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Freedom Of The Press - Ireland (2011)

Status: Free
Legal Environment: 5
Political Environment: 6
Economic Environment: 5
Total Score: 16

Press freedom is constitutionally guaranteed and generally respected in practice. However, archaic defamation laws place the burden of proof on defendants. In 2010, former cabinet minister Michael Lowry claimed that he was defamed by journalist Sam Smyth under Section 23 of the Defamation Act, saying that Smyth's assertions "portrayed him as corrupt, dishonest, and untrustworthy." The case was still in progress at year's end. The constitution includes a clause banning the publication or utterance of "blasphemous matter," and a new law on the issue came into effect in January 2010, establishing blasphemy as a punishable offense and setting fines of up to €25,000 (\$33,000). Article 36 of the law states that a person has committed blasphemy if he or she "publishes or utters matter that is grossly abusive or insulting in relation to matter held sacred by any religion" and thereby intentionally causes "outrage among a substantial amount of the adherents of that religion." The law also included new grounds for defense and the option for media outlets to issue an apology without the assumption that they are admitting libel. Immediately after the legislation took effect, a group of Irish atheists published 25 blasphemous statements on an Irish website. There has been discussion on removing the blasphemy ban from the constitution, but by the end of the year, no progress had been made on withdrawing the new statute.

The Broadcasting Act of 2009 established the Broadcasting Authority of Ireland, which is tasked with overseeing the public-service broadcasters, allocating public funding, and promoting accountability. The act expanded the role of the old Broadcasting Commission of Ireland, which had no responsibility for public-service broadcasting. In 2008, the Press Council of Ireland and the Office of the Press Ombudsman were set up to safeguard and promote professional and ethical standards among newspapers and other periodicals. Journalists can generally report freely without harassment and without having to exercise self-censorship.

Ireland has a strong and competitive print media sector, led by the privately owned *Irish Independent* and *Irish Times*. The national public broadcaster, Raidió Teilifís Éireann (RTE), dominates the radio and television sectors, but provides a comprehensive and balanced news service. RTE does face competition from both private and public British television stations. There are dozens of licensed independent radio stations. Cross-ownership is allowed within certain limits, with publishers permitted to own up to 25 percent of a broadcast outlet. Internet use is not restricted by the government. Approximately 70 percent of the Irish population accessed the internet in 2010.