15. Defences to defamation

Tort Law Directions (7th edn)
Carol Brennan and Vera Bermingham

Publisher: Oxford University Press  Print Publication Date: Jul 2020
Print ISBN-13: 9780198853923  Published online: Sep 2020
DOI: 10.1093/he/9780198853923.001.0001  ©Carol Brennan and Vera Bermingham 2020

15. Defences to defamation

Chapter: (p. 360) 15. Defences to defamation

Author(s): Carol Brennan and Vera Bermingham

DOI: 10.1093/he/9780198853923.003.0015

Without assuming prior legal knowledge, books in the Directions series introduce and guide readers through key points of law and legal debate. Questions, diagrams, and exercises help readers to engage fully with each subject and check their understanding as they progress. Defences to defamation protect freedom of speech in English law. Some of the defences are ‘absolute’ while others are ‘qualified’. Absolute defence means that regardless of how careless the defendant has been in publishing the statement or whether he has been motivated by malice, he is completely protected. Qualified defence applies to a wider range of situations, but fails if the claimant can show that the statement was made ‘maliciously’. This chapter looks at the amendments to the existing defences to defamation contained in the Defamation Act 2013 and the introduction of new defences to protect operators of websites that host user-generated content are also examined.
15. Defences to defamation

Access to the complete content on Law Trove requires a subscription or purchase. Public users are able to search the site and view the abstracts and keywords for each book and chapter without a subscription.

Please subscribe or login to access full text content.

If you have purchased a print title that contains an access code, please see the information provided with the code or instructions printed within the title for information about how to register your code.

For questions on access or troubleshooting, please check our FAQs, and if you can't find the answer there, please contact us.