



Defamation Act 1996

1996 CHAPTER 31

Statutory privilege

14 Reports of court proceedings absolutely privileged.

[^{F1}(1) A fair and accurate report of proceedings in public before a court to which this section applies, if published contemporaneously with the proceedings, is absolutely privileged.

(2) A report of proceedings which by an order of the court, or as a consequence of any statutory provision, is required to be postponed shall be treated as published contemporaneously if it is published as soon as practicable after publication is permitted.

[^{F2}(3) This section applies to—

- (a) any court in the United Kingdom;
- (b) any court established under the law of a country or territory outside the United Kingdom;
- (c) any international court or tribunal established by the Security Council of the United Nations or by an international agreement;

and in paragraphs (a) and (b) “court” includes any tribunal or body exercising the judicial power of the State.]

(4) In section 8(6) of the ^{M1}Rehabilitation of Offenders Act 1974 and in Article 9(6) of the ^{M2}Rehabilitation of Offenders (Northern Ireland) Order 1978 (defamation actions: reports of court proceedings), for “section 3 of the Law of Libel Amendment Act 1888” substitute “section 14 of the Defamation Act 1996”.]

Textual Amendments

- F1** S. 15 repealed (S.) (8.8.2022) by [Defamation and Malicious Publication \(Scotland\) Act 2021 \(asp 10\)](#), ss. **35(3)(a)**, 39(2); S.S.I. 2022/154, regs. 1(2), 2

Changes to legislation: There are currently no known outstanding effects for the Defamation Act 1996, Cross Heading: Statutory privilege. (See end of Document for details)

F2 S. 14(3) substituted (E.W.) (1.1.2014) by [Defamation Act 2013 \(c. 26\)](#), **ss. 7(1)**, 17(4) (with s. 16(5)); S.I. 2013/3027, **art. 2**; and substituted (N.I.) (7.6.2022) by [Defamation Act \(Northern Ireland\) 2022 \(c. 30\)](#), **ss. 5(1)**, 14

Marginal Citations

M1 1974 c. 53.

M2 S.I. 1978/1908 (N.I. 27).

15 Reports, &c. protected by qualified privilege.

[^{F1}(1) The publication of any report or other statement mentioned in Schedule 1 to this Act is privileged unless the publication is shown to be made with malice, subject as follows.

(2) In defamation proceedings in respect of the publication of a report or other statement mentioned in Part II of that Schedule, there is no defence under this section if the plaintiff shows that the defendant—

- (a) was requested by him to publish in a suitable manner a reasonable letter or statement by way of explanation or contradiction, and
- (b) refused or neglected to do so.

For this purpose “in a suitable manner” means in the same manner as the publication complained of or in a manner that is adequate and reasonable in the circumstances.

(3) This section does not apply to the publication to the public, or a section of the public, of matter which is not of [^{F3}public concern][^{F3}public interest] and the publication of which is not for the public benefit.

(4) Nothing in this section shall be construed—

- (a) as protecting the publication of matter the publication of which is prohibited by law, or
- (b) as limiting or abridging any privilege subsisting apart from this section.]

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F3 Words in s. 15(3) substituted (E.W.) (1.1.2014) by [Defamation Act 2013 \(c. 26\)](#), **ss. 7(2)**, 17(4) (with s. 16(5)); S.I. 2013/3027, **art. 2**; and substituted (N.I.) (7.6.2022) by [Defamation Act \(Northern Ireland\) 2022 \(c. 30\)](#), **ss. 5(2)**, 14

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