

Conference workshop: Libel in science

Led by Peter Wilmshurst

Reported by Paul Marchant

After an excellent and quite astonishing presentation by cardiologist Peter Wilmshurst on libel in science, particularly about his own tough experience, the workshop considered the issue of libel further. Further information on the general issue was discussed. English courts are particularly favoured by litigants because of the potential for very high damages which gives rise to 'libel tourism'. The high costs of defending the action means that someone accused of libel can be intimidated out of opposing the claim and be forced to settle, (not so Peter!) . There are only 2 English chambers of law which take libel cases. It is a fact that in some states of the USA libel judgements made in English courts will not be enforced.

It seems that a libel claim can be made on any basis... there is no restriction; if a claimant asserts that libel has occurred then that is the basis of the claim. The burden of proof rests with the defendant who must show that the libel did not occur.

As pointed out in the workshop, the use of libel undermines the whole fabric of conjecture and refutation that lies at the heart of science.

On the political front, all 3 main UK parties agreed, before the May 2010 General election, that libel law needed changing. However it was thought that the Conservative Party was not as wholeheartedly committed as the other two. Lord Lester, who has a human rights background, is leading on this in Parliament. It is important that the much needed changes are not delayed or watered down in the parliamentary process. Radical Statisticians ought to press for change by signing the Libel Reform Campaign petition and contacting MPs to get them to pledge their support. Also Trade Unions, in particular the University and College Union, need to be campaigning on the issue as it is in their members' interest to do so.

More information and actions about the libel issue can be found at the websites of 'Sense about Science' and 'The Libel Reform Campaign'.

www.senseaboutscience.org.uk/index.php/site/project/333/

& www.libelreform.org/