

Press release of Vladimir Bukovsky

28 July 2016

The CPS has made no allegations of Vladimir Bukovsky's involvement in sexual abuse of children, the High Court has ruled today. The judgement of Mr. Justice Warby in Mr. Bukovsky's libel claim against the CPS states: "*Mr Bukovsky has not been charged with or accused of being a participant in or present at the scene of any child sex abuse, or of taking photographs of such abuse. The CPS has not alleged, and does not allege, that he was guilty of or reasonably suspected of any such conduct.*"

The judgement is a victory for the CPS, who has staunchly denied that it "libelled" Mr. Bukovsky in its press-release on April last year.

The press-release alleged that Mr. Bukovsky was charged with "*five counts of making an indecent photograph of a child contrary to section 1(a) of the Protection of Children Act 1978*", and five separate counts of "possession" of such photographs. This Monday, barrister Greg Callus, representing Mr. Bukovsky, argued in Court that "*to an ordinary and reasonable reader of the mainstream media outlets who published the Charging Announcement, "making" a photographic image means using some kind of camera equipment to produce a 2-D depiction of something that the photographer is witnessing in their immediate environment.*"

However, Aidan Eardley, representing the CPS, argued that the CPS press-release did not libel Mr. Bukovsky, since it did not suggest Mr. Bukovsky was accused of being involved in sexual abuse of children. "*A reasonable reader would recognise that the charges were described in legal language and conclude (and conclude no more than) that the Claimant was accused of having committed the elements of the specified offences, whatever they might be*", Mr. Eardley submitted on behalf of the CPS.

Mr. Justice Warby agreed with the CPS interpretation of its press-release. His judgement reads: "*I agree with Mr Eardley that the public at large know that words can have special and precise meanings when used in statutes, and by lawyers. They know that this can apply to words that seem quite ordinary, such as "making" and "possession". I do not accept that the ordinary reasonable reader would treat the ordinary English words in this announcement in the same way as they would treat them if spoken or written by a journalist, or by a friend in ordinary conversation... It is possible, I suppose, that some reader might think that Mr Bukovsky played the role of the photographer. But that would represent supposition or speculation.*"

Mr. Bukovsky's lawyers are now preparing an appeal against the judgement.

Mr. Bukovsky said today: "*This is simply a whitewash. The CPS allegations against me were repeated by all the media, shocked the whole world, ruined my reputation - and now I am told that they were never made! This is outrageous. For 15 months they tried to insinuate through all sorts of media outlets, that I am some kind of a pedophile and now they say: Oh, no, we did not mean that. Nothing sexual, strictly business. Only unreasonable reader could see such meaning. And yet, even now they make no attempt to correct their announcement, it is still on their website in exactly the same language which, as they now must know for sure, is at best controversial. I am still charged with "making" those images, although it was just established in court that I did not participate in their production.*"

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