

UK PRESS CARD AUTHORITY – RESPONSE TO THE LEVESON INQUIRY

1. I am Mike Granatt, chair of the UKPCA Ltd. It is an independent, unpaid position, which I was invited to take up in 2004. (I was the scheme's original chair more than 20 years ago.) My career started in 1973 with journalism on trade papers and local newspapers. I joined the Civil Service in 1979, later becoming director of communication or its equivalent for the Department of Energy, the Metropolitan Police Service, the Department of the Environment, and the Home Office. I was in the Cabinet Office from 1998-2003 as Director-General of the Government Information and Communication Service and as Head of the Civil Contingencies Secretariat (concurrently during 2001-2.) I retired early and now work part-time as a director of Luther Pendragon, a consultancy in the City.

Please note: I have drawn up these answers personally, and incorporated factual comments from gatekeepers. Where I refer to "some gatekeepers", it indicates that opinion is divided. Answers 33 and 34 are entirely my opinions because there is no prospect of providing a compilation of gatekeepers' views in reasonable time. All gatekeepers have a copy of this response, so that they have full opportunity to offer additional or differing views.

2. This answer describes the purpose, structure and history of the scheme UK Press Card Scheme. Further details can be found in later answers.

Purpose.

The sole purpose of the UK Press Card scheme is to provide a secure, standardised identity photo-card for **professional newsgatherers** working in the UK. It defines professional newsgatherers as "anyone working in the UK whose employment or self-employment is wholly or significantly concerned with the gathering, transport or processing of information or images for publication in broadcast electronic or written media including TV, radio, internet-based services, newspapers and periodicals; and who needs in the course of those duties to identify themselves in public or to official services."

Structure.

These are the components of the UK Press Card Scheme (in addition to the individual newsgatherers who hold cards).

- a. **The UKPCA Ltd board** exercises governance through the **scheme rules** (Annex 5) but has no operational role. It owns the copyright to the press card design. It comprises 17 directors, one from each of the gatekeeper organisations (“gatekeepers”), the unpaid chair, and a part-time board secretary. The board secretary arranges and minutes the board and gatekeepers committee, and acts as a central enquiry point. Each gatekeeper holds one of the company’s 17 shares. The card contractor (see below) provides the company secretariat and files annual returns etc. The board normally meets yearly for its annual general meeting.
- b. **The gatekeepers committee** exercises supervision but has no operational role. This is a subcommittee and mirror of the board, with the same nominal cast. Attendees are usually the people who manage the gatekeepers’ central points (see below), acting as directors’ representatives. It meets four times a year to hear reports from gatekeepers and the card contractor and to discuss matters of mutual concern.
- c. **The gatekeepers** are the organisations that run the scheme day-to-day and own the cards they issue. They are major media organisations, trade associations, trades unions, and professional associations, and represent the widest grouping of organisations within the British media industries. **Annex 1** lists their names, contact details, coverage, and numbers of press cards on issue at 8 November 2011. Each gatekeeper has a central point that administers the scheme and which checks all applications. Applicants must provide the information set out in section 12 of the rules and meet the definition of a **professional newsgatherer** set out above. Only a gatekeeper can instruct the card contractor to produce a card. Each gatekeeper owns their portion of the central database, instructing the card contractor on its maintenance. Gatekeepers pay the contractor a standard fee for each card. They charge the applicant or their employer a fee to cover the cost and administration. Membership organisations usually build the charge into their membership fees.
- d. **The card contractor** delivers the following services to the order of the board (except where specified), financing them out of the charge it makes gatekeepers for each card:
 - i. produces standard UK Press Cards to the order of gatekeepers
 - ii. maintains the central database, and maintains respective sections of it to the order of the gatekeepers

- iii. supervises the verification hotline, employing the hotline contractor and maintaining the verification database
 - iv. maintains the UKPCA Website and downloadable briefing poster (at Annex 2)
 - v. administers the affairs of UKPCA Ltd
 - vi. pays the board secretary and provides her computer
- e. **The verification hotline** allows anybody to cross check the serial number of a UK Press Card with a PIN or password known to the cardholder. (It holds no other information) The hotline is currently provided by the Press Association's call centres and is open 24/7 for most days of the year. The hotline telephone number is on every card and the poster.
- f. **The press card** is a plastic, credit card size, photo-card. It uses a standard design owned by UKPCA Ltd. Its security features include a hologram, design elements, tactile areas, and (in most cards) a Smart Card chip that is programmable, readable and encrypted. The card is shown and described on the scheme poster (attached). All cards carry the name of the holder; their photograph, their issuing gatekeeper or employer; their job; a serial number; and an expiry date. No card lasts for more than two years, although some gatekeepers renew annually.

History.

The scheme was set up by the industry collectively after the Metropolitan Police Service abolished its press card in 1991. Its roots had been in cards allowing journalists to move around during wartime restrictions. Despite widespread misgivings, many journalists carried the Met Press card so that they could prove their bona fides to officers on the street in London and elsewhere. (It wasn't infallible - there was a wry joke that it was sometimes of more use in Bangkok than in Brixton.)

The Met Commissioner, Sir Peter (now Lord) Imbert, agreed to abolish the card after seeing evidence that it was being treated in some ways as a licence. This was a local newspaper editor's request for a Met press card for a potential recruit for whom he had made it a condition of employment.

With the Met card's abolition, many people in the industry agreed that frontline newsgatherers would need a new common identity document recognized by the police and other official bodies. After a year's negotiation, an agreement was brokered between the main newspaper and periodical publishers' associations, media trades unions and professional associations, press and photographic agencies, and broadcasters. It set them up as joint owners and sponsors of the UK Press Card scheme, with no single gatekeeper able to block the issue of a card to an eligible newsgatherer. An established manufacturer was appointed to produce cards using a standard design.

The gatekeepers committee agreed in 2004 to establish UK Press Card Authority Ltd to protect the intellectual property in the scheme, notably the card design.

A brief appraisal of the scheme's performance concludes Answer 34.

3. See Answer 2.
4. See Answer 2.
5. See Answer 2
6. The criteria for a gatekeeper are in section 8 of the scheme rules. In essence, a gatekeeper must be an established media organisation which can show that:
 - its principal activity is concerned with newsgathering, broadcasting, publishing or representing individuals or companies involved in this area;
 - it employs newsgatherers; or has newsgatherers in membership; or represents the employers of newsgatherers;
 - it has not been set up with the sole or major intention of issuing the press card or other accreditation for individuals
 - its individual members, or employees, or constituents' members or employees (whichever applies) cannot reasonably obtain accreditation from one of the existing gatekeepers.
- 7 The board of the UKPCA appoints new gatekeepers. If an organisation wishes to become a gatekeeper, it contacts the secretary or chair. The board will judge if it meets the criteria set out in Answer 6 above and is otherwise acceptable.
- 8 The UK Press Card scheme is concerned solely with identity and role; so identity and eligibility are what Gatekeepers check. It is not an employment or membership vetting scheme for which criminal convictions, cautions and adverse PCC rulings would be relevant.
- 9 See Answer 8. Operational responsibility for press card checks lies with the gatekeepers alone. They have the close knowledge, reach and resources for the task. A gatekeeper may ask the board to adjudicate on a difficult case. Anybody can bring to a gatekeeper or the board his or her concern about the suitability of a cardholder. It will be considered against the criteria in Rule 10.3.1: misuse of the card that could bring the scheme into disrepute or ineligible employment. Such decisions are recorded on the card contractor's database and the verification hotline.
- 10 See Answer 2. Every applicant for a press card must supply the minimum information set out in section 12 of the scheme's rules. Every gatekeeper provides a suitable application form, which can pose additional questions if the gatekeeper requires. An application for a card is made either to the

gatekeeper's central point or to a nominated senior manager in a gatekeeper member organisation who passes it on to the central point. For example, local newspapers are members of a gatekeeper, the Newspaper Society (NS). A local newspaper reporter passes his application to his managing editor, who verifies it and passes it to the NS's central point. The NS central point then checks the form and forwards it to the card contractor.

- 11 There are standard criteria for an “eligible newsgatherer” – see the answers to question 2 and question 10. They are very simple and focus first on whether the applicant's job is eligible and if it is, whether the job provides most if not all of the applicant's income. There are occasional cases of cards being issued inappropriately. (The latest involves the issue of a card to a private investigator, which was mentioned to this inquiry.) Gatekeepers can be held to account at the gatekeepers committee.
- 12 UK Press Cards are provided to people, not organisations or Websites. In broad terms, a professional newsgatherer working for any news medium who needs to identify themselves in person will probably be entitled to a card, while an office-based website manager will probably not.
- 13 The UK Press Card is an identity document which is recognised by police forces and other organisations. (Annex 3 shows the latest iteration of the police service's recognition of the UK Press Card.)

It can assist holders when their job requires them to reach facilities specifically provided for media workers, or to observe an event, or to cross a cordon. Examples include demonstrations, or the scene of a major accident.

More structured arrangements include access to Family Court hearings, where the Ministry of Justice recognises (and proposed) the UK Press Card as the only formally recognised accreditation for journalists. (A court can of course consider other documentation ad hoc.) The Foreign and Commonwealth Office sought and received help from the UKPCA for G20 summit accreditation process in 2009. Special accreditation had to be issued for security reasons, but the UKPCA helped the FCO verify accreditation applications. (No names were passed to the FCO; the FCO asked the UKPCA to verify UK Press Card details provided by applicants.)

- 14 The Metropolitan Police press card was abolished in 1991. The UK Press Card scheme was set up with the help of the Met and recognised by the Association of Chief Police Officers for England, Wales and Northern Ireland (ACPO) and the Association of Chief Police Officers for Scotland (ACPOS) shortly afterward.

The chair of the ACPO Communication Advisory Group, Chief Constable Andrew Trotter of the British Transport Police, is always willing to mediate and offer support where there are difficulties in using the UK

Press Card with police. Several gatekeepers' representatives regularly speak to police audiences about working with the media, and they take the opportunity to draw their attention to the card scheme.

I am not aware of any police press cards that have been issued since 1991, except for a very few instances involving specific events. Even then, gatekeeper organisations have usually approached the forces concerned to seek the withdrawal of event accreditation and its replacement by the UK Press Card. A recent example was in Leicestershire when the police withdrew a plan for their own press badges for a planned EDL demonstration.

- 15 See Answers 13 and 14. UK police forces and the Ministry of Justice recognise the UK Press Card formally. There is no central register of organisations that recognise the UK Press Card.
- 16 See Answer 15. Promotion of the scheme to organisations is left to newsgatherers on the ground and to gatekeepers. The UKPCA publishes a poster on its Website for downloading by any organisation to help train staff recognise the card. It is periodically e-mailed to the press offices of all police forces. There is no formal system for recognition.
- 17 No. The access that any organisation provides to newsgatherers is entirely at their discretion. The UKPCA recognises that it is not necessary for a newsgatherer to carry a press card, a point made on our poster. Nor does the UKPCA wish any professional newsgatherers to be deprived of a legitimate opportunity to carry out their duties because they have not had the opportunity or the wish to apply for one. The UK Press Card is designed to help cardholders and the people from whom cardholders seek help, nothing else.
- 18 Some organisations or locations with specific security requirements do not recognise the UK Press Card as a sole means of identification because they need to carry out certain checks. Gatekeepers and individual media organisations with a particular interest have a continual dialogue with these organisations to see if matters can be taken forward. Most UK Press Cards are already equipped with Mifare (smart card) chips that could be individually and securely coded for use in such circumstances (see Answer 20). They work in the same way as an Oyster card and can be read using small and relatively inexpensive terminals.
- 19 Annex 1 provides details.
- 20 The card has a standard design and a number of verification and security features described in Answer 2, sections e and f, and on the press card poster attached to this document. Some further security features are kept confidential and only released to the police. Most gatekeepers agreed some time ago that their cards should incorporate a Mifare chip (see Answer 18). It future proofs cards by enabling, for example, an easily

checked electronic watermark.

- 21 No card lasts longer than two years. A gatekeeper may set a shorter renewal date because of the short nature of an assignment, or frequent turnover. An example is the Foreign Press Association, which serves foreign media working in the UK. It generally issues cards with a year's validity. There are no problems with consistency between gatekeepers.
- 22 Renewal uses the much the same process as the original application. A newsgatherer has to certify that his/her details are the same or provide any changes, and this is countersigned. There is no variation in the standard of information demanded by the scheme, although gatekeepers' additional requirements may vary. There are no problems with consistency between gatekeepers.
- 23 Cardholders are expected to use the card for the simple purpose for which it was issued – confirming their identity and role. The card is owned by the issuing gatekeeper who can withdraw it at any time. A card can be withdrawn by the issuing gatekeeper or on the board's instruction if the holder becomes ineligible (e.g. through a change of job) or if the holder has used it in a way likely to bring the scheme into disrepute through misrepresentation or dishonesty. (Rule 10.3.1) When a card is withdrawn, the responsible gatekeeper warns all other gatekeepers in case the former holder seeks a card by another route. This is also recorded on the central database. Very occasionally, the board has asked police forces to retain a card if presented, and to return it to the UKPCA.
- 24 See Answer 23.
- 25 There is no formal procedure, but anyone wishing to complain about a cardholder can approach his or her gatekeeper or the board at any time. Of course, it is rather more likely that a complainant would approach the person's employer. If a cardholder lost his or her job as a result, and the employer had provided the card, the employer should return it to the gatekeeper with a report on the circumstances.

An example of revocation took place in December 2007. Police contacted the board secretary to complain about the behaviour of a cardholder. It was discussed at a gatekeepers committee meeting shortly afterwards, and it was agreed that his card should be revoked. As chair, I wrote to Hampshire police authorising them to seize the card. This was done and the card was sent back to the board. The name of the newsgatherer was flagged up on both the central and verification databases.

- 26 No. Police forces cannot revoke a card because it is not theirs to revoke. But they can and have seized a card and raised a complaint against the holder, which was then considered by the gatekeeper and the board.

- 27 Monitoring the conduct of individual cardholders is for employers, membership organisations, and the gatekeeper (if that is someone else). Of course, this will probably take the form of an investigation following a complaint or apparent misbehaviour.
- 28 See Answer 27.
- 29 There is no formal appeal procedure against revocation, but the board would always consider a request for a hearing. (It has not happened.)
- 30 A newsgatherer can always re-apply for a UK Press Card. The details of cardholders are kept on the database for three years after expiry or revocation. This helps gatekeepers detect revocation or refusal by another gatekeeper. In the case of serious misuse, the newsgatherer's record would be retained for as long as necessary to pre-empt any improper attempt to regain a card. If a gatekeeper considered it appropriate to withhold a card for an extended period, they would have to seek the agreement of the gatekeepers committee.
- 31 No. See Answer 8. But if the circumstances led to disciplinary action or loss of job, it is likely that the relevant gatekeeper would either be involved or be alerted and take appropriate action under rule 10.3.1.
- 32 See Answer 14.
- 33 *NB: This answer is entirely my personal view, not that of the UKPCA collectively. Gatekeeper organisations may choose to respond individually*

First, as an identity system, the card scheme performs well. This conclusion was shared by a Control Risks study carried out not long ago for the Football Leagues, who wanted to set up their own press card for entry to grounds. (They were dissuaded.)

However, individual gatekeepers make their own decisions on identity checks. Because the card claims to be a standardised and reliable proof of identity, the public will expect all applicants to be checked to the same standard. While applications are countersigned to declare the applicant suitable, I doubt this fits the bill. The issue could be resolved by insisting that applications are accompanied by a check on some official photo-id such as a passport or driving licence, alongside proofs of address such as utility bills. (This is similar to the requirement for the first stage of a child safeguarding check.) A proposal to do this failed to gain a consensus among gatekeepers some time ago, but the issue will be reconsidered.

Secondly, the UKPCA and the gatekeepers should tackle a lack of knowledge about the UK Press Card among holders and others. As Annex 4 shows (it is a Guardian columnist's comment on Mr Dacre's idea), many people do not realise that the card issued to NUJ members is the same card as that issued to NPA papers' employees, BBC employees, Foreign

Press Association members, and photo agency members; or that the “easily accessible database” he calls for has been available for 20 years.

Thirdly, Mr Dacre’s proposal certainly reflects a widespread mood for better ethics- and behaviour-based regulation across the media. Many gatekeepers agree that the UKPCA cannot stand aside from the standards debate, but their positions vary:

- A majority believe that a UK Press Card holder should agree to comply with a code of practice. Some would like a UKPCA specific code, while a majority want gatekeepers to enforce the established codes for their sectors (e.g. the PCC Editors’ Code, the Ofcom code, the BBC’s code.)
- a number of gatekeepers want to see stronger identity and/or character checks
- and a significant minority are strongly opposed to any change in the UKPCA’s role or rules, pointing out that gatekeepers in sectors with codes already enforce them as employers or membership organisations.

On the issue of character checks, one gatekeeper has proposed a Criminal Records Bureau check on press card applicants. The reasoning is supported by the case of a photographer with convictions for dishonesty and assault who obtained a card through a trade union. Eventually, his behaviour led to a complaint from the police who were authorised by the UKPCA to seize his press card.

However, imposing a CRB check would raise some important questions, not least because according to the Home Office, one third of men aged 40 have a criminal record. For example:

- Is there any evidence that a CRB check would be effective? What type of convictions, cautions or degree of offence would cause disqualification and why? Who would make the judgement in each case? Who conducts appeals?
- Should the criteria for disqualification differ for reporters, photographers, TV technical staff and support staff such as drivers?
- Who pays?
- Would a CRB check be practicable? One broadcasting gatekeeper, which often issues cards at short notice for projects, says the known delays are unacceptable.
- What about checks on the nearly 2000 resident foreign journalists who hold cards?
- Should there be a retrospective check on existing cardholders?
- If a person has held and renewed a card for years with no hint of misbehaviour, should they suddenly be disqualified because a CRB check reveals a past conviction or caution?

- 34 *NB: This answer is entirely my personal view, not that of the UKPCA collectively. Gatekeeper organisations may choose to respond individually.*

Mr Dacre's intervention is important and well worth debating. It raises a number of interesting issues, and highlights some common misconceptions about the UK Press Card. Mr Dacre made it clear that he was only offering some early thoughts, so I have taken the liberty of making some inferences and comments. I also explain why the UK Press Card works well now, and why fragmenting it would be self-defeating.

The core proposition and my assumptions

My first assumption is that Mr Dacre's proposal involves modifying the UK Press Card scheme, not creating a whole new card. (Underpinning this assumption is the fact that a separate newspaper card would make no sense, as I explain in the last section of this document.)

The UK Press Card scheme would continue to be managed collectively by the gatekeepers. The newspaper industry's new voluntary regulator or the current gatekeepers would issue its version of the single press card.

Mr Dacre proposed that the card for the written press would be issued on condition that the reporter or photographer concerned was ethically well-trained and well-behaved, compliant with the code for newspapers. It would be a form of kitemark.

While he did not spell it out, his proposal implies that every cardholder's newspaper and its managers would also need to be kitemarked. (This follows the fact that most newspapers already sign up to the PCC Editors' Code. A number also incorporate it in employees' contracts of employment, including Associated Newspapers.)

Kitemarking and third parties

Mr Dacre proposed that the kitemark would be recognised by third parties such as government departments and agencies, scientific bodies, the police and sports organisations. As a result, they would invite only kitemarked journalists and newspapers to controlled media facilities such as press conferences, private briefings, exclusive interviews etc.

He saw two incentives for them. First was the assurance of working with voluntarily regulated, accountable journalists, editorial managers and their publications. Second would be access to the regulator's complaints process, although this could be denied if "unkitemarked" newsgatherers were invited.

However, I strongly suggest that the thorny issues of selective invitations and sanctions should be put on one side. If state organisations become involved in press regulation, it looks like state regulation. Furthermore, Ministers would need to agree, reinforcing the impression of state control.

I conclude that the focus of Mr Dacre’s proposal should be on the demand for visible culture change which has been a theme of national newspapers’ current woes. I have little doubt that this can be driven by the sustained and robust application of a voluntary ethical code by an effective independent regulator and gatekeepers, using the press card as a kitemark and a means of supporting accountability.

Broader consequences for the UK Press Card

Accepting Mr Dacre’s proposal would change the nature of the whole UK Press Card scheme, because the same principles must underpin all issued cards.

However, I believe that my version of Mr Dacre’s proposal (i.e., without selective invitations and sanctions) is generally consistent with the opinion of those gatekeepers willing to use the industry’s existing codes to underpin the press cards for their respective sectors. The challenge would be to build the unanimous consensus necessary to make it work.

Other issues

Some other aspects of Mr Dacre’s proposal need careful consideration. They are not insuperable.

- How would resident foreign journalists served by the FPA and freelance journalists (particularly specialists), fit in?
- What would define an “unaccredited journalist”? A journalist employed by an editor or a publication guilty of a code infringement? A journalist without a card because s/he had never had cause to get one?
- Who would be liable if the regulator made an error and the bar enforced by third parties caused significant damage to a journalist’s income and career?

Why a single UK Press Card?

Despite contrary comments, the UK Press Card has worked well for 20 years, delivering the straightforward identity scheme for which it was designed.

There is a very good reason for this. The biggest problem for any press card scheme is recognition at the point of presentation. It is relatively easy to brief police officers and other officials about one type of card. However, faced with a variety of identity cards, they will usually ignore the lot – a point the police made in 1991 and proven by experience.

The UK Press Card covers all professional newsgatherers in the written, broadcast, online, agency and UK-based foreign media. In any case, boundaries are disappearing. Many “print” journalists now provide their publication’s website with text, video clips, and audio.

In serving the public interest, all these sources of news are important. To people who want to check a card, all newsgatherers are in the same

business, and one card should suffice. This is why the UK Press Card was set up: universal coverage with a single design, database, and verification point.

Any proposal that fragmented the current system, even to create a kitemark, would be a significant step backwards and self-defeating



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