



Ministry
of Justice

The Right Honourable
Dominic Raab MP
Deputy Prime Minister
Lord Chancellor & Secretary of
State for Justice

The Baroness Hamwee
Chair
Justice and Home Affairs Committee
House of Lords
London
SW1A 0PW

MoJ Ref: 98412

19 July 2022

Dear Sally,

STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION (SLAPPS)

I am writing to let you know of the Government's reform proposals on Strategic Lawsuits Against Public Participation (SLAPPS) in the light of responses to the options for reform we consulted on in a Call for Evidence which closed on 19 May 2022. I intend to publish the Government's Response tomorrow (20 July 2022).

SLAPPS are an abuse of the legal process where the primary objective is to harass, intimidate and financially and psychologically exhaust an opponent via improper means. These actions usually target journalists, campaigners and public bodies and seek to stifle scrutiny, close down inquiries, and prevent the publication of information in the public interest. SLAPPS are typically initiated on behalf of powerful, wealthy individuals or corporations seeking to evade scrutiny on matters of importance to society, including corruption and economic crime investigations.

That was the background to my publishing the Call for Evidence on 17 March 2022. This invited views on potential measures for legislative, procedural and regulatory reform. We also ran stakeholder engagement roundtables in early May, inviting evidence from law and media professionals, civil society organisations and academics to help develop a robust policy base for reform and gain their insights into the nature and challenges of SLAPPS.

We received 120 responses, all of which have been individually analysed and assessed. A great many of the responses were from experts with considerable relevant experience and they have reinforced my sense that SLAPPS represent a serious and growing threat to freedom of expression and investigations, reporting and other activities in the public interest.

As such, the Government's response will be to pursue the earliest possible opportunity for primary legislation to enable us to have a statutory basis for identifying SLAPP cases and providing effective means for deterring or dealing with them. My intention is to introduce an early dismissal process via primary legislation, and a costs protection scheme via secondary legislation and rule changes.

You will see from the attached response document that the case for reform is much less clear in other areas of law that we consulted on. There is a strong sense that existing defences in defamation law are

working. I have decided that no immediate reforms should be made in defamation law but I intend to keep these aspects under review. SLAPPs are a new and evolving problem and I have always been clear that addressing the multi-faceted challenges they give rise to will require careful monitoring and review. As I have explained and demonstrated, where the case for reform is clear I will act quickly and decisively.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Dominic Raab". The signature is fluid and cursive, with a prominent loop at the end of the last name.

RT HON DOMINIC RAAB MP