

# LIBEL LESSON TIP SHEET

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In conjunction with **Roth Communications**

## WHAT IS LIBEL?

Any statement or representation (photograph/cartoon/graphic) that is spoken, broadcast or published that reduces another person's reputation; injures their dignity; exposes them to hatred, ridicule or contempt; and/or injures them in their business or work.

## WHAT ARE PRIVATE FACTS?

- Health and medical information (such as HIV status, terminal disease)
- Financial affairs
- Sexual life (sexual orientation)
- Family life
- The contents of private correspondence

## HOW TO AVOID LIBELLING SOMEONE UNINTENTIONALLY

**Ensure everything you write or publish is:**

- True
- In the public interest
- Reasonable
- Always make it very clear if what you are publishing is your opinion or fact

## HOW TO LIMIT YOUR LIABILITY WHEN YOU DO IT IN ANY CASE

- Remove the article
- Publish an unqualified apology quickly and with the same prominence
- Do not repeat the libel in subsequent articles or posts

## HOW TO DEFEND YOURSELF WHEN THE LIBEL YOU HAVE PUBLISHED IS TRUE

- Publication was in the public interest
- You established the truth through sources and supporting documents
- You gave the subject of the defamation a right to reply and adequate time to respond
- You published the essence of that response along with the defamation
- It was privileged (parliament, court)
- It was fair (protected) comment