Journalist Impact Survey 2022
Key Findings

MARCH 2023
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Executive Summary

In 2022, we carried out our sixth annual Journalist Impact Survey to assess the longer-term impact of our support on journalists. We have sent the survey to journalists who received judgment in their case in 2022. The survey questions are designed to understand:

- How journalists rate the quality, efficiency and quantity of Media Defence’s financial and legal support during their case;

- The impact of our support on case outcomes and the journalist's ability to continue reporting;

- The wider impact of our support on press freedom laws and environments in active countries; and

- The functioning of our theory of change and the accompanying assumptions.

This year, we saw the highest ever results on the quality and efficiency of our legal support, as well as our communications. This goes against a backdrop of increasing judicial harassment experienced by the journalists we support.
Background and Methodology
Background and Methodology

The 2022 annual Journalist Impact Survey aims to assess the longer-term impact of our support on our primary beneficiaries: journalists. We sent the survey to most journalists who received judgment in their case in 2022. For those with significantly traumatic cases, we decided not to send the survey. We also asked the lawyers we were in contact with to send their clients the survey where appropriate.

The survey questions were designed to understand:
• How journalists rate the quality, efficiency and quantity of Media Defence’s financial and legal support during their case;
• The impact of our support on case outcomes and the journalist’s ability to continue reporting; and
• The wider impact of our support on press freedom laws and environments in active countries, and to test our theory of change.

The survey was sent in English, Spanish, French and Russian. We are pleased to have our first responses in Russian this year.
If we didn’t have Media Defence’s support…

“It would have been a disaster. My husband and I were in prison, leaving our kids with family to take care of them. We would have had no legal practitioners who could stand the test of time despite being intimidated.”
The Headline Statistics
2022 Headline Statistics

- **86** Media Defence cases closed in 2022
- **23** Journalists contacted*
- **22** Journalists responded in English, Arabic, Spanish and Russian

* We contacted an additional 28 journalists through their lawyers.
2022

Headline Statistics

64% of respondents were satisfied with the outcome of their case

100% of respondents would recommend our support to other journalists facing legal action

95% of respondents were satisfied or extremely satisfied with the lawyer who handled their case

95% of respondents have continued to report on public interest issues
If I didn’t have Media Defence’s support…

“It could have led to financial ruin for the newspaper.”
The Respondent Profiles
% of respondents identifying as...

- **A journalist**: 66% (2022) vs 65% (2021)
- **A blogger**: 4% (2022) vs 19% (2021)
- **Representing a Media Outlet**: 8% (2022) vs 19% (2021)
- **Other**: 23% (2022) vs 23% (2021)

*Participants could choose more than one answer*
Gender

2021
- Male: 75%
- Female: 19%
- Prefer not to say: 6%

2022
- Male: 64%
- Female: 36%

Legend:
- Orange: Male
- Yellow: Female
- Gray: Prefer not to say
Regions 2021 & 2022

2022
- Europe: 30%
- Sub Saharan Africa: 20%
- Americas: 25%
- MENA: 10%
- Asia Pacific: 10%
- Central Asia and Russia: 5%

2021
- Sub Saharan Africa: 43%
- Europe: 34%
- Americas: 13%
- MENA: 7%
- Asia Pacific: 3%
Closed Cases & Respondents

Closed cases

Respondents by region

Americas
Asia-Pacific
Central Asia and Russia
Europe
MENA
Sub-Saharan Africa

Europe
Americas
MENA
Asia Pacific
Central Asia and Russia
Sub-Saharan Africa
If I didn’t have Media Defence’s support...

“We would have been left completely defenceless without hiring a lawyer specialized in freedom of expression issues to guarantee an adequate defence.”
The Cases
We asked survey respondents what type of case(s) they received support for. Similar to 2021, the most common type of cases were civil and criminal defamation, with 20% of respondents reporting that they received support for criminal defamation cases and a further 20% on civil defamation cases. This matches the global rise of SLAPP suits being used as a means to silence journalists.

Furthermore, 10% of cases faced other criminal charges. This was not a common theme in previous years. Similarly, harassment or bodily harm, endangering national security and insult remained key issues facing journalists.

Of the cases that closed, 91% came from domestic courts. 1 case closed at the European Court of Human Rights, and another at a regional human rights mechanism.
Journalistic Issues and Outcomes

In line with the last five years, crime, justice and political corruption were the most frequent stories leading to legal action. Interestingly, and in line with SLAPPs trends, journalists covering business corruption have been on the rise over the last two years, and seen as a major issue, while this was not the cause of any cases in 2020.

In 2022, the cases that closed had an average success rate of 54%, which means that we fell short of our target of securing a 70%+ success rate. This year’s lower success rate is partially on account of a larger number of cases closing in countries where we aimed to exhaust domestic remedies before exploring regional mechanisms, and as such expected to see an unsuccessful outcome.

32% respondents said that their cases were successful. A further 23% said that their case was unsuccessful. 18% had ongoing and 27% selected ‘Other’. From the 27% who selected ‘Other’, one respondent settled out of court, and one never reached court.
95% of respondents reporting said they were able to continue practising journalism after their case.
Change in Journalistic Practices

When asked “As a result of the legal action you faced, have you changed your journalistic practice in any way?”, 22 journalists responded as follows:

- 45% (10) have not made any changes to their journalism;
- 18% (4) have given up investigative journalism or journalism completely;
- 14% (3) made logistical changes to their work for safety (having documents prepared in case of legal challenges, changing online profiles);
- 5% (1) continued reporting in exile;
- 5% (1) said they now seek pre-publication advice more frequently.
“Media Defence came at the time when I was most vulnerable and even though the plaintiffs didn't continue with the case, it could have been worse for my career as a journalist and as a publisher.”
Change in Journalistic Practices

We asked journalists “What has prevented you from practicing journalism?”. Here are some of the answers we received:

• The confiscation of equipment;

• The fear of legal harassment: the risk of being sued and facing lengthy court battles;

• A lack of advertising for the publication led to its closure; and

• Others answered that nothing had stopped them from reporting, but that they had made changes including being more careful in handling information and changing the organisational structure.
“I felt strong and confident Because there are those who defend our rights and freedom.”
The Support
Quality and Efficiency

Respondents were asked to rank the quality and efficiency of Media Defence’s support and communication on a scale of 1-5 (whereby 1 is the worst and 5 is the best).

The quality of our legal advice and support, our efficiency and communication with beneficiaries continue to be ranked at a very high level. Since 2021, we have received a higher response rate in both efficiency and communication of Media Defence. The quality of our legal advice has received high scores throughout.
Quality and Efficiency

Quality and efficiency of Media Defence’s support and communication

- Quality of legal advice and support received from Media Defence
- Communication with Media Defence
- Efficiency of Media Defence
Why Respondents Approached Us

When asked “Why did you choose to approach the organisation for support with your case?”, the majority of respondents said they had approached Media Defence because someone recommended us to them, which remains consistent with previous years.

Nine respondents said that they approached Media Defence because it was the only organisation that they could find that supports journalists with legal fees. To date, we are the only organisation around the world that is solely focused on providing legal help to journalists, combining grants with pro bono legal support.

Two respondents requested support to their case because we reached out to them.
Why Respondents Approached Us

- I had a previous case with them: 1
- The organisation reached out to me: 2
- I thought it could help add international pressure to my case: 6
- I wanted to make sure a third party was involved to keep an eye on the case: 4
- I trusted their expertise: 9
- It was the only way I could cover the legal fees: 9
- It was the only organisation I could find that supports journalists with legal fees: 10
- Someone recommended that I ask for support from them: 16
- It was the first organisation I came across when looking for help: 6
How We Can Improve

Respondents were asked to rank the quality and efficiency of Media Defence’s support and communication on a scale of 1-5 (whereby 1 is the worst and 5 is the best). 68% of respondents ranked the quality of legal advice and support received from Media Defence as 5.

We always strive to improve the support we provide and are keen to hear our beneficiaries' thoughts on this. 8 respondents had no feedback to add. Suggestions for improvement included:

- Improving communication between Media Defence and grantees;
- Advocacy around the case;
- Case monitoring;
- Offering more support to small organisations, e.g. retrieving information and documents, advising on feedback for the various claims made in court; and
- Providing grants for all stages of the case at once.
### How satisfied were you with the lawyer that defended you/handled your case?

- Extremely satisfied: 5%
- Satisfied: 36%
- Unsatisfied: 59%
- N/A or unsure: 5%

### How satisfied were you with the outcome of your case?

- Extremely satisfied: 9%
- Satisfied: 36%
- Unsatisfied: 23%
- N/A or unsure: 27%

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<th>2021 (Extremely satisfied or satisfied)</th>
<th>2022 (Extremely satisfied or satisfied)</th>
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<tr>
<td>84%</td>
<td>77%</td>
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<th>2021 (Extremely satisfied or satisfied)</th>
<th>2022 (Extremely satisfied or satisfied)</th>
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<td>71%</td>
<td>68%</td>
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Most Valuable Support

Respondents were asked: “Thinking about the different individuals or organisations that supported your case, which was the most valuable form of support for you?” and were given a free text box. (Their responses have been coded).

One respondent said that moral support listed amongst the most valuable form of support they received and four chose legal support. As in previous years, financial support remains the most important form of support.
If we didn’t have Media Defence’s support...

“I wouldn't be able to defend the case in court, articles would be taken offline, public interest would suffer from lack of critical information.”
What three words would you use to describe Media Defence?

“Unique, great, irreplaceable”

“Journalists’ selfless defender”

“Reliable, helpful, unexpected”

“Timely, understanding, supportive”

“Efficient, reliable and respectable”

“Guidance, trustworthy, reliable”
The Wider Context
Wider Impact of Cases

Respondents were asked “Do you think your case has had a wider impact, either positive or negative, in your country or region?” In comparison to 2021, more respondents expressed that their case had a positive impact (73% in comparison with 48%), and none reported that their case had a negative impact.

Positive impacts included:

- Reader support to continue reporting despite harassment
- Confidence in other journalists to publish investigative stories
- Highlighting the harassment of journalists by public officials

Negative impacts included:

- Continued impunity
- Continued harassment of journalists
Likelihood of Future Legal Challenges

Respondents were asked “How likely do you think it is that your journalistic activity will result in more legal challenges in the future?”

91% of respondents believe that their journalistic activity will result in more legal challenges in the future, which is a slight increase from last year where 84% of respondents felt their activity would result in more legal challenges.

The majority of journalists continue to believe that their case had a positive impact on freedom of expression, yet they also believe that it is somewhat or extremely likely that their journalistic activity will result in more legal challenges the future. This response is in line with the ongoing deterioration of press freedom globally.
Biggest Challenges Faced

“The lack of support for independent media outlets and chokehold of advertisers under government influence. Lastly, political ownership of media institutions places journalists under pressure.”

“Maintaining professional standards and breaking new big stories despite financial constraints and judicial harassment.”

"Death threats and lawsuits."

“Lack of financial support and a viable model to sustain long-term investigative journalism in the public interest and to build an audience around that activity.”

“Political pressure on freedom of speech.”
Biggest Legal Challenges Faced

- Defamation and libel laws: 30%
- Violence against journalists: 8%
- Lack of funds for legal defence: 8%
- Abuse of power: 23%
- Corruption in the judiciary: 23%
- Lack of judicial knowledge about journalist's rights: 8%
Biggest Challenges Faced As A Journalist

- Judicial Harassment: 16%
- Access to information: 3%
- Lack of audience: 9%
- Political pressure on freedom of speech: 9%
- Restrictive Laws: 13%
- Financial Security: 22%
- Lack of judicial knowledge of journalist's rights: 6%
- Physical Harassment: 9%
- Online Harassment: 13%
“Just to say thanks for never turning us down when we are in need.”
Conclusions
Impact Themes and Learnings
Legal Support

Journalists continue to be highly satisfied with Media Defence's support. 100% of respondents would recommend our support to other journalists facing legal action, 95% were satisfied with the lawyer that defended their case and a further 64% satisfied with the outcome of their case. Many journalists felt that Media Defence's support was critical for helping them defend their rights.
45% of participants approached Media Defence as the only organisation they found that supported journalists with legal fees. A further 41% said that our support was the only way they could cover their legal fees. This demonstrates the importance of Media Defence’s work and the continuing need for the services. Given that financial support remained the most valuable form of support provided, Media Defence is well placed to provide support. Outreach to ensure all journalists have access to this support is essential.
Impact Themes and Learnings

Enabling journalists to continue to hold public officials to account

Importantly, despite confidence in the support received from Media Defence, over the previous three years, more and more journalists believe future work will result in legal charges. Respondents highlighted continuing judicial harassment and a lack of free speech, which is in line with other research demonstrating a global decline in press freedom. Unlike in previous years, a few journalists have given up work, reduced their online presence or changed the stories they address due to the pressure. The importance of Media Defence’s support in this context is clear, along with ensuring that journalists are aware of a network of support.
Key Recommendations

- We will continue to share our survey to journalists on a rolling basis, one month after they have received judgment in their case, but while maintaining a trauma-informed approach. Therefore, we only send out our survey if it is not likely to cause harm to journalists who have been through difficult cases already.

- We will assess how we offer support to journalists, and ensure we are signposting to partner organisations who can provide additional services, for example psychological support and emergency relocation funds.

- Given the fact that some of the responses were in Spanish, Russian and Arabic, we will translate the survey into Portuguese, Azeri and Arabic to ensure it reflects the journalists we are working with.

- Consider flexibility of grants and ensure amounts provided continue to reflect country standards for legal fees.