

# Defamation of Character



## What is defamation of character?

It is when untrue information is placed into the public domain, such as on social media

## What are the Legal issues?

Defamation of character is an offence under the Defamation Act 2013

## How would this impact someone?

It has dangerous consequences as perceptions are formed, potentially impacting financially or wellbeing.

## Who is protected by this law?

We are all subject to and protected by the laws enacted

Defamation of Character is an integral part of protecting the rights of a person and are categorised by two key elements; Slander and Libel, but what is the difference? It's actually very simple. Slander is verbal defamation of character and Libel is written defamation of character.

Key elements - The offence takes place when a statement (written or verbal) is made to a third party which is: untrue in some respect, exaggerated or reported in an intentionally misleading way.

Content posted on social media is subject to the same legal scrutiny as it would be if it were said in person or written in a newspaper.

A person, or a business could be significantly impacted by slanderous or libellous material so it is important to ensure that where the information shared is false, that there is a legal path to have this information removed and the defendant seen before the courts, and in many cases a jury, given the gravity of the offence.

Myth busting - The widely reported cases are often those of celebrities. They however only account for a small percentage of cases, it's estimated that only 6% of these cases are from high profile celebrities. The largely underreported cases being made up by people in business protecting themselves from the financial losses associated to poor perception from the public and its potential clients.

Defamation and Social Media - People instinctively think of Facebook and Twitter when it comes to social media, but platforms such as LinkedIn provide the basis for defamation on what is perceived to be a professional platform and the impacts of this can be substantial to business owners big and small who are a part of the fabric of the companies and brands which they represent.

The media in the UK have the right to report and are allowed to report material in the public interest. They do however have a moral obligation to those they are reporting on and the wider audience to ensure that the information is factual. The rise of 'fake news' could see an increase in defamation cases in the future.