

Welcome

It is the tradition in Trinity College Dublin that newly appointed Professors are invited to give an inaugural lecture.

The lecture provides an opportunity to showcase their achievements in research, innovation, engagement and teaching activities before members of the University community, invited stakeholders and the general public. An inaugural lecture is a significant event in an academic staff member's career.

The Faculty of Arts, Humanities and Social Sciences is proud to present the inaugural lecture of Professor Neville Cox.



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THE FACULTY OF ARTS,
HUMANITIES AND SOCIAL SCIENCES
INAUGURAL LECTURE

**GOOD NAME,
SOCIAL BELONGING
AND THE REFORM OF IRISH
DEFAMATION LAW**

Professor **Neville Cox**

Professor of Law and Morality (2021)
LL.B., PH.D., B.L., F.T.C.D. (2004)

2024
APRIL 9





School of Law

Founded in 1740, the Law School at Trinity College Dublin is a leading centre for legal education and research in Ireland. The Law School offers a wide range of programmes at both undergraduate and postgraduate level, teaching almost 1,000 students annually. Over recent years, the School has seen an expansion of both students and staff numbers, strengthening its proud culture of inclusion and diversity. Students are enabled to think critically about the law and situate their study in a broader, interdisciplinary perspective. Trinity's Law School educates students not just to work in the law, but also to challenge and shape it.

Research is at the heart of the School's activities. Staff are engaged in scholarship that focuses on Irish, European, and International legal developments, as well as the relationship between law and society.

The School values research that contributes to public policy debate and reform, which is an essential part of the school's engagement with the wider community. The Law School is responsible for the annual production of the *Dublin University Law Journal (DULJ)*, one of Ireland's leading peer-reviewed legal journals, and the *Irish Supreme Court Review*.

Reflecting a broad and deep tradition of public service, our most renowned graduates and professors include two former Presidents of Ireland – Mary Robinson and Mary McAleese – as well as other leading international figures, such as Kadar Asmal, a human rights advocate and Government Minister in post-Apartheid South Africa. Whether on the bench or in the Dáil, Trinity Law School has helped to nurture and develop some of the finest legal minds in Ireland.

Abstract

Defamation law exists to protect and vindicate the right to a good name but in a balance with the right to freedom of expression. In the spring of 2024, Ireland awaits the publication of a new defamation bill that will significantly reform the Defamation Act 2009 and will, it is believed, do so in a manner that for the most part favours the publisher of allegedly defamatory material. In this lecture, I seek to outline the key arguments as to the importance of good name and, in particular why this right should be so strongly protected in a fractured society.

Good name or reputation is something enjoyed in the community and is based on the judgement that a community makes about the worth of one of its members. As a result, good judgement flowing from the defamation, which restores the previous good name of that victim, rehabilitates them into the community and promotes social cohesion.

A defamation verdict, from a jury and in favour of the victim by contrast is a redemptive counterweight to the community's earlier negative judgement flowing from the defamation, which restores the previous good name of that victim, rehabilitates them into the community and promotes social cohesion. What this means is that a strong protection for a right to a good name is critical in so far as preventing social fracturing is concerned and the sight of circuses like the 'Wagatha Christie' trial or the spectre of Strategic Lawsuits against Public Participation does not negate this principle.

This was always true but is especially so in a social media era where many people - and especially generation Z - live out their lives in contexts which are based on the publication of statements, where reputation is all important and particularly susceptible to being undermined, where there is a proven connection to loneliness and social isolation and where the risk of fractured societies is exponentially higher than it has been before.

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About me

Neville Cox is Professor of Law and Morality in the Law School of Trinity College Dublin where he has been a lecturer since 1996. Since 2021 he has also been the University and College Registrar in Trinity. Between 2016 and 2020 he was the University's Dean of Graduate Studies. As a lecturer he was an early recipient of a Provost's Teaching award. He has been a visiting professor in many US law schools, notably University of San Francisco, Washington & Lee law school and Indiana University Bloomington. He was formerly a practising barrister working in particular in the areas of defamation and employment law.

He is the author of multiple books, most recently *Behind the Veil* (2019), with Eoin McCullough *SC Defamation law and Practice* (2022) and with Mark Connaughton SC and Val Corbett *Employment Law in Ireland* (2022). He is also the author of numerous articles published in leading national and international peer reviewed journals.

His work, which is regularly cited in judgments of the superior courts has focused on the relationship between rights – especially the rights to freedom of expression, good name and freedom of religion – and competing social and moral principles.



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