

BCA Response to Decision on Right of Appeal 14th October 2009

British Chiropractic Association (BCA) v Singh

Dr. Simon Singh has been granted permission to appeal against the decision of Mr. Justice Eady. As the Claimant is not permitted to be represented in a hearing of this nature, the Judge of the Court of Appeal, Lord Justice Laws, did not have the benefit of being able to consider all the issues, nor indeed, has he heard any argument from the BCA.

Dr. Singh has used this case as a platform to argue that science writers should be immune from the law of libel and be free to write what they please. Ever since the Eady decision of 7<sup>th</sup> May 2009 he has engaged in a high profile media campaign to assert that the BCA's action is a restriction of the freedom of speech. It is nothing of the sort.

The BCA supports and would never seek to stifle legitimate open scientific debate. However, this action is actually a simple libel claim based on the fact that the BCA was maliciously attacked by Dr. Singh in the Guardian newspaper. When given the opportunity to retract his words and apologise, Dr. Singh refused. This claim has been brought to restore the good reputation of the BCA and that of its members.

Dr. Singh may now put his case before a full Court of Appeal. Here the BCA will, for the first time, have the opportunity to present its case. The BCA remains confident that once in possession of all the facts the presiding judges will refuse the Appeal.