



## Quiz

### Defamation Law

1. Which defamation laws will a newspaper published in Sydney and then read in New Zealand via internet download be subject to?
  - a. NSW defamation laws
  - b. New Zealand defamation laws
  - c. United Nations defamation laws
  - d. Both a. and c.
  
2. Why was the matter in *Barrow v The Herald & Weekly Times Pty Ltd* [2015] VSC 263 summarily dismissed?
  - a. The proceedings were frivolous or vexatious
  - b. The judge concluded that readers could not form a conclusion that the article was attributing blame to Barrow
  - c. The proceedings were an abuse of process
  - d. Dismissal for non-appearance of the plaintiff

3. Why would the defendant's s 29 of the *Defamation Act* defence have likely failed?
  - a. The proceedings were not of public concern
  - b. Macaulay J stated that the article could not have been a fair representation of the initial proceedings, assuming the imputation pleaded by the plaintiff was conveyed
  - c. This was not a matter for a judge in a summary dismissal hearing but rather for a jury
  - d. The imputation was found to have been conveyed
4. What can a plaintiff do to ensure that they do not waste money in pursuing an ultimately successful defamation action?
  - a. It is not possible – even where successful, parties will usually lose money in a defamation action given a limit on non-economic damages of \$375,000
  - b. Seek an order for indemnity costs on the basis of previously made settlement offers pursuant to s 40 of the *Defamation Act 2005* (NSW/VIC)
  - c. Seek Legal Aid
  - d. Initiate mediation rather than court proceedings
5. When can corporations sue for defamation?
  - a. Where they have less than 10 full-time employees (or the equivalent)
  - b. Where they have less than 20 full-time employees (or the equivalent)
  - c. Where they have less than 5 full-time employees (or the equivalent)
  - d. Corporations can never sue for defamation

Answers:

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