



[Print](#)

## Freedom Of The Press - United Kingdom (2011)

**Status: Free**  
**Legal Environment: 6**  
**Political Environment: 8**  
**Economic Environment: 5**  
**Total Score: 19**

With a history of aggressive reporting and an editorially independent public broadcaster, the United Kingdom maintained its open media environment in 2010. The laws provide for freedom of the press, and the government generally respects this right in practice. Antiquated legal provisions that criminalized blasphemy and blasphemous libel were abolished in 2008. However, several laws that weaken press freedom remain in place. Under legislation from the 1980s, journalists deemed to have information that is vital to a police investigation can be forced to give evidence at trial. A 2006 law criminalized incitement of religious hatred or violence, but no journalists were charged under this law during 2010. In the aftermath of July 2005 terrorist bombings on London's mass transit system, the government passed the Prevention of Terrorism Act. Certain provisions of the law, which took effect in 2006, criminalize speech that is considered to encourage terrorism, even in the absence of a direct, proven link to a terrorist act. The coalition government that took power in May 2010 pledged to correct several of the country's press freedom shortcomings, partly through the introduction of protections against abuse of the terrorism legislation.

The right to information is not constitutionally guaranteed, and while a 2000 Freedom of Information Act came into force in 2005, it contains broad exceptions. Nevertheless, a British Broadcasting Corporation (BBC) correspondent used the act to obtain the minutes from a 1986 cabinet meeting in October 2010. The new coalition government discussed reforms during the year that would make national and local public spending and crime statistics available to the public, and provide public access to parliamentary debates and bills through substantial petition.

English libel laws heavily favor the plaintiff, placing the burden of proof on the defendant. As a result, the country has become an increasingly popular destination for "libel tourism," in which foreign plaintiffs bring libel actions against foreign defendants in English courts. A campaign led by the free speech organizations Sense About Science, English PEN, and Index on Censorship launched a libel reform petition in Parliament in December 2009, resulting in increased attention to the issue, and the new coalition's program for government in 2010 promised to correct the libel laws. In a landmark ruling in April, the Court of Appeal found that a 2008 article by science writer Simon Singh, in which he questioned the usefulness of chiropractic treatment, was a statement of opinion and therefore eligible for a "fair comment" defense against the British Chiropractic Association's libel suit. The association subsequently decided not to pursue an appeal, but Singh had already spent approximately £200,000 (\$320,000) on the case. In a

December 2010 poll, 32 percent of editors in the medical and scientific fields reported that their publications had been threatened with libel suits. Some 38 percent of these editors said they had decided against publishing articles for fear of libel actions.

An Oxford University study released in 2008 found that libel cases in England and Wales cost approximately 140 percent more than the average of other European countries. In February 2010, a parliamentary committee suggested reforms that would shift liability to a media outlet's corporate owner, rather than the journalist or media outlet in question. In March, expatriate Russian businessman Boris Berezovsky won a libel case against a Russian state-owned television channel in a London court over a 2007 program that accused Berezovsky of involvement in the 2006 murder of former Russian intelligence officer Alexander Litvinenko. Berezovsky received approximately \$225,000 in damages from the outlet. The law firm Reynolds Porter Chamberlain reported that there was a 15 percent increase in the number of libel suits between 2008 and 2009.

Physical attacks on the media are rare, and only one was reported in 2010. A journalist for the *Independent* was attacked in London in May while reporting on suspected voting fraud, having found that an unusual number of voters were registered to the same address. He was beaten by several teenagers after revealing that he worked for the *Independent*. Journalists covering sensitive political issues regularly face intimidation in Northern Ireland. Investigations into the 2001 murder of journalist Martin O'Hagan had led to the arrest of four suspects in 2008, but the charges were withdrawn in July 2010 due to the lack of a credible witness to the crime. It is believed that O'Hagan was killed for his investigations into cooperation among Northern Ireland police, military intelligence officials, illegal armed groups, and drug gangs. In August, freelance journalist Eamonn MacDermott's mobile telephone was confiscated by the Police Service of Northern Ireland (PSNI). His phone records had also been accessed by the PSNI. He claimed that the probe was related to a call he received from the Real IRA terrorist group following a bomb attack in 2009.

The United Kingdom has a strong tradition of public broadcasting, and the BBC, though publicly funded, is editorially independent. Ownership of private media outlets is concentrated in the hands of a few large companies, including U.S.-based News Corporation, and many of the national newspapers remain aligned with political parties. Few commercial news radio stations exist, and the handful in operation are reportedly struggling financially. There are several independent television news channels, including ITV and British Sky Broadcasting.

About 85 percent of the population accessed the internet in 2010. Authorities may monitor e-mail and other internet communications without judicial permission in the name of national security and "well-being." However, surveillance must be approved by the home secretary, and there are departments in place to handle public complaints of abuse. To bring the country into compliance with European Union policy, a 2009 law requires internet-service providers to retain usage records for one year. In November 2010, a London police officer requested the domain provider, without a court order, to close the Fitwatch website—which is

focused on calling attention to police abuse and intimidation—as well as to suspend its internet protocol (IP) addresses and domain name for 12 months. The site was up and running again two days later, using a server hosted outside the United Kingdom.