

## **The UK Government's response to the concerns raised regarding the risk of weakening media freedom in the Bill of Rights**

The UK Government is committed to protecting media freedom and it recognises that a vibrant and free media plays an invaluable role in our cultural and democratic life.

The Bill of Rights will introduce measures that specifically strengthen the protection of journalists' sources, going further in doing so than the protection in section 10 of the Contempt of Court Act 1981.

Under the new provision, courts will be able to order disclosure of a journalist's source only if satisfied that there are exceptional and compelling reasons why it is in the public interest to disclose the source, as well as being satisfied that the disclosure is necessary in the interests of justice; interests of national security; or for the prevention of crime or disorder. By properly protecting journalists' sources, the government will help safeguard freedom of the press and will strengthen appropriate protections for both journalists and their potential sources. This reflects the importance the Government places on journalistic sources, freedom of the press, and transparency of information.

The UK Government is also committed to strengthening protection of the right to freedom of speech in the Bill of Rights. Freedom of speech is a precious tradition with significant public interest due to its role in democratic public debate.

The Bill of Rights will strengthen protection for freedom of speech, defined as the right to impart ideas, opinions or information by means of speech, writing or images. Other facets of freedom of expression (i.e., the right to receive information) will continue to be protected under Article 10.

The ECtHR's concept of the margin of appreciation means that it respects that different countries may have alternative ways of implementing and interpreting the ECHR. The Bill of Rights will allow domestic courts to interpret human rights in line with the UK tradition of rights protection, without necessarily needing to follow judgments of the European Court of Human Rights (ECtHR). There is nothing unusual about the UK taking a more distinctive approach, with UK courts interpreting rights informed by our own context. However, we will continue to ensure that our obligations under the ECHR, and our other international human rights obligations, are met – including the obligation under Article 46(1) to implement adverse judgments against the United Kingdom.