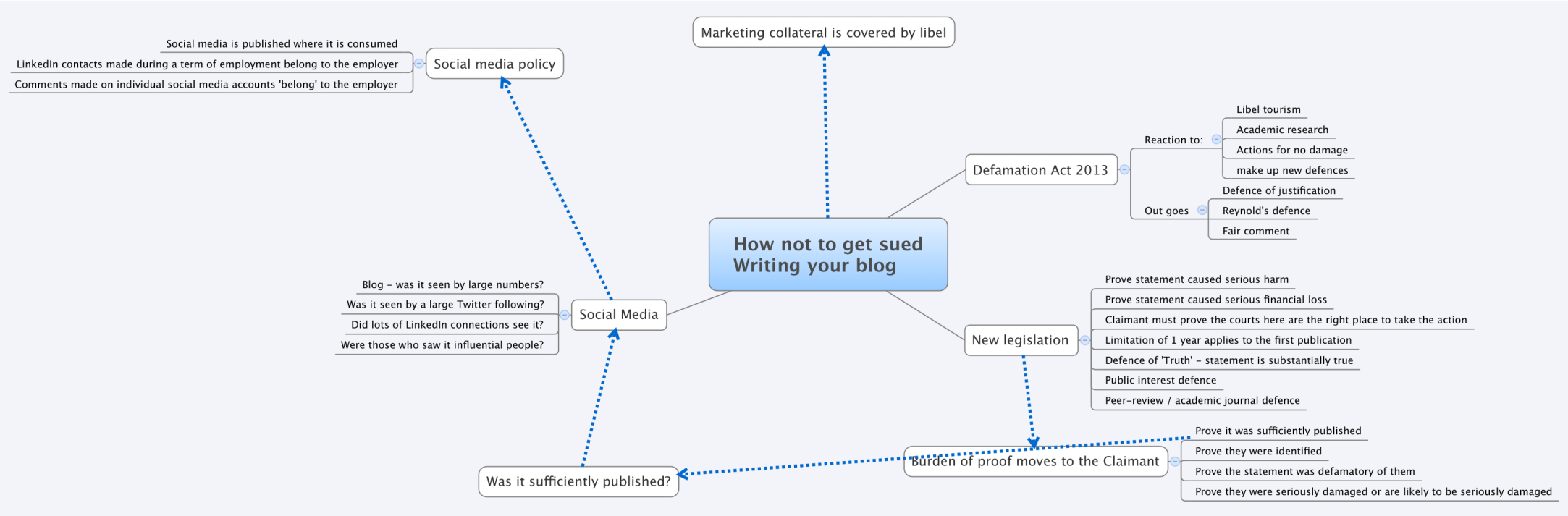
How not to get sued
Writing your blog
Marketing collateral is covered by libel
Social media policy
Social media is published where it is consumed
LinkedIn contacts made during a term of employment belong to the employer
Comments made on individual social media accounts 'belong' to the employer
Defamation Act 2013
Reaction to:
Libel tourism
Academic research
Actions for no damage
make up new defences
Out goes
Defence of justification
Reynold's defence
Fair comment
Social Media
Blog – was it seen by large numbers?
Was it seen by a large Twitter following?
Did lots of LinkedIn connections see it?
Were those who saw it influential people?
New legislation
Prove statement caused serious harm
Prove statement caused serious financial loss
Claimant must prove the courts here are the right place to take the action
Limitation of 1 year applies to the first publication
Defence of 'Truth' – statement is substantially true
Public interest defence
Peer-review / academic journal defence
Burden of proof moves to the Claimant
Prove it was sufficiently published
Prove they were identified
Prove the statement was defamatory of them
Prove they were seriously damaged or are likely to be seriously damaged
Was it sufficiently published?