



# WHAT DID YOU SAY?



Scan to review worksheet

Expono code:  
1A5X-X1LB-4HSG



## 1

### Warm up

Discuss the questions in groups.

1. Do you think some newspapers are more responsible than others? In what ways?
2. What does *reputation* mean? (Think about your own reputation or the reputation of the company you work for. How would you describe it?)
3. What does *defamation* mean? (Think about your own reputation or that of the company you work for. What are the ways in which it could be hurt? What could you do if this happened?)
4. Are there any celebrities you really dislike? Why?
5. Why do celebrity relationships often fail?

## 2

### Focus on vocabulary

Part A: Match the vocabulary to the definitions.

- |                               |   |
|-------------------------------|---|
| 1. <u>principles</u> (n)      | a. hurt or damage   |
| 2. <u>broad</u> (adj.)        | b. the responsibility of showing that something is true in a court of law |
| 3. <u>limited</u> (adj.)      | c. laws, rules or theories that something is based on                     |
| 4. <u>print</u> (n)           | d. lasting for a long time or forever                                     |
| 5. <u>harm</u> (v)            | e. appearing in a newspaper or magazine                                   |
| 6. <u>permanent</u> (adj.)    | f. not great or large in amount   |
| 7. <u>burden of proof</u> (n) | g. including a wide range or variety                                      |

**Part B: Now complete the following sentences with a word from Part A.**

1. If you do not meet the \_\_\_\_\_, you will not win your case. It's as simple as that.
2. Her powers are \_\_\_\_\_, so I don't think she can do what you're asking.
3. The \_\_\_\_\_ of contract law are similar in the US and the UK because they have a shared legal history.
4. Law is an extremely \_\_\_\_\_ field, so most lawyers find themselves specialising in one or two areas.
5. If something is on the internet, it is \_\_\_\_\_. It can be removed, but people still have ways of finding it.
6. A bad online review can \_\_\_\_\_ the reputation of a business.
7. I believe it's much worse to say something negative in \_\_\_\_\_ than in person because one can read it over and over.

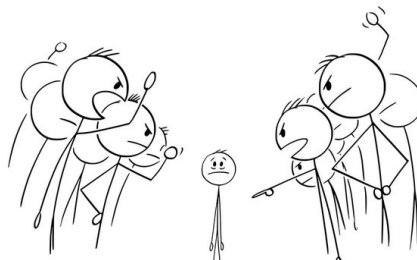
**3****Listening**

The speakers talk about two types of defamation. Listen and complete the sentence with the correct words.



## LIBEL / SLANDER

When someone says something defamatory about someone, that is called \_\_\_\_\_<sup>1</sup>, but when someone writes something defamatory about the person, that is called \_\_\_\_\_<sup>2</sup>.





Listen to the interview again and choose the correct answer.

1. The interviewer believes that most people ...
  - a. are not entitled to protection under the laws of defamation.
  - b. have heard of defamation but don't have a clear idea of what it is.
  - c. don't believe that celebrities care about defamation.
  - d. think that newspapers frequently harm people's reputations.
  
2. Defamation is ...
  - a. a very narrow field of law.
  - b. only relevant to things published.
  - c. a way to fix someone's bad reputation.
  - d. the law of both slander and libel.
  
3. If someone writes something about you on a blog, but no one believes it, then ...
  - a. that is slander.
  - b. there is no defamation.
  - c. your reputation is harmed.
  - d. you can make a claim for libel.
  
4. According to the interview, an example of slander would be ...
  - a. something negative that someone writes about a celebrity on their blog.
  - b. something that someone says at a conference about a scientist that causes her to lose an award.
  - c. a silly practical joke that makes several politicians look foolish on television.
  - d. a complaint about the food at a restaurant that a newspaper reporter makes to a colleague.
  
5. Johnny Depp brought his case in the UK because ...
  - a. he would not have the burden of proof under UK law.
  - b. the newspaper would not have the burden of proof under UK law.
  - c. he had a bad experience with the courts in the US.
  - d. the newspaper he sued was based in the US.



## 4

**Grammar: tag questions**

Tag questions are quite common in spoken English. Look at these examples to see how they are used.

1. You haven't read the newspaper, **have you?**
2. The article is quite negative, **isn't it?**
3. He can't say that, **can he?**

- We can add question tags like *have you?*, *isn't it?* or *can he?* to a statement to make it into a question.
- We often use question tags when we expect the listener to agree with our statement. In this case, when the statement is positive, we use a negative question tag.

1. His statement **surprised** everyone, **didn't it?**
2. The judge seems **pleased**, **doesn't she?**
3. Ms Dalton **is notifying** the plaintiff, **isn't she?**

- If the statement is negative, we use a positive question tag.

1. They **haven't proved** their case, **have they?**
2. Her explanation **didn't seem** believable, **did it?**

Now, look at the examples again.

1. What do you notice about the verb forms in the statements and in the tag questions?
2. What do you notice about verb forms that have auxiliary verbs, for example, *is notifying*, *haven't proved* and *didn't seem*?
3. What do you notice about the verb form that doesn't have an auxiliary verb, for example, *surprised* and *seems*?



Read the sentences. Complete the sentences with the correct verb forms.

1. Her reputation was harmed by his careless words, wasn't it?
2. We \_\_\_\_\_ going to win this case, are we?
3. She hasn't been a very good witness, \_\_\_\_\_ she?
4. Libel and slander \_\_\_\_\_ similar, aren't they?
5. You've hired a lawyer who specialises in defamation law, \_\_\_\_\_ you?
6. You \_\_\_\_\_ accept her case, won't you?
7. He objected strongly, \_\_\_\_\_ he?
8. She \_\_\_\_\_ read the report, had she?
9. The law can be enforced, \_\_\_\_\_ it?

## 5

## Legal vocabulary

Part A: Complete the chart with the correct forms for the different parts of speech.

verb	noun	adjective
(1)	defence / (2)	defensible
criticise	criticism	(3)
(4)	dissemination	disseminated / (5)
(6)	(7)	justifiable
settle	(8)	settled

**Part B: Read and complete the sentences with words from the table above.**

1. Ms Jenkins did not \_\_\_\_\_ information about your client's behaviour. She did not write or speak one word about it.
2. The parties reached a \_\_\_\_\_, but the amount of money was not shared with the public.
3. Everyone has the right to \_\_\_\_\_ themselves in a court of law, but I suggest you hire a legal advocate with experience.
4. What is your \_\_\_\_\_ for saying these things about him? You realise you've harmed his reputation, don't you?
5. This judge is always quite \_\_\_\_\_ of reporters who often print false information about celebrities, so I'm not sure you will have an easy time in her courtroom.

**6****Scanning for specific information**

You are going to read an article about protecting reputations. First, scan the article very quickly and answer the questions below.

1. How many different defences are there to a charge of libel in the UK?
  - a. 3
  - b. 4
  - c. 5
  - d. 6
2. How many results are there for a libel case in the UK?
  - a. 3
  - b. 4
  - c. 5
  - d. 6





# What did you say?

## Protecting reputations

1. We all want people to think highly of us, but a reputation can also have financial value. For some people such as professional athletes and entertainers, a poor reputation can affect the individual's ability to earn money. If people think badly about an actor or an athlete, they may not want to see their films or matches. As a result, the actor may lose roles and the athlete may find their jerseys no longer sell. For these individuals in the public eye, reputations must be guarded.
2. To protect themselves, people in the public eye are not reluctant to turn to the laws of defamation. Recently, American film actor Johnny Depp has tried to repair his reputation after The Sun newspaper called him a 'wife beater'. Although Mr Depp admits his relationship with his ex-wife, American actress Amber Heard, was problematic, he objected to The Sun's choice of language and sued for defamation.
3. In England, where the action was brought, there are five defences to an action for libel. Firstly, the newspaper can claim 'honest opinion' in that the statement was made in good faith based on an analysis of facts. To claim this defence, the opinion would also have to be reasonable, meaning anyone looking at the facts could honestly come to this conclusion. This defence is important to professional film or theatre reviewers who can be accused of unfairly criticising productions. Another defence is 'privilege', which protects the accurate and fair reporting of what is said in the courts and Parliament. 'Innocent dissemination' is another defence. This defence typically protects television and radio stations as they have live shows with guests that they cannot control. For example, a phone-in guest may unexpectedly shout out something highly defamatory. Another option is a claim of 'responsible publication'. This allows journalists to argue that even if the facts that they published weren't entirely correct, they were reporting something that was clearly in the public interest. In other words, the information was reported as it was revealed, and the public had a right to know and hear the information. Finally, the newspaper can claim their words are the truth and the meaning of the words are factually accurate and cannot be disproved. This is The Sun's defence against Mr Depp. The newspaper says the statement that Mr Depp is a "wife beater" is justified based on evidence that his behaviour supports this choice of words.
4. Although The Sun may feel justified in their reporting and may win, libel cases do not always end neatly. Typically, they end in one of four ways. The newspaper could offer an apology, which the individual could accept. This would settle the matter. If newspaper feels that they are going to lose, they could offer a settlement, typically a sum of money. Although the settlement may not also come with an apology, the compensation may be enough to make the person feel that the harm to their reputation has been repaired. If the newspaper feels they are in a strong position, they will allow the case to go to trial. In these situations, there are huge legal costs for both parties and a lot of publicity. If the newspaper loses, there is also the potential for a very large compensation payment to the plaintiff. Finally, if the person who says they've been harmed realises they can't afford the costs to take the matter to trial, they may simply give up.





## 7

**Finding vocabulary**

Scan the article on page seven and find words or phrases which mean the same as the following.

- a. \_\_\_\_\_ known to many people because of the television or internet (phrase, para. 1)
- b. \_\_\_\_\_ fair and practical (adj., para. 3)
- c. \_\_\_\_\_ a special right that a group or an individual has to do something (n, para. 3)
- d. \_\_\_\_\_ for the good of society or all people (phrase, para. 3)
- e. \_\_\_\_\_ a statement that one is sorry for doing something wrong that has caused harm to or a problem for someone else (n, para. 4)
- f. \_\_\_\_\_ attention given to someone by newspapers, magazines or on the internet (n, para. 4)

## 8

**Reading comprehension**

Read the article again and decide if the sentences are true or false.

1. Johnny Depp sued The Sun because they called him a 'wife beater' in print. \_\_\_\_\_
2. The Sun is using the defence of 'honest opinion' to defend against Johnny Depp's defamation claim. \_\_\_\_\_
3. The defence of 'privilege' would be used successfully by a reporter who writes allegedly defamatory statements about the personal life of a Member of Parliament. \_\_\_\_\_
4. If an author claims that a review of their book is defamatory, the reviewer would use the defence of 'honest opinion'. \_\_\_\_\_
5. A newspaper that printed something that later was proven false could still defend itself against a defamation claim if the matter was something in the public interest. \_\_\_\_\_
6. If a newspaper feels they would lose their case in court, they may offer an apology or money to the plaintiff. \_\_\_\_\_
7. It is always more expensive for a newspaper to defend itself than for a person to file a claim for defamation. \_\_\_\_\_
8. The cost of bringing a claim may make it difficult for a plaintiff to file a claim for defamation. \_\_\_\_\_

## 9

**Talking point**

Work in pairs or small groups and discuss the questions below.

1. Do you think celebrities and athletes need to worry more about their reputations than ordinary people? Why or why not?
2. Do you think all five of the defences against a claim of defamation mentioned in the article should be allowed? Why or why not?
3. In the UK, *the burden of proof* is on the defendant to show that the words they used were used fairly whereas in the US, the plaintiff must show the words were not true and their reputation was harmed because of the words. Which approach do you think is fairer? Why?