



## Proposed Amendment to the Strategic Litigation Against Public Participation Bill

Here below is the proposed amendment to Clause 2(1) of the [Strategic Litigation Against Public Participation Bill](#) presented by Wayne David MP to replace the subjective test with a more robust and simpler objective test.

Clause 2(1)

(**bold and italicised** text is the additional text, while ~~strike through~~ highlights text to be deleted):

- (a) the claimant's behaviour in relation to the matters complained of in the claim **can be reasonably understood as having, or as being** ~~has, or is~~ intended to have, the effect of restraining the defendant's exercise of the right to freedom of speech,
- (b) the information that is or would be disclosed by the exercise of that right relates to a matter of public interest, and
- (c) any of the behaviour of the claimant in relation to the matters complained of in the claim **can be reasonably understood as** ~~is~~ intended to cause the defendant—
  - (i) harassment, alarm or distress,
  - (ii) expense, or
  - (iii) any other harm or inconvenience,~~beyond that ordinarily encountered in the course of properly conducted litigation.~~

If you have any questions regarding the amendment please contact, Charlie Holt, the European Lead at CliDef and UK Anti-SLAPP Coalition Co-chair:  
[cholt@climatelegaldefense.org](mailto:cholt@climatelegaldefense.org)

---

*The UK Anti-SLAPP Coalition is an informal working group established in January 2021, co-chaired by the Foreign Policy Centre, Index on Censorship and CliDef. It comprises a number of freedom of expression, whistleblowing, anti-corruption and transparency organisations, as well as media lawyers, researchers and academics who are researching, monitoring and highlighting cases of legal intimidation and SLAPPs, as well as seeking to develop remedies for mitigation and redress.*