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If You Don't Erase It – the Copper Will: Defamation Actions by Police Officers and their Effect on Policemen's Public Image

The ongoing political deadlock as well as the Covid regulations has brought about massive civil unrest in Israel which has involved, among other things, heated demonstrations in which the friction between protestors and police reached unprecedented heights. Social media platforms have been flooded by footage of harsh, sometimes violent police activity, followed by critical comments and posts that often have been directed at specific police officers rather than the police as an institution. Given the reproachful, sometimes calumnious nature of many such comments, a new trend has begun to flourish in the Israeli legal arena: police officers bringing defamation actions against social media users who have criticized them online.

Identifying this phenomenon as a potential threat to free speech, the legal clinics at the College of Management Law School decided to undertake the representation of several defendants in such cases. Based on this experience and utilizing the “procedural justice” model, the article demonstrates the negative overall effect of this phenomenon. In particular, even if a single defamation action may elicit a judicial decision in favor of the police officer, the proliferating phenomenon of defamation actions of policemen against civilians carries a cumulative negative effect on policemen's public image and on the sensitive interaction between police and civil society and the trust crucial for its survival.