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Example of libel

designer491 / iStock / Getty Images Plus Used under Getty Images license Slander and libel are both forms of defamation. Both involve making false statements that damage a person's reputation. Slander is spoken, while libel is written. Discover more about what libel and slander really are and review some real-life examples of both types of defamation. Slander and libel go beyond just conveying false information about another person. When a person communicates falsehoods about another person that harm the person the lies are about, that can represent defamation in the form of slander or libel, depending on how the information is conveyed. For information to be defamatory, it first has to be false. It also has to meet one or more other conditions. False information is defamatory if it: damages the reputation of the person it is about (such as causing others to see someone as incompetent in their profession)leads to the person being subject to contempt, hatred or ridicule (such as being ostracized or made fun of)causes the person to be shunned or avoided (such as to be fired or not hired for a job) For a private person to pursue defamation charges, the individual would need to be prepared to demonstrate that he or she experienced harm in one of the above three ways. If the defamatory information was conveyed via spoken communication, it would represent an example of slander. If it was communicated in writing, it would be libel. For a public figure or public official, such as a celebrity, news personality, professional athlete, best-selling author, political leader, or another high-profile individual, there is an additional requirement in order to be able to make a case for defamation. Such individuals also have to prove actual malice, which is quite difficult to do. In order to prove actual malice, the public figure or public official would have to have solid proof that the source of the false information either definitively knew the information was false or acted with reckless disregard for whether it was true or not. Otherwise, the courts view even false information about high-profile individuals to be protected under the First Amendment to the United States Constitution as free speech. Celebrities often have to deal with false rumors and news reports that meet the conditions for slander and libel. However, they would also have to prove actual malice in order for a court to find in their favor if they decided to move forward with a lawsuit. There are very few celebrity defamation cases with actual legal findings, but there are some. In 2019, Australian actor Geoffrey Rush won a libel lawsuit against The Telegraph for publishing claims that he had engaged in sexually inappropriate behavior towards another cast member while filming a movie in 2015. David Schwimmer won a slander lawsuit in 2006 against former Hollywood fund-raiser Aaron Tonken, who falsely said that Schwimmer asked for two Rolex watches in payment for his attendance at a charity affair.David Beckham's 2011 libel and slander lawsuit against In Touch magazine involved a story that he had cheated on his wife with a prostitute. The lawsuit was rejected after the publication's editorial staff argued that the article only included what they believed to be true. In 2005, Sharon Stone sued her plastic surgeon Renato Calabria for allegations that he told several magazines that she had a facelift. Stone and the physician reached an undisclosed settlement regarding the case. Actress Cameron Diaz prevailed in a libel lawsuit against The Sun, a UK newspaper that falsely reported she was having an affair with a married man. She was awarded damages for libel in 2005. In 2011, Star magazine settled a libel lawsuit filed by actress Katie Holmes. The tabloid falsely reported that the actress had a drug addiction. In 2005, actress Kate Hudson won a libel lawsuit against the British edition of The National Enquirer. The publication falsely printed that she had an eating disorder. Celebrities aren't the only ones in the public eye who experience slander and defamation. Like celebrities, other public figures would also have to demonstrate actual malice in order to prevail in a libel or slander lawsuit. It is rare for political figures to attempt defamation suits. When they do, they are rarely successful, but there are a few examples. According to a 2013 decision in a California appeals court, Casino mogul Steve Wynn was slandered by Joe Francis, founder of Girls Gone Wild. Francis falsely claimed Mr. Wynn threatened to kill him because of a gambling debt. In 2011, Jerry Seinfeld made comments on the David Letterman show about cookbook author Missy Chase Lapine. He said Lapine was a "nut job" and "a wacko" for saying his wife had plagiarized her cookbook, Deceptively Delicious. The courts found in Seinfeld's favor, indicating that he had a right to express his opinion. In 2017, former Alaska governor Sarah Palin filed a libel suit against The New York Times for printing an editorial suggesting she was linked to the shooting of Gabrielle Giffords. In 2020, a judge ordered the case to proceed to a jury trial, which is slated for early 2021. Time will tell what the verdict will be.In 2003, Bascom Bentley, a judge in Texas, prevailed in a defamation suit against a talk show host who publicly accused him of defamation. Due to his position as a judge, Bentley was required to demonstrate actual malice. The court found in his favor and the Texas Supreme Court upheld the decision. In 1969, United States Senator Barry Goldwater prevailed in a libel lawsuit against Fact magazine's owner, editor and publisher after the magazine published an article suggesting that Goldwater was not fit to serve in the office to which he was elected. The courts held that Goldwater met the standard of actual malice. If false information along the lines of the examples listed below meets the conditions of defamation listed above, they would represent slander if spoken and libel if written. Assuming the people impacted are private persons rather than public officials or public figures, the victims would not need to demonstrate actual malice. Falsely spreading rumors that a person has a sexually transmitted disease, leading to the individual being shunned or avoided by others.Falsely relating to someone that someone is cheating on his or her spouse, leading to damage to the individual's reputation.Falsely reporting that a doctor has fake diplomas on his wall, which would damage the doctor's reputation and lead to people shunning or avoiding the doctor.An employer claiming an employee stole equipment, leading to termination of the individual's employment.Falsely stating that a severed finger was found in the soup at a restaurant, thereby causing people to avoid eating there.Falsely accusing someone of stealing your television, which would damage the person's reputation.Reporting the business owners participated in unethical and illegal activities if they did not, which could lead to all three conditions of defamation.Telling someone that a person cheated on his taxes if the individual did not do so, which could damage the individual's reputation.Spreading false rumors that a restaurant is serving meat from dogs, which would cause potential customers to avoid the restaurant.Falsely stating that someone is incompetent at their job, which could cause the person to lose their job or be viewed with contempt or ridicule.Filing a false sexual harassment complaint against a coworker, which could lead to any of the conditions for defamation.Falsely accusing a classmate or coworker of having a threesome with a man and a woman, which could result in any of the conditions for defamation. Slander and libel are interesting legal concepts. Reviewing some examples of yellow journalism can provide insights into the fine line between free or protected speech and misinformation that crosses the line into becoming defamation. If you're interested in learning more about the law, expand your expertise by learning some key legal abbreviations. This can help you better understand legal documents and reports of court proceedings. Editorial Note: We earn a commission from partner links on Forbes Advisor. Commissions do not affect our editors' opinions or evaluations. The First Amendment protects the right to free speech, but there are limits. Defamation is one such limit. Defamation occurs when false statements are presented as fact and they cause harm to individuals or businesses. Defamation can hurt someone's reputation and damage their economic opportunities, so it can give rise to a legal claim. In fact, there are two different kinds of defamation that can occur. One is called libel and the other is called slander. This guide will explain the differences between libel and slander as well as what you have to prove in order to make a claim for either type of defamation. Defamation occurs when a false statement is made to a third party if the statement is presented as factual and causes harm to the plaintiff's reputation. In order for a plaintiff to recover compensation for defamation, the plaintiff must prove the defendant was at fault for making the false statement. Proving fault depends on who was defamed. Public vs. Private Figures When a private figure is defamed, a less stringent standard is used to determine if the defendant can be found at fault. If a false statement is made about a private figure, the key question is whether the defendant was negligent in determining if the statement was true or false before making it. If a reasonably prudent person would have taken more care in determining the validity of the statement, then the defendant could be at fault and held liable for defamation. If a false statement is made about a public figure, an actual malice standard applies. The defendant is at fault and liable for defamation only for knowingly making a false statement or for acting with reckless disregard in determining whether or not the statement was true. It is much more difficult for public figures to make a successful claim for either libel or slander because of the actual malice standard that applies. Defamation claims are actually organized into two different types of claims: Libel claims and slander claims. Both can give rise to a civil lawsuit, but the elements of the two different cases are different. The big difference between libel versus slander is the form in which the untrue statement is made. Libel occurs when a false statement is published in written form and does harm to a victim. Slander occurs when a false statement is made in oral form and does harm to a victim. So although both are types of defamation, they are not the same and victims will need to decide what type of claim to make if they wish to pursue a defamation case. Libel occurs when a false statement is published in any type of written form. This can include print, writing, pictures or digital communications such as: Books Magazines Newspapers Newsletters Social media Websites Blogs If there is a physical (or digital) representation of the false statement, then it is libel. Elements of Libel In order to prove libel, a plaintiff must show: A false statement was made in writing. The statement was published or otherwise communicated to third parties. The defendant was at fault (either because of negligence or actual malice). The plaintiff experienced harm such as reputational damage, economic loss, scorn, contempt, public hatred, ridicule or shame. Libel Per Se Certain types of written statements are considered to be so damaging to an individual or business reputation that they can be considered libel per se if they are untrue and are made negligently or with actual malice. If a defendant makes any of these types of statements, the plaintiff can recover without separately showing they were damaged. Examples of statements that are considered libel per se include claiming the victim: Committed a crime Committed adultery Has an infectious disease Is lacking in professional integrity Is lacking in professional competence While a victim doesn't have to prove these statements subjected them to harm, they still must show they are inaccurate and that the defendant acted negligently or with actual malice in displaying them in written form. Slander is a type of defamation that occurs when a false statement is made orally that causes reputational damage. Traditionally, this would include making a false statement in public places such as at a town meeting or work conference. However, as technology has advanced, it has become more difficult to distinguish between libel vs. slander. For example, podcasts are oral statements but are published digitally, while text messages could be seen as more similar to a phone call (which could mean they were classified as slander) or a comment on social media (which would mean they were classified as libel). While the rules differ by state, it is more likely that off-the-cuff statements made to smaller groups will be classified as slander while pre-planned statements and/or those made to larger groups and recorded will be classified as libel. Elements of Slander The elements of slander are similar to the elements of libel and include: A false statement made orally The communication of that statement to third parties Fault on the part of the defendant Harm to the plaintiff It can be more difficult to prove slander vs. libel because there is no written record of the injurious statement. The act of publication in libel cases can help a plaintiff prove injury. Slander Per Se Slander per se also entitles a victim to compensation without separately proving a statement was damaging when the statement is one that would obviously cause reputational harm. The same types of statements that can result in a successful claim of libel per se can also result in a claim of slander per se. Plaintiffs may be able to recover compensation for losses caused by either libel or slander. Damages can include payment for: Loss of earnings and future lost earning capacity due to reputational damage Loss of economic or business opportunities Medical bills (for example, therapy expenses) Pain and suffering In some states, punitive/exemplary damages may be recoverable in cases of malice. An experienced attorney can help victims demonstrate the extent of damages and recover the full amount of compensation they deserve. There are some defenses to defamation that a defendant could use to avoid liability, including the following. Truth: If the statement was true, this is an absolute defense to any defamation claim. Opinion: If the statement was one of opinion, not fact, then the defendant typically cannot be held liable for slander or libel. Depending on the circumstances, if the defendant retracted the statement or if it was privileged, then the defendant may also be able to avoid being held liable for defamation. Privileged communications are those afforded special protection and include communications made between spouses, statements from lawmakers during legislative debates and statements made during judicial proceedings. There is also a qualified privilege that protects an employer from defamation claims for matters addressed in performance reviews, disciplinary actions, evaluations and other internal business communications. Libel is a type of defamation that occurs in written form. If an untrue statement is presented as fact in print, writing, pictures or other physical communications and it causes harm to a person's reputation or results in economic damages, public hatred, contempt or ridicule, this is an example of libel. Slander is defamation that occurs in oral form rather than written form. Libel is defamation in written form. Because the writing itself can be considered a form of injury to another person, libel is easier to prove. Truth is an absolute defense in all defamation claims including libel and slander. A false statement of fact is a key element of a libel claim; if the statement is true, then the plaintiff will not be able to prove this element of their case. Was this article helpful? Imagine waking up to find your reputation shattered by false statements spread across social media. Libel can have devastating effects on individuals and businesses alike. Understanding what constitutes libel is crucial in today's digital age, where misinformation spreads like wildfire. In this article, you'll discover various examples of libel that illustrate how damaging untruths can be. From celebrity gossip to business disputes, these cases reveal the fine line between free speech and defamation. Have you ever wondered how a simple tweet could lead to serious legal consequences?Join us as we explore real-life instances of libel that highlight the importance of protecting one's reputation while navigating the complexities of communication in our interconnected world.Libel refers to false statements that damage a person's reputation. Recognizing examples can clarify its impact in various contexts.Celebrity gossip often showcases libelous claims. For instance, if a tabloid falsely accuses an actor of illegal activities, it could severely harm their career.Business conflicts frequently involve libel cases. A company spreading rumors about a competitor's unethical practices may face legal repercussions if those claims are untrue.Online comments can also be libelous. When someone posts a damaging accusation on social media without evidence, they risk facing defamation charges.Consider these specific instances of libel:False accusations: Claiming someone committed a crime without proof.Misrepresentation: Incorrectly stating someone's qualifications or achievements.Defamatory reviews: Writing negative reviews based on fabricated experiences. Understanding these examples helps you navigate the complexities of reputation management and legal boundaries.Libel manifests in various forms, each capable of causing significant harm to an individual's reputation. Understanding these types helps you identify potential libelous situations.Defamation of character involves false statements that damage a person's reputation. This type often appears in media outlets or online platforms. For instance, if a newspaper falsely claims a public figure engaged in illegal activities, it can lead to severe consequences for both the publisher and the subject. In many cases, defamation can result from careless reporting or malicious intent.False accusations are another common form of libel. These occur when individuals make untrue statements about someone else's actions or character, leading to reputational harm. For example, a celebrity accused of cheating without evidence may suffer career setbacks.An employee wrongfully blamed for theft might face job loss and social stigma.A politician targeted with unfounded allegations risks losing public trust.These examples illustrate how easily reputations can be damaged by mere words, emphasizing the need for accuracy and accountability in communication.Libel manifests in various forms, impacting individuals and businesses alike. Here are some notable instances that showcase its serious implications.High-profile cases often draw significant attention due to their public nature. Celebrities frequently find themselves entangled in libel situations. For example,J.K. Rowling faced accusations regarding her comments on gender identity, leading to media outlets misrepresenting her statements.Hugh Grant took legal action against a tabloid for publishing false claims about his personal life, illustrating how misinformation can affect reputations.These examples highlight the profound consequences of defamatory statements in the public eye.Social media serves as a platform where libelous content spreads rapidly. Many users share damaging information without verification. Consider these incidents:A viral tweet falsely accused a politician of criminal behavior, resulting in public outrage and calls for resignation.An influencer posted misleading reviews about a competitor's product, leading to significant financial loss and reputational damage.Such episodes emphasize the need for responsible communication online, as even casual remarks can lead to substantial repercussions.Libel can lead to significant legal repercussions for those who make false statements. When a person or entity is accused of libel, they face potential civil lawsuits and financial penalties. Understanding these consequences is crucial for anyone engaging in public discourse.In many cases, victims of libel file civil lawsuits against the party responsible for the defamatory statement. These lawsuits aim to recover damages caused by reputational harm. Victims may seek compensatory damages that cover lost income and emotional distress, as well as punitive damages intended to punish the offender.Financial penalties can range widely depending on the case's severity and jurisdiction. In some instances, awards may reach hundreds of thousands or even millions of dollars. It's essential to recognize that these costs affect not only individuals but also organizations involved in spreading false information.While most libel cases result in civil actions, certain circumstances might lead to criminal charges in specific jurisdictions. If a statement is found maliciously fabricated with intent to harm, authorities may consider it a more severe offense. Such cases are rare but highlight the serious nature of making false statements.The fallout from a libel case often extends beyond financial implications; reputations suffer long-term damage too. Once credibility is lost, it's hard to regain trust among peers and clients alike. Individuals might find their personal relationships strained while businesses could encounter lasting impacts on customer loyalty.Defendants often use several defenses when facing libel claims:Truth: If the statement made is true, it cannot be considered libelous.Opinion: Expressions labeled as opinions rather than factual claims typically fall outside defamation laws.Privilege: Certain communications within specific contexts (like court proceedings) enjoy legal protection from being deemed defamatory.Navigating the intricacies of libel law demands awareness and caution in communication practices—especially online where misinformation spreads quickly and broadly.Preventing libel is crucial in protecting your reputation. You can take several steps to minimize the risk of making false statements:Verify information: Always confirm facts before sharing. Double-check sources to avoid spreading misinformation.Consult Legal Experts: When unsure, seek advice from attorneys specializing in defamation law. They provide guidance on avoiding libelous remarks.Implement Social Media Policies: If you manage a business, establish guidelines for employees regarding online communications. Clear policies help prevent misunderstandings.Protecting yourself involves understanding the legal landscape surrounding libel. Familiarize yourself with these aspects:Public Figures vs. Private Individuals: Know that public figures often face a higher burden of proof in libel cases than private individuals do.Defenses Available: Be aware of defenses like truth, opinion, and fair reporting. These can protect you if you're accused of libel.In addition to these preventive measures, consider maintaining an open dialogue with your audience. Engaging with followers fosters trust and minimizes potential conflicts over misinterpretations or false statements.Education about responsible communication is vital in today's digital age. Understanding what constitutes defamatory content helps create a more respectful environment online. Libel is a legal term that refers to the making of false and malicious statements about a person in some type of print or writing. This can include false and malicious statements made in writing, printed on signs, or published on a public forum. Publishing defamatory statements or pictures through the media is also considered libel. To explore this concept, consider the following libel definition.Noun. The defamation of a person's character by written or printed words or pictures.Noun. The act of publishing defamatory statements or pictures, or in any form other than spoken words or gestures. Verb. To make untrue, damaging statements as fact or truth, rather than opinion.Origin: 1250-1300 Middle EnglishLibel is one form of defamation, which is the damaging of someone's good reputation or character. When someone makes a disparaging or derogatory statement about someone in print, or through signs or pictures, it is considered to be libel, which is against the law. In order to be considered libel, a statement must be untrue, as everyone has a right to speak truth about other people. Additionally, people have a right to speak their opinions.Both libel and slander are forms of defamation of character, differing only in the way the person making the damaging remarks goes about it. While libel refers to making false and malicious statements in print, or publishing or posting damaging pictures, slander refers to the making of damaging remarks verbally. Because libel and slander are different forms of the same wrong, which is defamation, the laws and remedies are pretty much the same.One primary difference between the two as far as the law is concerned, is the ability to prove that the defamation actually occurred. Libel can easily be proven, as it involves written remarks, or published pictures. Slander requires proof beyond he-said/she-said in court. Proving slander would require bringing witnesses, usually the people to whom the damaging statements were made. In some states, recordings of the accused person making the defamatory statements to others may be allowed in court, depending on the circumstances of how the recording was obtained.Example of libel vs. slander: Mary tells her co-workers that Brad, another co-worker, got drunk at a corporate meeting out of town, and was asked to leave. The statements made their way back to the company president, who fired Brad for unprofessional behavior. Brad claims the statements were not true, and files a civil lawsuit against Mary for defamation of character, which caused him to lose his job.In court, Mary denies making any untrue statements to anyone, and Brad is unable to find even a single person who is willing to testify to Mary telling them anything about Brad or his behavior. Lacking proof that Mary slandered him, Brad cannot win his case.If, on the other hand, Mary had sent out an email with her claims, and had Brad been able to obtain even one copy of that email, Mary might be on the hook for a libel case. The same would be the case had she published the statements on Twitter or Facebook. This assumes, however, that Brad can prove the statements were actually false.Proving libel occurred requires the victim to show the court that certain elements took place:Defendant made a false, defamatory statement about the plaintiffDefendant published or shared the statement with a third partyDefendant made the statement with the intent to cause harm, or negligently, giving no care to the harm that was likely to be caused In some situations, the plaintiff must prove that the defendant's statement resulted in "special damages" There are some people who are in the public spotlight, who must endure the opinions and publications of the public, largely without recourse. Statements made about people such as government officials, political candidates, celebrities, sports players, and authors, are usually exempt from claims defamation, whether the claims are libelous or slanderous. This is true even if the statements, or pictures, are untrue and damaging. If, however, untrue statements are made about such a public person with malice, or with hate and a desire to cause harm with no regard for the truth, the public person may have a right to bring a civil lawsuit.Libel examples: Sebastian is a local plumbing contractor running for city council. Nancy had a bad experience with Sebastian a couple of years ago, and simply cannot support his bid for office. Nancy wrote a letter to the local newspaper of the problems she had when Sebastian plumbed her new bathroom, stating she felt he had been dishonest in his dealings with her.Sebastian becomes angry and tries to get the newspaper to retract the statement, which was published on its Election News page. The newspaper refuses to remove the statement, so he tries to get Nancy to retract her statement, threatening her with a libel lawsuit. In this situation, Nancy's publication of her opinion that Sebastian was dishonest is just that - her opinion, which she backed up with an account of her experience. In addition, because the statements were made about Sebastian in his role as a political candidate, he would have to prove that Nancy's statements were not only untrue, but that they were made with malice.Some states recognize libel as criminal defamation, considering it a breach of the peace. Penalties for criminal defamation in those states may include fines, restitution, public service, and perhaps jail time. By far, libel and slander are considered to be civil tortes, allowing for a victim to file a civil lawsuit requesting damages.Remedies for libel may include injunctive relief, as well as monetary damages. Generally speaking, the law cannot force the defendant to retract his defamatory statement, but it can order a temporary injunction, putting a stop to the publication of the information until the court can issue a ruling on the case. The legal system in the U.S. deems a financial award to be sufficient remedy for the harm caused to a plaintiff's reputation. If the plaintiff is successful in proving that libel occurred, and that it damaged his reputation, the court may award two types of monetary damages:General Damages - compensate the plaintiff for the loss of his good reputation.Special Damages - compensate the plaintiff for any financial loss that the plaintiff incurred because of the defamationIn the U.S., a lawsuit for defamation, whether libel or slander, may be brought in either civil court, or in small claims court. The appropriate court to hear the matter depends on the amount of damages sought. If the plaintiff is seeking an award within the limits of the small claims court in his jurisdiction, his case should be filed there. If he is seeking a large amount of money as compensation for his damages, the case must be filed in the civil court. There are a variety of defenses to libel in a defamation case. This means that, once the plaintiff has proven his case against a defendant, the defendant may bring up certain issues or facts that counter his fault or the extent to which he should be held responsible. The most common defenses to libel include:Truth - In most jurisdictions, the plaintiff in a defamation case must prove that the statements made about him were false. In jurisdictions that do not require this proof to be made, the defendant may prove that the statements were true, at least in large part, as a defense.Consent - If the defendant can prove that the plaintiff consented to publication of the information or statements, it may serve as a defense.Absolute Privilege - In some situations, a person making defamatory statements may claim privilege as a defense. This works as an immunity to liability, usually granted by law to certain circumstances or proceedings. These include statements made in legislative or judicial proceedings, statements made between spouses, and statements or publications made as required by law.Conditional Privilege - Immunity or privilege may also stem from the occasion on which the statements were made. The defendant must prove that he was entitled to such a privilege, and that he believed that the statement was true. Conditional privileges may include statements made in protection of the public's interests, statements made to ensure the well-being of a family member.In March 1960, the New York Times published an advertisement titled "Heed Their Rising Voices," which solicited donations for the defense of Martin Luther King, Jr. The civil rights activist was facing charges of perjury in an Alabama state court. The published ad described actions taken against civil rights protesters, as well as actions taken against King. Some of the actions were described inaccurately, though none of the inaccuracies were serious.The Montgomery Public Safety Commissioner was not mentioned by name, but he felt that criticism of the actions of police to be defamatory to him personally. Public officers at the time could not seek damages for libel unless they had demanded, and been denied, a public retraction of the statement. When the Times refused to retract its statements, the Commissioner sued the Times, as well as the four ministers mentioned in the ad. The Commissioner won his case, and was awarded \$500,000.The Times retracted the statement, but appealed the lower court's ruling. The U.S. Supreme Court ruled, in its 1964 case of New York Times Co. v. Sullivan, that Alabama's law concerning defamation was unconstitutional, as it failed to provide safeguards for the constitutionally protected right to freedom of speech. It also ruled that the facts of the case did not support a judgment in favor of the Commissioner. The Court held that: "[T]he First Amendment protects the publication of all statements, even false ones, about the conduct of public officials except when statements are made with actual malice (with knowledge that they are false or in reckless disregard of their truth or falsity).Civil lawsuit - A lawsuit brought about in court when one person claims to have suffered a loss due to the actions of another person.Damages - A monetary award in compensation for a financial loss, loss of or damage to personal or real property, or an injury.Defamation - An intentional false statement that harms a person's reputation, or which decreases the respect or regard in which a person is held.Defendant - A party against whom a lawsuit has been filed in civil court, or who has been accused of, or charged with, a crime or offense.Jurisdiction - The legal authority to hear legal cases and make judgments; the geographical region of authority to enforce justice.Liable - Responsible by law; to be held legally answerable for an act or omission.Opinion - A judgment formed about something which is not necessarily based on knowledge or fact.Plaintiff - A person who brings a legal action against another person or entity, such as in a civil lawsuit, or criminal proceedings.Punitive Damages - Money awarded to the injured party above and beyond their actual damages. Punitive damages may be awarded in cases where the defendant's actions in regard to the case are malicious, or so reckless as to give a reasonable person pause.Remedy - The enforcement of a right, or imposition of a penalty by a court of law.Special Damages - Damages awarded to compensate a plaintiff for quantifiable monetary damages, such as medical bills, repair costs, or lost earnings.