

Pitman v Jersey Evening Post

NOVEMBER 2015

Collas Crill successfully defended the Jersey Evening Post (JEP) against a claim for damages for libel brought by two local politicians in respect of a satirical seasonal cartoon commissioned by Broadlands, a firm of estate agents, and published in the JEP. After a three day trial the Royal Court dismissed the action, finding that the publication was not defamatory of the Plaintiffs, and ordered that the Plaintiffs pay the Defendants' costs of the action.

In July 2013 (some 15 months after the Royal Court giving its judgment) Collas Crill successfully resisted an application made by the Plaintiffs for permission to appeal against that judgment out of time. The Plaintiffs renewed their application for permission to appeal out of time to the full Court of Appeal and that application was dismissed in November this year. The Plaintiffs have now been declared bankrupt – due to the legal costs they incurred from the case. They have recently applied to the Privy Council for leave to appeal.

This case was very high profile within Jersey. Libel trials are very rare in this jurisdiction and this case involved two high profile politicians suing the island's only newspaper and ultimately being disqualified from government having been declared bankrupt as a result of the significant legal costs they incurred arising from their failed libel action.