The Reading List

Book reviews for Society members, by Society members

Defamation Law in Australia

Patrick George
3RD EDITION
LEXISNEXIS
RRP $185

It might be regarded as either brave or foolhardy to offer a review of a book on defamation law, a fact which occurred to me only after this considerable tome landed on my desk. Fortunately, there's no need for me to follow in the excoriating and expensive footsteps of Leo Schofield (although the Blue Angel case is sadly not referenced in this book). It's both a useful and relevant text, and an entertaining read on an area of law Justice Ipp described as the ‘Galapagos Islands of the law’—full of “legal forms and practices unknown anywhere else.”

This updated edition is most welcome, covering a rapidly evolving body of law interacting with equally fast-developing law, policy and social attitudes on matters such as privacy, freedom of speech, and the global reach and use of technology. Mr George canvasses every element of the various types of defamation, and the categories of prospective defendant, down to, and including, “Anonymous Blogger”. As befits a practitioner of his experience, he offers a practical approach not only to both the prosecution and defence of defamation claims, but also to the often preferable strategy of extracurial resolution. He also covers the latest developments in legislation here and abroad.

Most of the cases cited are relatively recent, which is appropriate following the introduction of the Uniform Defamation Act 2005. The book also contains a helpful table of state and territory legislation showing how the legislation compares between jurisdictions—a really valuable resource.

Then, of course, there are the cases. There's a simple pleasure in reading some of the more ridiculous things people say about one another, and there are plenty of pithy illustrations peppered throughout. They're not just drawn from the law reports, either. Did a French knight assert that your mother was a hamster and your father smelt of elderberries? Alas, according to para 11.6, you likely have no case.

Sarah Byrne
PROXIMITY LEGAL