Student notes for Student Press Law Center’s Media Law Presentation: Libel Law

SPLC’s phone number: *703 807-1904*

SPLC’s website: *splc.org*

7

Libel is publication of a false statement of *fact* that seriously *harms* someone’s reputation.

8

Printed defamation is *libel* (TV broadcasts usually qualify as libel too.)

Spoken defamation is *slander*.

11

First thing person must show is that the libelous statement has been *published.*

12

Publication is broadly defined, and it can occur almost anywhere. Name three places other than an article in which libel could appear:

*• answers could include: articles, headlines, captions, ads, promotional materials, cartoons*

13

MythBuster 1:

Yes, you are responsible for published statements or material created by others – even if it comes from *a third party.*

14

List four common places that could contain potentially libelous “fact” statements:

*• answers could include: letters to the editor, willans and epitaphs, quotes, guest columns, editorials, classified ads*

15

Publication of a false statement of act that seriously harms *someone’s* reputation.

16

You can *identify* the person by description.

21

If no “identification” of the individual is made, then a person cannot successfully sue for *libel*.

22

*Truth* is an absolute defense to a libel claim.

27

Statements of “pure” *opinion* cannot be libelous.

28

A mix of “fact” and “opinion” *can* be libelous.

30

Humor is not necessarily the same as “opinion” and doesn’t have blanket protection from lawsuits, so *April Fool’s issues*, *spoof articles* and *other satirical material* occasionally prompt threats of libel or other lawsuits by individuals.

34

The person suing for libel must show the false statement caused serious harm to their *reputation*.

35

Red flag statements include

• *accusations of illegal conduct*

• *charges of sexual misconduct or promiscuity*

• *attack person’s honesty and integrity*

• Negative statements about grades or academic ability

• *statements of racial, religious or ethnic bigotry*

• *charges that question financial stability*

• *statements that affect a person’s ability to engage in his business or trade or profession*

37

Review:

Statement

• must be published

• *identifies*  an individual

• is *false*

• asserts a *fact*

• causes *serious harm to a reputation*

In order to successfully sue for libel all the criteria from the this slide must be met and …

38

The person suing for libel must show that the *journalist*  acted *unreasonably*.

40-42

Name five ways a reporter ensures they are acting reasonably.

• *trustworthy sources*

• *take accurate notes*

• *documents, documents, documents*

• *rigorous in language choice*

• *talk to all sides*

45

Never publish a story if you doubt its truth. Report what you know and explain to readers how you know it.