

Sue you

The Craft of Writing · By Simon Townsend · 2 min read

Sue you: anyone can

You are wondering about someone suing you over your article. Could someone sue you? Of course they could. In our litigious society:

anyone can sue anyone else - over anything.

Dead people can sue. Unborn babies can sue. Pet owners can sue on behalf of their goldfish. Burglars can sue for tripping over in a home that they were robbing. Soldiers sue the defence forces. Inmates can sue their prisons. There's a funny (but logical) movie called *The Man Who Sued God*.

I spent four years in-and-out of solicitors' conferences as a dentist sued me for a \$2,000 dental bill I refused to pay and as I cross-sued him for \$40,000 for malpractice. Eventually it was settled by me paying half (\$1,000) to a charity of his choice, but in my name with the tax deduction remaining mine . . . a terrible waste of everyone's time . . . as usual only the lawyers won.

And I once sued a real estate agent for a miserable \$300 because I didn't like his arrogant attitude over a dud tenant he got me . . . he ended up paying out \$5,300 just to get an unhappy Simon Townsend off his back.

I lost some years ago when I was sued for \$750,000 by a woman who as a child 12 years before fell over in my weekender. Her headaches were now blamed on that long-ago, minor incident. Luckily for me my insurer settled with her for a minor amount.

It goes without saying that if you libel someone in an article you write, of course you could be successfully sued.

But all publications will pay all your costs and any award. But if you gave advice in an article, and as a result someone or something was damaged in some way, yes of course you could be sued . . . you, your publication, your editor, your publisher, even someone quoted in your article . . . whether the litigant would win is another matter, and if they did win, whether they could win much money from you is problematic, and what might happen on appeal is unknown . . . and so on.

Any disclaimer in your article about "we do not guarantee accuracy, all care taken, no responsibility taken", counts for nothing in a court where highly-paid lawyers battle fiercely.

But remember this: at any time of the night or day on any day of the week, someone somewhere can sue YOU over anything:

- Because you bumped into them in the street.
- Because you didn't switch on a light over your front door.

- Because your child said something to their child that they didn't like.

And of course you can immediately cross-sue them.

And on and on it goes. THAT'S LIFE!! Don't worry about it. What's important is that your facts be as correct as possible and always keep proof that you double-checked everything.

Reprinted from The Wonderful World of Journalism. Written in the spirit of Simon Townsend's journalism craft advice. Visit simontownsendjournalist.com for the full archive.