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**Lachaux v Independent Print Ltd - A2/2015/3720**  
**Lachaux v Evening Standard Ltd - A2/2015/3721**  
**Lachaux v Huffington Post (AOL (UK) Ltd) – A2/2015/3723**  
[2017] EWCA Civ 1334

**LANDMARK COURT OF APPEAL JUDGMENT ON THE DEFAMATION  
ACT 2013**

In a landmark judgment in relation to the Defamation Act 2013, the Court of Appeal has today ruled on the practice and procedure with regard to the required threshold under the Defamation Act 2013, namely that a publication is only defamatory if it causes serious harm to reputation.

Dismissing the appeals of the Independent, the i newspaper, the Evening Standard and the Huffington Post, the Court has ruled that if the meaning is evaluated as seriously defamatory, it will be proper to draw an inference of serious reputational harm. Importantly, the courts should be slow in agreeing to parties being allowed to call substantial evidence pre-trial as to whether serious harm has been caused.

The ruling followed a cross appeal by the Claimant's lawyers, Taylor Hampton, to the Court of Appeal to seek guidance in relation to a number of issues relating to the Defamation Act 2013.

In this important judgment, the appeal court has also reaffirmed two other significant principles relating to the media: firstly, that the date of publication is the date from which limitation applies in libel actions, and not the date when proceedings are issued. Secondly, the appeal court has also reaffirmed the decision that "the publication by other persons of substantially the same libel on other occasions is of no relevance on the matter of general damages".

Today's ruling means that "serious reputational harm is capable of being proved by a process of inference from the serious defamatory meaning", without the necessity for lengthy and costly evidential hearings on the matter.

Bruno Lachaux's solicitor, Daniel Taylor of Taylor Hampton said: "We welcome today's significant ruling from the Court of Appeal which will have the effect of reducing the time and cost of libel actions going forward".

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