



Quiz

O'Neill v Fairfax Media Publications (No 2) [2019] NSWSC 655

1. **What were the key issues in the case?**
 - a. **Whether the imputations were conveyed to the ordinary reasonable reader**
 - b. **Whether the defendants established the matters of substantial truth**
 - c. **Whether the imputations were established as opinion rather than fact**
 - d. **All of the above**

2. **What is a characteristic of 'the ordinary reasonable reader'?**
 - a. **Of fair average intelligence**
 - b. **Neither perverse, morbid, suspicious of mind nor avid for scandal**
 - c. **Does not live in an ivory tower**
 - d. **All of the above**

3. **How do you establish the defense of justification?**
 - a. **Prove that the imputations relied upon by the plaintiff are matters of substantial truth**
 - b. **Prove that all elements of the imputations are true**
 - c. **Prove that the truth of every word established as defamatory**
 - d. **B and C**

4. **What problems did the defendants face proving that the imputations were true?**
 - a. **There was no suggestion that Green had suffered bleeding to the brain**
 - b. **The defendants in-house counsel said in a letter that it was not true**
 - c. **Another doctor who said the fight should have stopped apologised for his remarks**
 - d. **All of the above**

5. **What elements amount to general damages in defamation proceedings?**
 - a. **To vindicate the reputation of the plaintiff**
 - b. **Compensate the plaintiff for the damage to the reputation caused by the publication**
 - c. **A and B**
 - d. **None of the above**

Answers:

1. a 2. b 3. d 4. b 5. a