[IE] Internet Libel

IRIS 2001-4:1/31

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Criminal prosecutions for libel are very rare in Ireland (see IRIS 2000-2: 14). However, on March 27, a businessman was convicted of libelling a business competitor on the Internet. He had placed a notice on the Internet indicating that she was providing prostitution services. Following conviction, the defendant offered to pay IEP 10,000 compensation to the victim. The judge, however, deemed it insufficient. In a civil action she would probably be awarded a much higher sum. Sentence will be passed in the coming weeks. The Defamation Act 1961, which contains provisions on criminal libel, provides that anyone who maliciously publishes any defamatory libel, knowing it to be false, shall be liable to a fine of up to IEP 500, or imprisonment not exceeding two years, or to both fine and imprisonment (s.12). Some lawyers have expressed interest in the fact that the Defamation Act 1961, considered out-of-date in some respects, is capable of dealing with instances of Internet libel.

DPP v. Kenny, Circuit Court, 27 March 2001

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