Defamation, a tort that protects a claimant’s reputation, has been the subject of much debate in recent years, culminating in the passing of the Defamation Act in 2013. A tort of historic origin, defamation raises novel challenges in an age of internet and digital communication technology, particularly given increasing concerns about freedom of expression, and the protection of privacy. Like many aspects of the law discussed in this book, moreover, defamation has not been left untouched by human rights developments. The chapter begins with an introduction to defamation, covering the meaning of ‘defamatory’ and libel and slander. It then discusses elements of liability, both in the common law, and under the Defamation Act 2013; defences; damages; mitigation of damage; and injurious falsehoods and passing off.
21. Defamation and Injurious Falsehood

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