

Strategic lawsuit against public participation

From Wikipedia, the free encyclopedia
(Redirected from SLAPP)

A **Strategic Lawsuit Against Public Participation** ("SLAPP") is a lawsuit that is intended to intimidate and silence critics by burdening them with the cost of a legal defense until they abandon their criticism or opposition. Winning the lawsuit is not necessarily the intent of the person filing the SLAPP. The plaintiff's goals are accomplished if the defendant succumbs to fear, intimidation, mounting legal costs or simple exhaustion and abandons the criticism. A SLAPP may also intimidate others from participating in the debate.

According to New York Supreme Court Judge J. Nicholas Colabella, "**Short of a gun to the head, a greater threat to First Amendment expression can scarcely be imagined.**" A number of jurisdictions have made such suits illegal, provided that the appropriate standards of journalistic responsibility have been met by the critic.

The acronym was coined in the 1980s by University of Denver professors Penelope Canan and George W. Pring. The term was originally defined as "a lawsuit involving communications made to influence a governmental action or outcome, which resulted in a civil complaint or counterclaim filed against nongovernment individuals or organizations on a substantive issue of some public interest or social significance."^[1] It has since been defined more broadly to include suits about speech on any public issue.^[2]

Contents

- 1 Jurisdictional variations and history
 - 1.1 Canada
 - 1.2 United States
- 2 Notable anti-SLAPP cases
 - 2.1 Europe
 - 2.2 US
- 3 See also
- 4 External links
- 5 References

Jurisdictional variations and history

Canada

One of the first cases in Canada to deal with a SLAPP was *Fraser v. Saanich* (see [1999] B.C.J. No. 3100 (B.C. S.C.)) (QL), where the British Columbia Supreme Court struck out the claim of a hospital director against the District of Saanich, holding that it was a meritless action designed to silence or intimidate the