



SILVER, LANGSTON
AND PERCIVAL PARTNERS

**Strictly Confidential & Legally Privileged
Not for publication**

Without Prejudice

Dear Member of Parliament,

We act for [REDACTED] [REDACTED] ('our client'). You have made and repeated a number of seriously untrue allegations and misrepresentations that are highly damaging to our client. These allegations have emerged from a position of dishonesty. Your speech and subsequent comments have caused our client considerable embarrassment, anxiety and distress and we have been asked to write to you to set out our client's case. This matter is very serious and requires your urgent and immediate attention.

Our client believes your comments are part of a coordinated and dishonest campaign that you are playing a prominent role in. The client is troubled by your attempt to hide behind parliamentary privilege when you have liberally repeated these claims through your social media accounts and email communication to third parties. This flies in the face of the standards expected of parliamentarians. The regurgitation of such misinformation smacks of lazy engagement with the facts, which is not to be expected of someone of your standing and reputation. Our client is an avid believer in free speech but also takes the protection of his reputation extremely seriously. He notes this right does not extend to harassment or the transmission of malicious lies and defamatory statements.

You have relied on dubious material from demonstrably biased NGOs and activists, who have since retracted their comments, apologised publicly and paid a discretionary fee to a charitable foundation of our client's choosing. We cannot see how you could have a reasonable belief that publishing these allegations about our client is in the public interest. In actual fact, there is no public interest in publishing false allegations or sharing misinformation. We have advised our client that he has a strong claim in libel, inaccurate processing of his data and in harassment against you and you have no defence to such claims. Any defences that you may attempt to put forward are bound to fail. You should be aware that the burden of proving the truth of these allegations will be with you.

Given that your statements have been republished in the USA, our client has potential legal redress there. You may be aware that penal damages (which would no doubt be awarded in this case given your malicious intent) are available in libel suits in some US jurisdictions. We expect our client could be awarded 7-figure damages in the US. This letter is marked without prejudice because it is a genuine attempt to resolve a dispute before further damage is caused. Please also be aware that any attempt to disseminate this confidential communication beyond your immediate legal advisors and your insurer (which we encourage you to notify of this 7-figure claim) is a potential contempt of court.

Should you not publicly retract your statements and apologise, our client will not hesitate to take legal action. Your failure to be reasonable in this respect will be relied upon in court as evidence of your continued malice. We will use such conduct to seek the maximum possible damages, including aggravated damages, and all other remedies available to our client. We look forward to hearing from you within 7 days of the date of this letter.

Yours sincerely,

*Silver, Langston
And Percival Partners*

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While this is a fictional threat, the letter includes language taken from actual letters sent to public watchdogs. It shows how aggressive legal threats can be deployed by those seeking to avoid accountability, able to target even MPs working on the behalf of their constituents.

There may be issues taking place in your constituency that you are unaware of, or know little about, because those trying to speak out or investigate are being silenced by similar intimidatory legal threats.

What are SLAPPs?

Strategic Lawsuits Against Public Participation are abusive lawsuits filed by private parties with the purpose of silencing critical speech. They are not just defamation or libel threats. SLAPP claimants will use whatever law they can to stifle criticism or public interest speech. Most never intend to make it to trial as claimants can utilise a range of tactics, often hidden from public view, to increase the costs and emotional impact of the lawsuit until the target has few options but to give in to the claimant's demands. For more information, [click here](#).

Who can SLAPPs target?

You may have heard of journalists being targeted by abusive lawsuits brought by oligarchs, including those in Putin's pocket as he invaded Ukraine. But they are not alone. Sexual abuse survivors have been sued for exposing their abuser, patients reviewing medical companies have been threatened after raising concerns about their treatment, and local campaigners have received legal letters for standing up for their community. Anyone speaking out in the public interest is vulnerable.

Is the existing law sufficient to protect against SLAPPs?

Put simply, no. The law, as it stands, is so stacked in favour of SLAPP claimants that journalists, campaigners, whistleblowers, sexual abuse survivors, online reviewers, social media users and many others often have no choice but to give into claimant's demands rather than fight a legal case. In any event, regardless of the balance that is currently struck between the rights of the defendant and claimant in defamation law, SLAPPs represent an abuse of the litigation *process* - and existing procedural safeguards have proven woefully inadequate in addressing the threat of SLAPPs.

What can an anti-SLAPP law do to protect free speech?

An anti-SLAPP law can ensure courts are able to dismiss SLAPPs at an early stage i.e. before legal costs have accrued based on an objective test to identify SLAPPs. It can also establish caps for costs to allow targets to be able to access justice and mount a defence, while also introducing a punitive costs regime to disincentivise claimants, ensuring there is a cost for threatening free expression.

Will access to justice be impeded by the introduction of an anti-SLAPP law?

No. There is no right to file an abusive lawsuit. In fact, anti-SLAPP laws work to *promote* access to justice by ensuring that SLAPP targets are not squeezed out of the system by astronomical costs. Currently courts and judges do not have the tools to protect the British legal system from SLAPPs. An anti-SLAPP Law would address this by supporting judges to be able to protect their courts from abuse.

Want to learn more?

On 15 October, the UK Anti-SLAPP Coalition will host a Parliamentary Reception featuring SLAPP targets and experts talking about this issue in more detail and what Parliament can do. Refreshments will be available. We will also host online Anti-SLAPP Clinics throughout September for any MP or Peer keen to learn more. To learn more and to register your interest please email: info@antislapp.uk