



### Implications of the Rushdie settlement?

The recent settlement of Salman Rushdie's libel claim against his former bodyguard, Richard Evans, following the bodyguard's inclusion of a number of false allegations in a book about his experiences with Mr Rushdie took a different approach to the usual manner of resolving a complaint. Instead of seeking damages, the claimant sought a retraction of the falsehoods contained in the book.

Mr Evans, the book's ghostwriter Douglas Thompson and the publishers, John Blake Publishing, apologised in the High Court for the "hurt and damage" they had caused by including the various allegations in the book. Mr Justice Teare made a Declaration of Falsity against the two authors and the publisher, officially ruling that the allegations were untrue.

Caroline Kean, litigation partner, described the strategy of seeking an apology without financial reward as one that was "innovative, but unlikely to be followed".

She said "I suspect this (strategy) will be largely confined to people who are in the media themselves or don't want to be seen as 'greedy' for seeking damages or where the issues of fact are black and white".

The book is due to be published later this year, but with amendments.

*For further details see The Canadian Press, 27 August 2008*