

Duncan And Neill On Defamation

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Defamation Colin Duncan 1978

The Liability of Internet Intermediaries Jaani Riordan 2016-07-14 Internet intermediaries play a central role in modern commerce and society. Although their economic and social importance is well-recognised, their legal liability remains poorly understood, and, until now, no work has specifically addressed their legal responsibility for wrongdoing carried out by third parties using their facilities or platforms. This work fills that gap by providing comprehensive coverage of the legal duties owed by intermediaries and the increasingly complex schemes that regulate their activities. The first part of the work introduces the concept of an internet intermediary, general doctrines of primary and secondary liability, and the European enforcement regime. The second part examines the liability of intermediaries in specific areas of law, with a detailed analysis of the applicable liability rules, and the major English case law, and decisions of the Court of Justice that interpret and apply them. The final part of the work provides guidance on remedies and limitations. Written by an expert author from the intellectual property chambers at 8 New Square, Lincoln's Inn, this is an essential guide for lawyers advising on liability, privacy, and online regulation.

McNae's Essential Law for Journalists Mark Hanna 2016-06-30 Precise and lucid in its treatment of practical detail, McNae's Essential Law for Journalists is the unrivalled handbook for students of journalism and professionals. Including pithy summaries, clear cross-references, and hands-on practical advice, McNae's meets the needs of busy journalists who need quick and reliable answers to the questions they face in their day-to-day work, while also providing students with authoritative coverage of key media law topics. Published in partnership with the National Council for the Training of Journalists as the elemental text for students and widely used in newsrooms across the UK, McNae's continues to successfully distil the law and make it manageable. A comprehensive website (www.mcnaes.com) accompanies the text, providing a range of resources, including regular updates from the authors to keep you abreast of the law, whether on the job or in exams.

The Legal Protection of Reputation and the Tests for what is Defamatory Lawrence McNamara 2005

Duncan and Neill on Defamation Colin Duncan 1983

McNae's Essential Law for Journalists Mike Dodd 2018-05-31 Precise and lucid in its treatment of practical detail, McNae's Essential Law for Journalists is the unrivalled handbook for students of journalism and professionals. Including pithy summaries, clear cross-references, and hands-on practical advice, McNae's meets the needs of busy journalists who need quick and reliable answers to the questions they face in their day-to-day work, while also providing students with authoritative coverage of key media law topics. Published in partnership with the National Council for the Training of Journalists as the elemental text for students, and widely used in newsrooms across the UK, McNae's continues to successfully distil the law and make it manageable. Online resources Comprehensive online resources accompany the text, including regular updates from the authors to keep readers abreast of the law. www.mcnaes.com

The Illusion of the Free Press John Charney 2018-01-11 This book explores the relationship between truth and freedom in the free press. It argues that the relationship is problematic because the free press implies a competition between plural ideas, whereas truth is univocal. Based on this tension the book claims that the idea of a free press is premised on an epistemological illusion. This illusion enables society to maintain that the world it perceives through the press corresponds to the world as it actually exists, explaining why defenders of the free press continue to rely on its capacity to discover the truth, despite economic conditions and technological innovations undermining much of its independence. The book invites the reader to reconsider the philosophical foundations, constitutional justifications, and structure and functions of the free press, and whether the institution can, in fact, realise both freedom and truth. It will be of great interest to anyone concerned in the role and value of the free press in the modern world.

Law of Contract Andrew Grubb 2010

From House of Lords to Supreme Court James Lee 2011-01-06 2009 saw the centenary of the Society of Legal Scholars and the transition from the House of Lords to the new Supreme Court. The papers presented in this volume arise from a seminar organised jointly by the Society of Legal Scholars and the University of Birmingham to celebrate and consider these historic events. The papers examine judicial reasoning and the interaction between judges, academics and the professions in their shared task of interpretative development of the law. The volume gathers leading authorities on the House of Lords in its judicial capacity together with academics whose specialisms lie in particular fields of law, including tort, human rights, restitution, European law and private international law. The relationship between judge and jurist is, therefore, investigated from a variety of perspectives and with reference to different jurisdictions. The aim of the volume is to reflect upon the jurisprudence of the House of Lords and to consider the prospects for judging in the new Supreme Court.

Magazine Law Peter Mason 2002-09-11 Magazine Law is a comprehensive guide to the law for magazine journalists, editors and managers. Written by a barrister experienced in publishing and copyright law and a former magazine journalist and law lecturer, the book addresses the special needs of the magazine industry and explains the laws that regulate and seek to determine what journalists can and cannot publish, and how these laws are applied in everyday situations. Written specifically for all those in the magazine industry, as well as students of magazine journalism, the authors address issues which directly affect day to day practice. The legal and regulatory framework is illustrated with case studies and up-to-date examples of precedent setting cases. Topics covered include: * the legal process and the distinction between criminal and civil law * the role of the courts and reporting court procedure * defamation, fair-comment and libel * product testing and criticism * copyright and passing off * law for photographers, picture researchers and the use of illustrations * privacy and trespass * competition, lotteries and magazine promotion * sub-editing errors and inaccurate copy * ethical and professional issues facing journalists Codes of Practice published by the Press Complaints Commission and National Union of Journalists are set out in appendices, as are requirements for the award of a National Vocational Qualification in Periodical Journalism in Press Law and Ethics. A glossary of legal terms is included.

New Theatre Quarterly 75: Volume 19, Part 3 Simon Trussler 2003-12-15 Provides an international forum where theatrical scholarship and practice can meet.

Landmark Cases in Defamation Law David Rolph 2019-08-22 Landmark Cases in Defamation Law is a diverse and engaging edited collection that brings together eminent scholars from the United Kingdom, the United States, Australia, Canada and New Zealand to analyse cases of enduring significance to defamation law. The cases selected have all had a significant impact on defamation law, not only in the jurisdiction in which they were decided but internationally. Given the formative influence of English defamation law in the United States, Australia, Canada and New Zealand, the focus is predominantly on English cases, although decisions of the United States and Australia are also included in the collection. The authors all naturally share a common interest in defamation law but bring different expertise and emphasis to their respective chapters. Among the authors are specialists in tort law, legal history and internet law. The cases selected cover all aspects of defamation law, including defamatory capacity and meaning; practice and procedure; defences; and remedies.

The Commercial Appropriation of Personality Huw Beverley-Smith 2002-08-15 Commercial exploitation of attributes of an individual's personality, such as name, voice and likeness, forms a mainstay of modern advertising and marketing. Such indicia also represent an important aspect of an individual's dignity which is often offended by unauthorized commercial appropriation. This volume provides a framework for analysing the disparate aspects of the problem of commercial appropriation of personality and traces, in detail, the discrete patterns of development in the major common law systems. It also considers whether a coherent justification for a remedy may be identified from a range of competing theories. The considerable variation in substantive legal protection reflects more fundamental differences in the law's responsiveness to commercial practices and different attitudes towards the proper scope and limits of intangible property rights.

Meaning in the Media Alan Durant 2010-03-04 Addresses the issue of what we should make of competing claims about meaning when debated in highly charged circumstances.

The Rules of Democracy Bragadini Bóo, Marcial 2022-06-21 The world can be better run. Democracy is the most effective way to take back control over decisions that impact people's lives. But democracy must evolve following a global technological revolution that has increased fears that global trade and immigration threaten our identity, that we face environmental ruin and that cybercriminals and Big Tech can do as they please, unchecked – all made worse by COVID-19. This book presents a roadmap for more accountable democracy locally, nationally and internationally. Marcial Bragadini Bóo proposes updating rules so that politicians are better held to account, public services improve and people can contribute to their communities. New rules of democracy may help find solutions to global problems and ensure everyone is fairly represented at the decision-making table.

Media Law E. M. Barendt 2000 This book differs from others on media law by emphasising the increasingly important regulatory and European aspects, giving less prominence to more traditional common law topics. The authors adopt a comparative approach, drawing upon material from the USA and commonwealth jurisdictions, as well as examining relevant aspects of Human Rights law.

Sourcebook on Tort Law 2/e Graham Stephenson 2012-10-02 The purpose of this book is to provide a clear guide to tort law, examining the main principles and areas of the subject. It includes text emphasizing the main issues of liability. The text incorporates relevant materials, extracts from leading judgments, articles and reports of review bodies on tort law. It should prove especially useful for those who do not have access to a law library, as for those whose library is under severe pressure from users. It will be useful to those participating in seminars and tutorials and will enable them to take part in a good level of discussion. This new edition of Sourcebook on Torts has been fully revised and incorporates the Human Rights Act 1998. The effect of the European Courts decision in Osman is now being felt, as is evident from the judgments of the House of Lords in Barrett v Enfield BC. The Law Commission's proposals on liability for psychiatric illness are included. Developments in the tort of nuisance, the defence of qualified privilege and damages are also scrutinized. Several Law Commission reports and the Social Security (Recovery of Benefits) Act 1997 are also extracted, as are other new pieces of legislation, such as the Damages Act 1996 and the Defamation Act 1996.

Cases and Commentary on Tort Barbara Harvey 2009-03-19 Cases and Commentary on Tort features extracts from important cases which form a useful portfolio of important cases and which help to facilitate access to this wide-ranging subject through primary sources. The authors' succinct and engaging commentary offers insight into the key cases and basic principles of tort law, while questions encourage students to debate and discuss the wider issues raised.

Who Rules the Net? Clyde Wayne Crews, Jr. 2003 This book considers the threats to free speech and online commerce posed by international government attempting to impose

such territorial statutes and standards within cyberspace.

Defamation Andrew Kenyon 2013-09-05 Defamation: Comparative Law and Practice offers a timely and original investigation into defamation law and litigation practice in England, Australia and the United States, combining close legal analysis and extensive empirical research to examine central aspects of defamation law. This groundbreaking contribution to legal knowledge will be useful to researchers, academics, students and practitioners working in media and communications law. It will enable lawyers outside the US to make more informed use of US law and commentary and it sets out, in an accessible manner, the intricacies of English and Australian defamation law and practice for US legal readers. Libel and Privacy Sanford 2004-12-10 One of the nation's leading First Amendment attorneys provides media counsel with up-to-date information on how to avoid litigation, the andquot;public person, andquot; settlement and pretrial tactics, winning trial tactics and cost minimization techniques; with ample case analysis, including the landmark case *Moldea v. New York Times Co.* By Bruce W. Sanford. Libel and Privacy by Bruce W. Sanford explains how the U.S. Supreme Court is now approaching constitutional libel law and setting the boundaries for invasion of privacy suits. Comprehensive coverage of all key topics includes: Establishing effective techniques to avoid litigation by following the four-step review process In-depth treatment of andquot;public personandquot; Valuable settlement and pretrial tactics Winning trial tactics and cost minimization techniques Analysis of recent cases and new developments including those in the emerging cyber-like area Discussion of the landmark case *Moldea v. New York Times Co.* -- which the author argued and won An illustration of the legal and factual criteria governing the measurement of damages in libel actions And more

The Law of Contract Fourth Edition (Part of Butterworths Common Law Series) and Duncan and Neill on Defamation Third Edition Set Andrew Grubb 2010-06-09 This special package enables you to purchase both *The Law of Contract Fourth edition (Part of Butterworths Common Law Series)* and *Duncan and Neill on Defamation Third edition* together at one special price. Now in its fourth edition, *The Law of Contract* provides a comprehensive and authoritative treatment of all aspects of the law of contract. It differs from other texts on the topic by offering a fresh, new approach to the area. The book also provides an analysis of current issues and highlights possible future developments in the law. Accessible and authoritative, *The Law of Contract* is designed specifically to meet the needs of the modern practitioner. The new edition includes coverage of consumer rights and a European contract code. This concise treatise on defamation is both lucid and comprehensive. Statutory developments, including the implementation of the Defamation Act 1996, are incorporated and there is a full discussion of the various cases where aspects of the common law relating to defamation have been examined. Where the law is uncertain, the authors suggest a solution which in their view accords with principle. The scope of the book has been expanded to include coverage of practice and procedure whilst recent developments are fully discussed, including important Court of Appeal decisions and developing areas of practice such as human rights, data protection and the Internet. This is the leading authority on defamation law and as such will be an essential addition to the library of all practitioners specialising in this area.

Accessories in Private Law Joachim Dietrich 2016-01-25 Accessory liability is an often neglected but very important topic across all areas of private law. By providing a principled analytical framework for the law of accessories and identifying common themes and problems that arise in the law, this book provides much-needed clarity. It explains the fundamental concepts that are used to impose liability on accessories, particularly the conduct and mental elements of liability: 'involvement' in the primary wrong and (generally) knowledge. It also sets out in detail the specific rules and principles of liability as these operate in different areas of common law, equity and statute. A comparative study across common law and criminal law jurisdictions, including the United States, also sheds new light on what is and what is not accessory liability.

Duncan and Neill on Defamation ; Foreword [by] the Rt. Hon. Lord Salmon Colin Duncan 1983

Commonwealth Caribbean Tort Law Gilbert Kodilinye 2014-08-13 Tort law is a subject of primary importance in the study and practice of the common law in Caribbean jurisdictions. This work is now well established as the leading text on tort law in the region, and this fifth edition has been updated throughout to incorporate developments in law and legal thinking, including special contributions on medical negligence and the misuse of private information from the Hon Justice Roy Anderson and Dr Vanessa Kodilinye. The accessible writing style and integration of up-to-date material enables students to grasp the salient points and develop a thorough understanding of Tort Law in the Caribbean. Although conceived primarily as a text for the LLB degree courses in Caribbean universities, *Commonwealth Caribbean Tort Law* is also essential reading for students preparing for the CAPE Law examinations and the various paralegal courses in the region. Legal practitioners will find the book useful as a work of ready reference, and it will also be of interest to those business executives, industrialists, insurance agents and journalists who require some knowledge of this most important area of the law.

Opinion Writing and Case Preparation The City Law School 2016-08-11 *Opinion Writing and Case Preparation* equips trainee barristers with the tools and techniques they need to identify, analyse, and present convincing legal arguments, and gives a thorough grounding in the skill of writing opinions. With its systematic approach to legal research and fact management, the manual provides trainee barristers with an efficient and reliable method for preparing a client's case. The fundamental qualities of effective writing are also clearly identified and explained, helping you develop this essential skill. Particular care is taken to guide you through the appropriate ways of writing opinions in a variety of contexts.

The Law of Defamation and the Internet Matthew Collins 2001 The Internet is the first truly global communications medium. Anyone with a computer and an Internet connection can publish material to a potentially vast audience located in any number of countries around the world. The Internet is, at the same time, a great bastion of free speech and a medium of almost limitless international defamation. This title contains the first comprehensive analysis of the application of Anglo-Australian rules of civil defamation law to material published via the Internet. As well as addressing the common law rules as they apply in the United Kingdom and Australia, it covers the operation of statutory modifications of the common law in each jurisdiction, the specific defences applying to Internet intermediaries, the European Union's Electronic Commerce Directive and comparative case-law from the United States. It also contains a substantial treatment of the relevant principles of jurisdiction and choice of law. The work contains a clear and non-technical explanation of how the Internet works and the various ways in which it is used to publish material. Common Internet terms are defined in a glossary. Relevant legislation has been extracted and reproduced. As this is a field in which there are, as yet, few authorities and a large number of untested issues, the author's systematic approach towards the cause of action, defences and remedies, coupled with the frequent use of contextual examples, means this work will maintain its relevance in this fast-moving area of the law. The title will be an invaluable reference for practitioners, Internet professionals, and students alike.

Private Wrongs Arthur Ripstein 2016-04-05 Tort law recognizes the many ways one person wrongs another. Arthur Ripstein brings coherence to torts' diversity in a philosophically grounded, analytically powerful theory. He shows that all torts violate the basic moral idea that each person is in charge of his or her own person and property, and never in charge of another's person or property.

A Company's Right to Damages for Non-Pecuniary Loss Vanessa Wilcox 2016-08-15 This detailed examination explores the extent to which non-pecuniary damages can properly be awarded to companies.

Privacy, Property and Personality Huw Beverley-Smith 2005-11-24 The protection of privacy and personality is one of the most fascinating issues confronting any legal system. This book provides a detailed comparative analysis of the laws relating to commercial exploitation of personality in France, Germany, the United Kingdom and the United States. It examines the difficulties in reconciling privacy and personality with intellectual property rights in an individual's identity and in balancing such rights with the competing interests of freedom of expression and freedom of competition. This analysis will be useful for lawyers in legal systems which have yet to develop a sophisticated level of protection for interests in personality. Equally, lawyers in systems which provide a higher level of protection will benefit from the comparative insights into determining the nature and scope of intellectual property rights in personality, particularly questions relating to assignment, licensing, and post-mortem protection.

Duncan and Neill on Defamation Brian Neill 2015-01-28 This concise treatise on defamation is both lucid and comprehensive. Previous editions have been cited frequently by first instance and appellate courts. The fully updated fourth edition considers the very significant changes to the law of libel and slander brought about by the Defamation Act 2013, and the law's continuing attempts to meet the challenges posed by publications on the internet and via social media. Where the law is uncertain, the authors suggest a solution which in their view accords with principle. In recognition of the fact that, increasingly, practitioners are called upon to advise on related causes of action, the book includes chapters on malicious falsehood and misuse of private information and has been expanded, in the fourth edition, to address harassment and data protection. This leading authority on defamation law and related areas will be an essential addition to the library of all practitioners specialising in these fields, as well as students and generalists who require a clear overview of the subject.

Duncan and Neill on Defamation Richard Rampton 2020-06-15 *Duncan and Neill* is a leading authority on defamation law and other related types of action, and as such is an essential edition to the legal library of all practitioners specialising in this area, as well as students/academics and generalists who require a clear overview of the subject. It is a concise and comprehensive work on defamation, but also covers privacy, misuse of private information, malicious falsehood, harassment and data protection. Previous editions have been cited frequently by first instance and appellate courts. The new fifth edition will cover developments in the law and practice of the areas covered in the book since the last edition, including:- Coverage of key cases, eg *Lachaux, Stoker, Monroe v Hopkins*- Misuse of private information, eg *Cliff Richard, ZXC v Bloomberg*- Right to be forgotten- Data protection- Public interest defence, eg *Economou*

Opinion Writing and Case Preparation The City Law School 2020-08 *Opinion Writing and Case Preparation* equips trainee barristers with the tools and techniques they need to identify, analyse, and present convincing legal arguments, and gives a thorough grounding in the skill of writing opinions. With its systematic approach to legal research and fact management, the manual provides trainee barristers with an efficient and reliable method for preparing a client's case. The fundamental qualities of effective writing are also clearly identified and explained, helping you develop this essential skill. Particular care is taken to guide you through the appropriate ways of writing opinions in a variety of contexts. History of the Independent Bar of South Australia John Emerson 2006 "South Australia's bar developed like no other bar in Australia, better termed "independent" than "separate", its independent spirit showing in the distinctive preference for small sets of chambers"--P. [4] of cover.

Comparative Privacy and Defamation András Koltay 2020-07-31 Providing comparative analysis that examines both Western and non-Western legal systems, this wide-ranging Handbook expands and enriches the existing privacy and defamation law literature and addresses the fundamental issues facing today's scholars and practitioners. *Comparative Privacy and Defamation* provides insightful commentary on issues of theory and doctrine, including the challenges of General Data Protection Regulations (GDPR) and the impact of new technologies on the law.

Compensating Child Abuse in England and Wales Paula Case 2007-03-22 Providing a detailed analysis of the legal principles in England & Wales, this book looks at governing compensation claims for the lasting trauma caused by child abuse. Its pages discuss the merits and demerits of different forms of action as mechanisms for imposing liability for abuse, how compensable psychiatric damage can be proved and how the law deals with complex issues of duty of care, causation and extending limitation periods in the context of abuse cases. Whilst a substantial portion of the book deals with civil claims by the abused for the psychological harm caused by the abuse, coverage also extends to litigation by other parties involved directly or indirectly in abuse allegations. Also included is a significant comparative element, drawing upon jurisdictions such as Canada, Australia and New Zealand, as a means of speculating how our own legal system might develop.

Privacy Injunctions and the Media Iain Goldrein 2012-04-13 A string of high profile law suits has drawn attention to a rapidly developing and controversial branch of media law – the use of privacy injunctions to restrain publication of information relating to the private lives of individuals. The purpose of this book is to set out the law relating to privacy injunctions, and best practice in relation to seeking or opposing this form of relief. Such best practice is targeted not just at litigators. This book is aimed also at journalists who are

the watchdogs of the freedoms of our society, and other organs of the media. The text is broken down into easily manageable sections, with numerous check-lists and quality control protocols. Applications in the Queen's Bench Division (including personal injury), Family Division (including the President's "Media guidance†?" and "Reporting Restriction Orders†?") and "harassment†?" are covered, together with a "journalists' check-list†?". The book reflects the agenda (included in the foreword to the book) set by Lord Neuberger's Report of 2011 ("Report of the Committee on Super-Injunctions†?").

Lives of the Law Tom Bingham 2011-09-01 Tom Bingham (1933-2010) was the 'greatest judge of our time' (The Guardian), a towering figure in modern British public life who championed the rule of law and human rights inside and outside the courtroom. Lives of the Law collects Bingham's most important later writings, in which he brings his distinctive, engaging style to tell the story of the diverse lives of the law: its life in government, in business, and in human wrongdoing. Following on from The Business of Judging (2000), the papers collected here tackle some of the major debates in British public life over the last decade, from reforming the constitution to the growth of human rights law. They offer Bingham's distinctive insight on issues such as the role of the judiciary in a democracy, the implementation of the Human Rights Act, and the development of the rule of law, in the UK and internationally. Written in the accessible style that made The Rule of Law (2010) a popular success, the book will be essential reading for all those working in law, and an engaging inroad to understanding modern constitutional and legal debates for the general reader.

Litigation Communication Thomas Beke 2013-11-04 The book is a brief journey through centuries and jurisdictions and expands on examples of enactment practices of states that support, challenge or even reject communication during pending litigations. England, as the main representative of a jurisdiction, suggests communication solutions potentially different than the practice in the United States where litigation communication first time occurred. Accordingly, the author offers a comprehensive analysis and detailed historical narrative of the positions of various jurisdictions in relation to communication in the legal process. As a kind of applied legal history, the book provides an exploration of historical events that were significant in a legal communication context and addresses their implications for modern enactments. The account looks at the history of regulations to allow a better understanding of the strict rules that have often been cited over the years support or restrict communication in the legal process. The author provides the reader with proper contexts on different judicial and communication considerations, as well as the collaboration of legal and public relations experts, in a particular form of crisis and reputation management, in the litigation process. As such, this book is an attempt to present an accurate and thoughtful account of the theory and history of litigation communication, which is directly relevant in various debates such as the work on the meaning and context of the Contempt of Court Act in England or the American First and Sixth Amendments in different centuries.

Tort Law: Challenging Orthodoxy Stephen G.A. Pitel 2014-07-18 In this book leading scholars from the United Kingdom, the United States and Australia challenge established common law rules and suggest new approaches to both old and emerging problems in tort law. Some of the chapters consider broad issues such as the importance of flexibility over certainty in tort law, connections between tort law and human flourishing and the indirect effects of changes in tort law. Other chapters engage more specific topics including the role of vindication in tort law, the relationship between criminal law and tort law, the use of epidemiological evidence in analysing causation, accessory liability in tort law, the role of malice in intentional torts and the role of statutes in tort law. They propose new approaches to contributory negligence, emotional distress, loss of a chance, damages for nuisance, the tort of conspiracy and vicarious liability. The chapters in this book were originally presented at the Sixth Biennial Conference on the Law of Obligations at Western University in London, Ontario in July 2012. They will be highly useful to lawyers, judges and scholars across the common law world.