Government would incentivise those who join an independent self-regulator that adheres to the Leveson principles.</p>		
26/12/13	David Cameron	Spectator interview	<p>'There are opportunities for the press to be able to be recognised and I would encourage them to look at that because it does mean that they can get the sort of incentives around costs and also exemplary damages.'</p>	n/a	Interview
02/04/14	Lord Gardiner	Lords debate on Bns Hollins' QSD	<p>Parliament has obviously put in place incentives whereby we very much hope that there will be recognition through the Recognition Panel for whatever self-regulator there is.</p>	HL Deb, 2 April 2014, c954	Hansard source
20/01/15	Sajid Javid	DCMS Annual Report, oral evidence at Cttee	<p>Paul Farrelly: Given Leveson was a lengthy and very costly inquiry and it is a very controversial subject given the treatment of some of the victims, you seem to be displaying here a disinterest and lack of curiosity as to how things are going in the last months since your appointment.</p> <p>Sajid Javid: No, I do not think it should be mistaken as a lack of interest. The Government have always been clear about what the charter process is, how it has come about, and how there is a system of incentives for bodies to apply for recognition, but that is a decision for those bodies. The principle that Lord Leveson had made absolutely clear, which I think most people have accepted, is that it should be independent. It should be self-regulation. I think for the Government to get more involved would be wrong because it would go against those key principles.</p>	DCMS Annual Report 2013-14, HC 940 Q85	Transcript
07/04/15	David Cameron	Letter in response to letter from victims	<p>Since that time, we have seen the establishment of the Charter recognition panel - and the appointment of Dr David Wolfe QC to chair it, supported by a group of distinguished panellists. As you say, there is no sign at present that IPSO is either compliant or seeking recognition under the Charter, but I</p>	n/a	n/a

			<p>understand that there are now moves underway to ensure that there is at least one compliant self-regulatory body that will seek recognition under the Charter.</p> <p>Beyond this. I'm afraid I cannot agree with your description of the 'incentives' provided by the new libel legislation that we enacted as "modest". They are far from modest; they are severe. Any newspaper that defames someone, without that newspaper being a member of a self-regulatory organisation that is itself compliant with Leveson principles and recognised as such by the recognition body under the Charter, stands to face enormous costs and exemplary damages in the lifetime of the next Parliament.</p>		
26/06/15	Government response	Response to Lords Comms Cttee Report	<p>See below, Appendix 4: The House of Lords Communications Committee holds an Inquiry into press regulation, which references the incentives on number of occasions on the assumption they will be brought into force, and the Government's response makes no reference to the possibility of non-commencement.</p>	n/a	Govt response

Appendix 1: Government states it is not their role to monitor IPSO

Date	Author	Context	Comment	Citation	Link
05/12/13	Lord Gardiner	Lords debate	<p>Lord Sharkey My Lords, David Yelland, an ex-editor of the Sun, has said of the PCC’s IPSO proposal that, “they can’t simply set up a system that has many of the flaws of the old one, run by the same people that ran the old one”. Does the Minister agree with the sentiment behind that and will he reassure the House that he believes the PCC proposals to be fatally and irretrievably flawed?</p> <p>Lord Gardiner of Kimble <i>Lords Spokesperson (Department for Culture, Media and Sport), Lord in Waiting (HM Household) (Whip)</i> The most important thing about the recognition panel is that it will be for the panel to opine on any body that applies to it for recognition. That is part of the whole architecture that Lord Justice Leveson proposed: the recognition body and an independent self-regulator. Therefore, it is not for the Government or the Executive to opine whether an application from a new body is to be recognised. That is precisely why we set up the recognition panel. That work is now in progress.</p>	HL Deb, 5 December 2013, c351	Hansard
02/04/14	Lord Gardiner	Lords QSD	<p>Lord Gardiner of Kimble <i>Lords Spokesperson (Department for Culture, Media and Sport), Lord in Waiting (HM Household) (Whip)</i> My Lords, I have, of course, studied the Media Standards Trust report. The whole basis of the design of Lord Justice Leveson’s report is precisely for the independent Recognition Panel to opine on whether the criteria in Schedule 3 of the royal charter have been adhered to. That is the key point of the independence: it is for the Recognition Panel to decide. The idea that the Secretary of State should intervene misses the point about the</p>	HL Deb, 2 April 2014, c955	Hansard

			independent arrangements that we have put in place to ensure that we get a decision that is independent of Parliament and government.		
20/01/15	Sajid Javid	DCMS Annual Report, CMS Cttee Oral Evidence	<p>Paul Farrelly: No, I am talking about IPSO now. Sir Alan Moses is the chairman of IPSO. On his first day in the job he gave a press interview where he described the resources at his disposal to pursue investigations with this newly found body as hopeless. I was wondering whether since you were appointed you have met with him before or after his appointment just to apprise yourself of how things are going.</p> <p>Sajid Javid: I do not think it would be appropriate for me to get involved in that. That is a body that is set up by the industry or various members of the industry. It is for them to set it up the way they want to. It is for them to decide on important issues such as funding and it would be wholly inappropriate for me or any other Government Minister to get involved in that process. If that body then, once it has been set up, wants to go and apply to the recognition panel under this charter process, that is a decision, again, for that body and the industry. I think it would be wrong, given that this is independent self-regulation, for me as a Minister to get involved in decisions of that type.</p>	n/a	Transcript

Appendix 2: Conservative manifesto on Press Freedom, 14/04/15

We will defend press freedom

We will continue to defend hard-won liberties and the operation of a free press. But alongside the media's rights comes a clear responsibility, which is why we set up the public, judge-led Leveson Inquiry in response to the phone-hacking scandal, created a new watchdog by Royal Charter and legislated to toughen media libel laws. Because the work of the free press is so important we will offer explicit protection for the role of journalists via the British Bill of Rights and we will ban the police from accessing journalists' phone records to identify whistle-blowers and other sources without prior judicial approval. Local newspapers are an important source of information for local communities and a vital part of a healthy democracy. To support them as they adapt to new technology and changing circumstances, we will consult on the introduction of a business rates relief for local newspapers in England.

There is no doubt that the highlighted passage refers to Section 40, which provides for “double costs in libel cases for newspapers not joining an recognised regulator”:

- It cannot relate to exemplary damages provisions because those provisions did not toughen the law in relation to libel (as they already existed for libel), and only provided a new immunity for those newspapers in a recognised regulator.
- The only other legislation relating to libel laws passed in the last Parliament was the Defamation Act 2013, which was universally regarded, by proponents and opponents alike, as liberalizing libel laws in half-a-dozen areas.

Appendix 3: Conservative “standard line” reply to constituents asking about media regulation, 05/15

Thank you for contacting me about media ownership and regulation.

The Conservative Party is committed to having a broad and diverse range of media viewpoints available across the UK and we are working to ensure that no organisation or news source dominates the media.

*This is why the Prime Minister set up the Leveson Inquiry because of the appalling treatment suffered by people like the Dowlers, the McCanns, Christopher Jefferies and many other innocent people at the hands of some elements of the press. It was right to hold a public inquiry into press practices to see what lessons needed to be learned. The Leveson inquiry investigated these practices and events, and as a result we brought forward **our plans for a Royal Charter which secured all-party agreement**. This Charter has created a robust system of press regulation that delivers up-front apologies, million-pound fines, a self-regulatory body with independence of appointments and funding and an arbitration service free for victims. Our approach of rejecting statutory regulation and **delivering a robust Royal Charter means that we have an effective system of press regulation that gives confidence that bad practices will be stopped** while ensuring our cherished press freedoms are protected.*

...

I hope this information has been helpful and thank you once again for taking the time to contact me.

Yours sincerely,

Appendix 4: Government response to House of Lords Communications Committee Report, 26/06/15

House Of Lords Select Committee on Communications 3rd Report of Session 2014-15 - Press Regulation: where are we now?

Government Response 26 June 2015

The Government welcomes the Select Committee on Communications' report on Press Regulation published on 23 March 2015.

Since the Royal Charter was granted on 30 October 2013, there have been significant developments made by self-regulators and the Government to meet Lord Justice Leveson's recommendations for a new, fairer system of independent press self-regulation.

On 8 September 2014, the Independent Press Standards Organisation (IPSO) replaced the Press Complaints Commission (PCC) as the industry's self-regulatory body, and has taken responsibility for enforcing the Editors' Code of Practice.

The Press Recognition Panel, established by the Royal Charter, on 3 November 2014 as a fully independent body whose purpose it is to consider whether self-regulators applying for recognition meet the criteria set out in the Royal Charter. The panel is currently consulting on the criteria and has announced it aims to be open for applications in the autumn. In recent weeks the potential alternative self-regulatory body, IMPRESS, has announced that it will seek recognition from the Panel later this year.

Government will observe with interest as the sector takes forward these important steps to ensure a responsible and accountable press.

The Government commends the Committee for its excellent work and would like to thank them for this report, which is another important contribution.

The Committee's Report rested on the assumption that the Government were sticking to their word over this. The "introduction" of the Report factually lays out the background, including point 6:

- 6. The Crime and Courts Act 2013 included provisions designed to provide a system of financial incentives for relevant publishers to sign up to the new regime.*

The Report is [here](#).