

Title Mr/Mrs/Miss/Ms: _____

First Name: _____

Last Name: _____

Firm/Organisation: _____

Occupation: _____

Address: _____

_____ Postcode: _____

Telephone: _____

Fax: _____

Email: _____

Defamation and Media Law Update

Wednesday 11 March 2015

8.30am – 1.00pm

Grace Hotel, 77 York Street, Sydney

Course cost includes tuition, materials and refreshments **\$440** I cannot attend please provide the papers cost **\$165** **Register on-line at www.cle.unsw.edu.au****Payment Options** (We do not accept American Express) I enclose a cheque payable to “CLE, UNSW”,
or Payment by credit card Mastercard Visa

Card number: _____

Expiry date: _____

Cardholder's Name: _____

Signature: _____

Introductory Commentary
Hon Justice Lucy McCALLUM,
Supreme Court of New South Wales

Never Stand Still

Faculty of Law

Continuing Legal Education

Continuing Professional Development

Defamation and Media Law Update

Please return this registration form with your payment to:**CLE,
Faculty of Law, UNSW,
Sydney NSW 2052**

Tel: (02) 9385 2267 or (02) 9385 2195

Fax: (02) 9385 1155 or (02) 9385 1778

Email: cle@unsw.edu.au | Website: www.cle.unsw.edu.au**Programme Variation:** The Director of CLE retains the right to vary the programme to deal with unforeseen circumstances. This includes cancelling or re-scheduling a programme and changing speakers or content if occasion obliges us to do so.**Cancellation Policy:** Cancellations will be accepted up to two weeks prior to the commencement of the course. Withdrawal after this time and before the commencement of the course will result in a cancellation charge of \$100. Cancellations after the commencement of the course will not be eligible for a refund.**Privacy note:** The information you have provided on this form will only be used by UNSW to distribute information about University courses and activities to you.**You can now REGISTER ONLINE go to www.cle.unsw.edu.au**

Office Use Only:

Rec'd

Inv No.

Auth No.

Wednesday 11 March 2015

8.30am – 1.00pm

Venue: Grace Hotel, 77 York St Sydney

www.cle.unsw.edu.au

Wednesday 11 March 2015 | 8.30am–1.00pm | Grace Hotel, 77 York St Sydney

Audience

In House Counsel
Senior Executive Staff
General Practitioners
Commercial Lawyers
Defamation lawyers

Objective

Defamation continues to play an important role in protection of reputation as the socially valuable freedom of speech engages with new technologies and in new social contexts. Defamation Act amendments have changed the landscape for claimants. A number of matters have reached the Court of Appeal in NSW in late 2014 so there is increased focus on the basis of these decisions on defences and damages. Major claims still involve television and paper publishers but other channels are increasingly in focus. Social standards, privacy and technology are changing providing a complex backdrop to defamation claims.

CLE/CPD Points: Four (4)

About CLE

The CLE/CPD programme is an important link between the Law School at UNSW and the professional community. The programme consists of a series of quality short courses assisting lawyers, accountants, financial planners, executives and other professionals whose work demands up-to-date knowledge of, and skills in, the relevant areas.

8.30am

Chair: Patrick GEORGE, Senior Partner,
Kennedys Lawyers

8.35am **Introductory Commentary**

Hon Justice Lucy McCALLUM,
Supreme Court of New South Wales

9.00am

Topic 1: Review and Overview of the Defamation Act 2005

Speaker: Tom D BLACKBURN SC, Barrister,
Banco Chambers

- Nine years of evolution
- Review of cases and impact of changes

9.55am

Topic 2: Damages over time

Speaker: Kieran SMARK SC, Barrister,
Fifth Floor Selborne Chambers

- Damages in defamation and the changing value of money;
- Damages and the operation of the “cap” under the Uniform Defamation Acts.

10.50am **Morning Tea**

11.10am

Topic 3: Identification in Defamation

Speaker: Richard POTTER, Barrister,
Ground Floor Wentworth Chambers

- Issues involved in identifying the plaintiff in a defamation action
- Cases of mistaken identification.
- Obeid Case: *Brown v Random House*
- Recent case of *Pedavoli v Fairfax*

12.00am

Topic 4: The Defences of Contextual Truth and Hore Lacey – Struggling but Still Standing

Speaker: Matthew RICHARDSON, Barrister,
6th Floor, St James Hall Chambers

- Numerous Contextual Imputations struck out for “not arising in addition” and other reasons
- In what circumstances is there a viable defence of contextual truth?
- Controversy over Hore Lacey – conflicting decisions in *Bateman v Fairfax* and *Setka v Abbott*

12.55-1pm **Questions – Close**