



HOUSE OF COMMONS
LONDON SW1A 0AA

June 2018

Dear Constituent,

Thank you for contacting me about the 'Leveson' amendments to the Data Protection Bill (now Act).

The proposed amendments would have threatened the free press by trying to introduce Section 40 and reopen the Leveson inquiry, albeit in relation to data protection. I believe this would undermine high quality journalism and have a significant negative impact on local press, which is already struggling. The amendments were contrary to the 2017 Conservative Manifesto on which I was elected. The Manifesto stated that we would not be proceeding with Leveson 2 and would repeal Section 40. That is why I am glad the amendments were defeated.

The Government wants to ensure the press is well-regulated with high standards, albeit with their freedom protected. Tough new data protection laws apply to journalists. The Act protects the confidentiality of sources and supports well run investigative journalism, but does not give journalists a free hand. Journalists must secure the information they hold, must assess risk when processing data and must notify the Information Commissioner of any serious data breaches. A new Information Commissioner's Office code of practice for journalists will set clear data protection expectations. The Commissioner will also conduct a statutory review of media compliance with the new law, and good practice in data processing, over the next four years, with a review every five years thereafter. If the media has not changed its ways and abuses the trust Parliament is placing in it, then this review will expose that.

I do not think that these amendments would have solved the challenges the media face. After conducting a thorough consultation on the Leveson inquiry, the Government determined that that reopening the Leveson Inquiry is not in the public interest and that Section 40 is no longer necessary.

The Government is aware of concerns about the effectiveness of IPSO and welcomed the recent changes it has made both to its arbitration and Editorial Code. These changes



demonstrate a willingness on behalf of the press to improve their standards of self-regulation without the need for legislation. Many IPSO members equate recognition by the independent Press Recognition Panel (PRP) with state regulation, since the PRP was established by Royal Charter in the wake of Leveson. IPSO has always maintained that it should be judged by its performance against the Leveson criteria for independent and effective regulators, rather than against the Charter.

IPSO has announced that it is creating a compulsory version of its low-cost arbitration scheme, to which its national newspaper titles have now signed up. This means that someone who has a genuine claim against a newspaper who could have gone to court can now demand arbitration of their claim and the newspaper cannot refuse. The Data Protection Act ensures a report on the use and effectiveness of the media's low cost arbitration is laid in Parliament at least every three years.

Thank you again for taking the time to contact me.

Yours faithfully,

A handwritten signature in blue ink, which appears to read "Chris".

CHRIS HEATON-HARRIS MP
MEMBER OF PARLIAMENT FOR DAVENTRY