

UPDATE ON BCA v SIMON SINGH

7 MAY 2009

In April 2008 Simon Singh published an article in the Guardian newspaper and on Guardian Online in the course of which he wrote that:

“the British Chiropractic Association claims that their members can help treat children with colic, sleeping and feeding problems, frequent ear infections, asthma and prolonged crying, even though there is not a jot of evidence. This organisation is the respectable face of the chiropractic profession and yet it happily promotes bogus treatments.”

The BCA asked Dr Singh to retract his allegations because they are factually wrong, defamatory and damaging to the BCA’s reputation. Dr Singh refused to do so.

In July 2008, the BCA issued libel proceedings against Dr Singh. He defended his position and the case has been continuing.

At a hearing on 7 May 2009 in the Royal Courts of Justice before Mr Justice Eady, Dr Singh’s submissions that what he published was not defamatory and that it was fair comment were roundly rejected by the Judge. Mr Justice Eady held:

1. that what Dr Singh had published was defamatory of the BCA in exactly the way the BCA had claimed; and
2. that Dr Singh’s allegations were not comment but were serious defamatory allegations of fact against the BCA.

Dr Singh’s application for permission to appeal to the Court of Appeal was refused by the Judge. Dr Singh has indicated, however, that he proposes to challenge that decision at the Court of Appeal and he now has three weeks to lodge that challenge.

Mr Justice Eady ordered Dr Singh to pay the BCA’s costs of the hearing within 28 days.

After the hearing BCA President Dr Tony Metcalfe said, “The BCA brought this claim to preserve its integrity and reputation. I’m delighted that the Judge has vindicated the BCA’s position.”

The trial will conclude later this year.