



Media Defence's Criteria for legal defence block grants

General considerations

A key activity of the Media Defence is to provide financial support for the defence of journalists (broadcast, print or online, and including bloggers) and independent media outlets who need legal assistance to defend their free speech and related rights.

Media Defence is a regulated charity and in accordance with its registered objects, all grants made by it must further the right to freedom of expression. In considering this, Media Defence is guided by international standards as crystallised in international human rights treaties and customary international law. Under international law, the right to freedom of expression is not an absolute right. Some constraints on freedom of expression are necessary and appropriate in any democracy. Furthermore, international law does not allow hate speech, defined as actual incitement to direct violence or hatred. Media Defence grants can therefore not be used to defend such forms of speech. Finally, Media Defence grants cannot be used to support cases that are directed at furthering the political interests of any political party; this would not be considered a charitable activity under UK law.

Generally speaking, Media Defence grants may be used to defend the following categories of cases and litigation:

- To provide legal defence to journalists and media who are sued, whether under civil, criminal or administrative law, as a result of or in connection with their journalistic activities
- To provide legal defence to journalists and media who have been threatened, harassed, suffered violence or whose rights have otherwise been violated as a result of or in connection with their journalistic work
- To provide legal advice to journalists and media to avoid legal challenges
- Strategic litigation to advance media freedom and implementation of the right to freedom of expression

Criteria

Grants may be made to independent, non-governmental organisations which provide legal defence services to the media – whether at local, national or regional level. In addition to the overall considerations outlined above the following criteria are applied:

- (1) the need in the country or region concerned;
- (2) legal capacity within the applicant organisation (there needs to be a basis to work with and a realistic prospect of developing legal capacity if needed)
- (3) administrative and financial capacity within applicant NGO to handle and account for a grant
- (4) other organisations working in the same country offering legal defence to journalist and media
- (5) financial need (are there other funders who may fund the applicant)
- (6) value for money – will the applicant be able to deal with a large volume of cases more efficiently and cheaply than Media Defence could through dealing with cases individually

- (7) language issues (organisations need to be able to apply and report to Media Defence in English or another language readily understood by Media Defence staff)

These criteria are not to be treated as individual hurdles that applicants need to overcome but rather to provide an overall picture of the suitability of any grant application.

Procedure

All block grants for legal defence are approved by Media Defence's Trustees or a grant making committee of the trustees. In exceptional circumstances, small grants of up to GBP 15,000 may be approved by the chair on the recommendation of senior staff.

All applicants are required to fill out the appropriate Grant Application forms via our online application portal: https://www.grantrequest.co.uk/SID_12/?SA=SNA&FID=35004

Once approved, grantees will be required to report back at agreed intervals on how the grant was spent, the work done and its impact. Failure to provide such reports may disqualify the grantee from receiving future support.