

Defamation

Law

Protecting reputation, and the defences that protect speech.

Elements and defences.

Elements

A defamatory statement

Referring to the claimant

Published to at least one third party

Causing or likely to cause serious harm

Defences

Truth of the statement

Honest opinion, on a stated basis

Publication on a matter of public interest

Privilege, absolute or qualified

Consent to publication

Educational reference. Defamation law varies enormously between jurisdictions, particularly on where the burden of proof sits.