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PRESS RELEASE

United Kingdom: Defamation Decriminalised

ARTICLE 19 welcomes the United Kingdom’s decriminalisation of defamation and calls on the government to maintain its leadership by reforming the UK’s infamous civil defamation legislation.

The Coroners and Justice Bill was given Royal Assent and became an Act of Parliament (law) at 16h47 on 12 November 2009.

The Coroners and Justice Act (2009) decriminalises defamation, including repeal of the criminal offences of seditious libel, defamatory libel, and obscene libel in England, Wales and Northern Ireland.

ARTICLE 19 and our partners have been campaigning for the decriminalisation of defamation in the UK for several years. Criminal defamation has not been used in the UK since the 1970s, but its “chilling effect” remains. Moreover, states around the world justify their persistent use of criminal defamation according to the example set by the UK.

In many countries, criminal defamation laws are abused by the powerful to limit criticism and to stifle public debate. The threat of harsh criminal sanctions, especially imprisonment, exerts a profound chilling effect on freedom of expression.

Now that defamation has been decriminalised, ARTICLE 19 calls on the government to reform the UK’s over-broad civil defamation laws. In particular, the laws should require that plaintiffs should prove the falsity of statements, block foreign plaintiffs from using UK courts to silence non-UK speakers, require courts to consider the public interest in publication, limit excessive lawyers’ fees, which can currently run into millions of pounds in a single case, and update the laws to better protect Internet publications.

NOTES TO EDITORS:

- To see which countries still have and use criminal defamation, please visit our global defamation maps at: <http://www.article19.org/advocacy/defamationmap/map/>
- For more information please contact: Oliver Spencer, oliver@article19.org +44 20 7324 2500.
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.