



## **Removal of criminal defamatory libel should be a priority**

**Further clarity on how press laws apply to online activities is required. The deregulated global economy requires less onerous restrictions surrounding free speech.**

**Statement by the Malta Information Technology Law Association  
([www.mitla.org.mt](http://www.mitla.org.mt))**

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MITLA endorses recent calls for the removal of criminal defamatory libel from our statute books especially due to the multiplying effect that the Internet creates with online information.

Malta should follow the examples of other jurisdictions (including the United Kingdom) which have completely revised the criminal law implications of defamatory libel. This discussion becomes even more relevant when one considers the ever-changing nature of the Internet and how citizens use such medium to share and impart information.

In light of today's connected world, the widespread use of social networks and the ubiquitous nature of technology, every internet user has become an author and only a few are aware of the potential risks that presently exist when one shares defamatory statements or information written by others. Our laws currently still fail to clearly distinguish between the original author and someone who, merely through the sharing of that information, might potentially make himself liable to criminal defamation.

Furthermore, MITLA believes that a general re-hash of our Press Act should be seriously considered. Even though our Courts have in the past few years repeatedly extended the reach of the current version of the Press Act, and the definitions contained therein, to the Internet, a more detailed and clear law would indeed assist the judiciary in those cases where technological realities have pushed the boundaries of our appreciation of what we can and cannot do online into a legal grey area.

In the coming weeks, MITLA shall engage with stakeholders in order to pro-actively initiate a wider discussion on these issues, not only with respect to matters that purely focus on technology and press law, but also in relation to freedom of expression in general. MITLA firmly believes that the abolition of criminal defamatory libel will help to keep democracy alive and promote responsible journalism.



## **About MITLA:**

The Malta IT Law Association was set up in 2014 with the following objectives:

- Promote the advancement and development of information technology law, including but not solely limited to computer law, internet law, electronic communications law, information law, electronic commerce law, remote gaming law and cybercrime, (hereinafter referred to as “ICT Law”) in Malta and the advancement of Malta as an international centre of excellence in ICT Law;
- Actively research, discuss and circulate information on legal developments taking place on the international plane and within the European Union with respect to ICT Law and the knowledge economy;
- Promote with international and regional organisations or associations and other national government and non-government bodies legislative and regulatory changes related to ICT Law and to consider together with these entities proposals for legislative interventions having the same aim;
- Afford opportunities for the discussion and consideration of matters of interest to members of the Association and to undertake or assist in the preparation of legal instruments and papers in respect of such matters; and
- Collect and circulate statistical and other information of interest to the members of the Association and to form a collection of publications and documents accessible to the members of the Association.

MITLA presently counts more than 200 members most of which are C-suite executive which hail from the legal, professional and technical professions.

Visit <http://www.mitla.org.mt> for more information