



Ministry of Justice

The Right Honourable **Alex Chalk KC MP**
Lord Chancellor & Secretary of State for Justice



Department for Culture, Media & Sport

The Right Honourable **Lucy Frazer KC MP**
Secretary of State for Culture, Media and Sport

The Rt Hon. the Baroness Stowell of Beeston MBE
Chair of the Communications and Digital Committee
House of Lords
London SW1A 0PW

Email: holcommunications@parliament.uk

11 September 2023

Dear Baroness Stowell,

Strategic Lawsuits Against Public Participation (SLAPPs)

Thank you for your letter of 20 July 2023 regarding Strategic Lawsuits Against Public Participation (SLAPPs). Your continued engagement on this subject is invaluable as we work on tackling this pervasive misuse of our legal system and the impact this is having on media freedom in the UK. This Government is committed to defending the freedom of the press and has legislated to do this in a number of areas. For example, safeguarding freedom of expression in the Online Safety Bill; re-balancing the relationship between major platforms and those who rely on them, including press publishers in the Digital Markets, Competition and Consumer Bill; and addressing media freedom concerns in the National Security Act.

Legislative changes

We are pleased to note your support for the SLAPPs amendments tabled to the Economic Crime and Corporate Transparency Bill. We firmly believe that the measures in the Bill will make a significant difference to those who find themselves targeted by economic-crime related SLAPPs.

While economic-crime related SLAPPs do constitute a significant proportion of SLAPPs – some estimates put it as high as 70% – we are conscious that due to the scope of the Bill we have not been able to provide the same protections to journalists and others facing non-economic crime-related SLAPPs at this time.

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As set out in the Ministry of Justice's response to our SLAPPs call for evidence last year the Government is committed to pursuing legislation at the earliest opportunity to deter and combat SLAPPs. We will act as soon as a legislative vehicle can be identified, and when parliamentary time allows.

Cross-government action

We continue to work across Government to ensure a coordinated approach to the challenges posed by SLAPPs. We will continue working with key stakeholders, Parliamentarians, and the public in order to maintain momentum on this issue, understand evolving issues and drive forward positive action.

The Government has well established relationships with international partners, including the Council of Europe, and work with them will be continuing, including attending their upcoming conference in Strasbourg in October where we will share our experience of being the first country to legislate on SLAPPs at a national level. We are proud to showcase the UK as a world leader in this area and continue to engage with international partners to exchange views and best-practice, and ultimately forge ahead together to tackle these pernicious cases.

National Action Plan for the Safety of Journalists (NAP)

The establishment of the SLAPPs Taskforce within the framework of the National Committee for the Safety of Journalists is key in driving forward the Government's agenda to make sure that appropriate protections exist for journalists who are tirelessly working to investigate and publish stories in the public interest, holding power to account and supporting our strong democratic tradition. The Taskforce will be responsible for the development and delivery of a non-legislative response to SLAPPs. The Taskforce had its first meeting today where it agreed its terms of reference and began developing its work plan with tangible outputs. The next meeting is expected in November. We will be delighted to provide you with an update on the work of the Taskforce as it progresses.

SLAPPs defence fund

While we are pleased to note that our costs protection measures have been widely welcomed, we note your concerns regarding the expense of legal fees beyond those caught by this measure and the potential for journalists to still feel pressure to remove stories for fear of the legal expenses of defending their story in court. Thank you for your suggestions regarding the establishment and operation of financial support in this area. This is something that we are considering alongside all other possible interventions.

Action from the regulator

Legal services regulators – such as the Solicitors Regulation Authority - are rightly independent of Government. However, they have a critical role to play in tackling SLAPPs. This Government is committed to continued engagement with them to

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ensure that they have the powers needed to successfully tackle SLAPPs. To this end, the Solicitors Regulation Authority and the Bar Council are members of our Taskforce, keeping regulators at the heart of addressing concerns related to SLAPPs.

Next steps

We are both grateful that this important issue can be discussed further when the Secretary of State for Culture, Media and Sport attends your evidence session on 13 September. However, we do both hope that this response has gone some way in updating you on our ongoing plans and commitment to this subject. We are pleased to note that you feel that substantial progress has been made in this area, and look forward to maintaining momentum on this important topic, and working together to make sure that SLAPPs are addressed in all their forms.

Thank you again for getting in touch.



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