

DEFAMATION, PRIVACY & MEDIA LAW



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Defamation, libel, slander and breach of privacy are serious matters. Our lawyers tenaciously pursue legal remedies while respecting sensitive client needs.

In today's digital age, where sensitive personal information is stored electronically, protecting personal information has never been more important.

We assist our clients with compliance matters relating to the application of privacy and data legislation, the development of appropriate policies, and responding to privacy breaches and Freedom of Information requests.

We can help you wade through the ins and outs of privacy and defamation claims.

Defamation can happen verbally, in print or social media and even in a letter or email. You have a right to privacy and a right to protect your future. Our in-depth expertise enables us to handle matters quickly and precisely, so you can move on with dignity and your reputation intact.

Defamation is often referred to as a form of personal injury. While not a physical injury, defamation damages are often covered under personal or business liability insurance policies.

For example, home or rental insurance coverage often takes personal liability into account and a claim against this coverage could include any damages, as well as any legal fees involved. Professional liability coverage, such as errors and omissions insurance or a policy negotiated through membership in a professional association will often cover legal fees and damages. Business insurance may offer another avenue for funding or defending a defamation claim.

SERVICES

- Social media policy development for employers and organizations.
- Representation in social media and general media defamation matters.
- Tracking down "anonymous" website contributors and publishers. This often involves investigating international internet hosting and email services.
- Representing professionals who have been defamed by clients, patients and others on "rating" websites.
- Representing individuals and organizations defamed in print, email, verbal commentary, media or other publications.
- Representing politicians and those running for elected office in cases involving defamation, libel, slander and breach of privacy.
- Advising media outlets before and after publication of statements and stories.
- Having defamatory statements retracted and removed from public access.
- Seizure of electronic equipment allegedly used to defame, such as laptops and mobile phones.
- Representation in online defamation cases which involve privacy and freedom of information laws from other countries where internet service providers or media

outlets are located.

- Claims for breach of privacy under federal or provincial legislation, which may involve information protected by governments, employers and private businesses.
- Negotiating acceptable damages awards in order to prevent matters from going to trial and entering the public record.
- Working with insurance companies and their insured whose coverage may include the personal liability of defamation.

TYPICAL SITUATIONS

- A teenager is bullied by classmates on a popular social media site. Photos are altered. Untrue statements are made. The teen and her parents want the postings removed. They also want to ensure other teens aren't bullied the same way.
- A website publishes a scathing, anonymous online review of a car mechanic's services. The review shows up every time the business name is entered into an internet search engine. Business declines, and the owner wants the posting removed.
- A popular newspaper publishes an expose about local political corruption and bribery. The elected officials mentioned dispute the facts, claiming that the negative coverage will hurt their reputations and their chances of re-election.

RECENT CASES

Online Defamation

- Helped a young woman who was defamed by an ex-boyfriend on a website. We had the posting removed and resolved the matter quickly and privately.
- A professional was the subject of a very negative anonymous review on a popular "rating" site where opinions are posted. We traced the source of the review and negotiated removal of the posting.

Verbal Defamation

- A high school principal was accused of defaming a teacher who had been suspended over allegations of improper behaviour. The case went to trial, the claim was dismissed and the legal fees were covered by the principal's insurance.

Email Defamation

- A client found out that her professional skills were being defamed by fellow committee members via email. Harper Grey sued the committee members on her behalf and negotiated a favourable financial award for her.

RECOGNITIONS

19 Harper Grey lawyers recognized for litigation expertise by Benchmark Canada®, 2019

Harper Grey receives highest firm ranking as a "Highly Recommended" local litigation law firm in British Columbia from Benchmark Canada® 2014, 2015, 2016, 2017, 2018, 2019

24 Harper Grey lawyers recognized across 15 specialty areas by Best Lawyers® in Canada, 2017

24 Harper Grey lawyers recognized as “Leading Practitioners” by Canadian Legal Lexpert Directory®, 2018

Harper Grey recognized as a "Leading Law Firm" regionally in the area of Dispute Resolution by Chambers Canada®, 2017

Martindale Hubbell® recognizes 13 Harper Grey lawyers across 27 practice areas

Harper Grey receives the TAGLaw Membership Award of Distinction acknowledging 15 years of outstanding service

Kim Yee receives prestigious Lexpert® 2016 Rising Stars Award honoring Canada’s Leading Lawyers Under 40

Harper Grey recognized as a Top 10 Regional Firm in British Columbia, Alberta and the Territories by Canadian Lawyer Magazine, 2012 and 2014

COMMENTARIES

“Incredibly strong skill set, knowledge of litigation and strategic, and keen ability to solve problems.”

— *Benchmark Canada® 2019*

“These lawyers are all subject matter experts, and leader in their field, whose knowledge and skill are matched by their excellent client service.”

— *Benchmark Canada® 2019*

“This team has provided outstanding legal service. They are prompt, responsive, and communicative. They are strong strategists and provide well researched, experienced legal advice. We work with many firms, and Harper Grey stands out. One member of the team remembers every interaction, memo, pleading and document. They understand a very complicated file and address it with ease and candor. We very much appreciate their strong advocacy.”

— *Benchmark Canada® 2019*

“The firm is top notch. They have many lawyers specialized in medical defense work who are highly skilled in their legal acumen and practice management, but who also recognize the importance of carrying out their work in a practical, results-oriented manner. They actively look for ways to more efficiently partner with their clients for effective management of the work, while at the same time not weakening their excellent service delivery, their responsiveness, or their effectiveness in the work.”

— *Benchmark Canada® 2019*

“The firm’s lawyers are principled and have deep integrity. Their work is thorough and of consistent high quality.”

— *Benchmark Canada® 2019*

“They dominate the medical practice, insurance, and product liability and even have more specialties like bankruptcy, aviation, defamation, securities, even environmental.”

— *Benchmark Canada® 2018*

“Excellent response time, good talent from junior and intermediate to senior levels and reasonable service costs.”

— *Benchmark Canada® 2018*

“Recognition remains vibrant for firm figurehead Bryan Baynham, a veteran of commercial law as well as niche areas such as real estate, defamation, media and privacy.”

— *Benchmark Canada@ 2017*

“Harper Grey has niches, and in those niches they are the best of the best.”

— *Benchmark Canada@ 2017*

“Bryan Baynham exemplifies the ways in which this firm has set itself apart. He attends to a variety of practice areas that he has really cornered a market on, like aviation and also defamation and media law.”

— *Benchmark Canada@ 2016*

“Harper Grey is one of the best firms in Vancouver. They have excellent service, knowledge and their cost structure is excellent.”

— *Benchmark Canada@ 2017*

“Every day it seems like I am dealing with someone at Harper Grey, and I always find them professional, courteous and effective.”

— *Benchmark Canada@ 2017*

“Bryan Baynham has a strong presence and remains active and upbeat. I always seem to have something going on with him, confirms one peer.”

— *Benchmark Canada@ 2016*

“Peers vouch for Bryan Baynham’s acumen, addressing him as “a worthy opponent, good on his feet, very skilled and seasoned.”

— *Benchmark Canada@ 2016*

“Harper Grey lawyers are ‘dedicated to their clients and focused on finding and implementing practical solutions for them. The lawyers are prompt, intelligent and insightful, and provide a high level of customer service’.”

— *2012 Canadian Lawyer Magazine@ Embracing Regionalism - Canadian Lawyer’s Top 10 firms from B.C., Alberta, and the Territories are in the Sweet Spot Right Now, October 1, 2012*

“A Vancouver staple, Harper Grey is perhaps the most BC-centric of the “highly recommended” firms, owing largely to the firm’s bench strength in several key areas.”

— *Benchmark Canada@ 2018*

“They exceeded all my expectations. I am very satisfied with their work and very happy to recommend them.”

— *Chambers Canada@ 2017*

“A lawyer who refers work to Harper Grey wrote it has ‘great service, a breadth of practice and I have never received a negative comment from referrals to the firm’.”

— *2014 Canadian Lawyer Magazine Stronger than Ever - Top Western & Northern Firms*

“Harper Grey is a trial lawyer’s firm, and they’ve got a big deep bench of well-trained litigators.”

— *Benchmark Canada@ 2017*

“Clients are comforted by the firm’s long history in BC. We’re steeped in the region. Our connection is such that we have knowledge of not only the issue itself, but the history of the issue in the province.” – Richard Bereti

— *2012 Canadian Lawyer Magazine@ Embracing Regionalism - Canadian Lawyer’s Top 10 firms from B.C., Alberta, and the Territories are in the Sweet Spot Right Now, October 1, 2012*

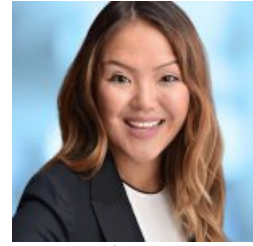
LAWYERS



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SELECT ARTICLES + PUBLICATIONS

Drummond Lambert and Daniel Reid co-author “R. v. Jarvis and Privacy in Public”

Written by: Drummond Lambert, Daniel J. Reid

“Reputation Matters: Tips and Tools for Defending Defamation and Privacy Actions” Article

Published In: Canadian Journal of Insurance Law - Issue 35, Released 04.Jul.17

Written by: Daniel J. Reid

“Breach. How New Types of Privacy Claims Are Changing The Litigation Landscape” Article

Published In: BC Broker Magazine - Feb.16

Written by: Daniel J. Reid

“Reputation Matters: How Canadian Courts are Balancing Protection of Reputation and Freedom of Expression” Article

Published By: Harper Grey - 04.Sep.14

Written by: Daniel J. Reid

“Canada’s Anti-Spam Law (“CASL”): What You Need To Know” Article

Published By: Harper Grey - 04.Aug.14

Written by: Karen F. Douglas*, Roselle P. Wu

Daniel Reid published in Canadian Privacy Law Review regarding internet users’ liability for publishing defamatory statements

Published in: Canadian Privacy Law Review - 25.Mar.11

Written by: Daniel J. Reid

“Defamation in the Age of the Internet: The Modern Day Soapbox” Article

Published By: Harper Grey - 20.Sep.10

Written by: Bryan G. Baynham, QC, Daniel J. Reid

“The Developing Law on Internet Jurisdiction” Article

Published In: The Advocate - Vol. 61 - Part 4 - Jul.03

Written by: John P. Sullivan*

SELECT EVENTS + PRESENTATIONS

Kim Yee and Daniel Reid to present on “Privacy Issues”

Presentation date: 07.Aug.19

Presented by: Kim J. Yee, Daniel J. Reid

Daniel Reid presents on privacy in family actions to Family Law Advocacy Group

Presentation date: 29.May.19

Presented by: Daniel J. Reid

Daniel Reid co-presented on Cyber-Loss Insurance to the CBABC Insurance Law Subsection

Presentation Date: 19.Mar.18

Presented by: Daniel J. Reid

Daniel Reid presents to VALL on “Reputation Matters”

Presentation Date: 27. Oct. 17

Presented by: Daniel J. Reid

Daniel Reid and Erika Decker present at the BC Risk Forum on Privacy Claims

Presentation Date: 24. Oct. 17

Presented by: Daniel J. Reid

Barbara Norell, QC and Daniel Reid to present “Privacy And Reputation Management In The Internet Age” at Harper Grey Bridging the Gap Seminar Series

Event Date: 30.May.17

Presented by: Daniel J. Reid, Barbara J. Norell, QC, Derek Mah*

Daniel Reid to present at CBA National Health Law Summit

Presentation Date: 04.May.17

Presented by: Daniel J. Reid

Daniel Reid presents to Canadian Defense Lawyers on “Reputation Matters”

Presentation Date: 02.Mar.17

Presented by: Daniel J. Reid

Kim Yee and Daniel Reid present on “Electronic Medical Records – Pitfalls To Avoid” and “Privacy Issues”

Presentation Date: 05.Jan.17

Presented by: Daniel J. Reid, Kim J. Yee

Daniel Reid to present on “Insurance Issues With The Sharing Economy” at upcoming BCRIMA Luncheon

Presentation Date: 18.Jan.17

Presented by: Daniel J. Reid

Daniel Reid and Monique Sever to present CLE-TV program on “Privacy – New Claims, New Torts And New Technology”

Presentation Date: 08.Nov.16

Presented by: Daniel J. Reid, Monique L. Sever

Daniel Reid presented on “Defamation Law” to staff and lawyers of Ecojustice Canada

Presentation Date: 22.Sept.16

Presented by: Daniel J. Reid

Barbara Norell and Daniel Reid to present “Technology Challenges: Privacy Breaches And Online Mischief” at Harper Grey Bridging the Gap Seminar Series

Event Date: 12.Apr.16

Presented by: Barbara J. Norell, QC, Daniel J. Reid

Daniel Reid joins CBC panel discussion regarding the Apple vs. FBI case on iPhone Privacy

Presentation Date: 17.Feb.16

Presented by: Daniel J. Reid

Daniel Reid and Monique Sever to present CLE-TV program on “Social Media As Evidence”

Presentation Date: 25.Nov.14

Presented by: Daniel J. Reid, Monique L. Sever

Daniel Reid to present to Credit Union Insurance Services Association

Presentation Date: 12.Jun.14

Presented by: Daniel J. Reid

Daniel Reid to co-present the online CLE course “The TekSavvy Case: Disclosure Of Identifying Information By ISPs”

Presentation Date: 29.Apr.14

Presented by: Daniel J. Reid

Daniel Reid to present to the Advocates Club on Media and Defamation Law

Presentation Date: 16.Sep.13

Presented by: Daniel J. Reid

Bryan Baynham, QC and Daniel Reid to co-present at the PBLI Local Government Conference

Presentation Date: 30.May.13

Presented by: Bryan G. Baynham, QC, Daniel J. Reid

Daniel Reid to present at the Pacific Dental Conference on March 8, 2013

Presentation Date: 8.Mar.13

Presented by: Daniel J. Reid

Bryan Baynham, QC and Dan Reid to present at Association of Certified Fraud Examiners

Presentation Date: 16.Oct.11

Presented by: Bryan G. Baynham, QC, Daniel J. Reid

Daniel Reid and Bryan Baynham, QC to present workshop at Union of BC Municipalities Annual Convention

Presentation Date: 29.Sep.11

Presented by: Bryan G. Baynham, QC, Daniel J. Reid

Bryan Baynham, QC and Daniel Reid to speak at Local Government Liability seminar

Presentation Date: 06.May.11

Presented by: Bryan G. Baynham, QC, Daniel J. Reid

SELECT NEWS

30 Harper Grey Lawyers recognized by Best Lawyers® in Canada 2019

Related to: Steven Abramson*, Owais Ahmed, H. Roderick Anderson*, Bryan G. Baynham, QC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, QC*, William S. Clark*, Prentice Durbin*, Michael J. Hewitt*, Kimberly J. Jakeman*, James M. Lepp, QC, Steven G. Lukas*, Maureen L.A. Lundell, QC, Derek Mah*, Jonathan D. Meadows*, David W. Pilley, Una Radoja*, Christopher M. Rusnak*, Raj Samtani*, John P. Sullivan*, W. Sean Taylor, Michael G. Thomas*, Nigel L. Trevethan*, Abigail C.F. Turner*, Henning W. Wiebach*, Jennifer R. Woznesensky, Lara C. Zee - 21.Aug.18

Daniel Reid interviewed by CFX Radio regarding privacy laws and live streaming online without the subject's consent

Related to: Daniel J. Reid - 31.Jul.18

Bryan Baynham, QC quoted in Macleans' article regarding recent decision in the Steven Galloway arbitration matter against UBC

Related to: Bryan G. Baynham, QC - 11.Jun.18

19 Harper Grey Lawyers recognized for litigation expertise by Benchmark Canada® 2018

Related to: H. Roderick Anderson*, Bryan G. Baynham, QC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, QC*, Karen F. Douglas*, Michael J. Hewitt*, Kimberly J. Jakeman*, James M. Lepp, QC, Jonathan D. Meadows*, David W. Pilley, Christopher M. Rusnak*, John P. Sullivan*, Michael G. Thomas*, Nigel L. Trevethan*, Abigail C.F. Turner*, Jennifer R. Woznesensky, Cameron B. Elder, Una Radoja* - 19.Apr.18

Daniel Reid interviewed by Global News BC for "Defamation Penalty" Segment

Related to: Daniel J. Reid - 02.Mar.18

Daniel Reid interviewed by CTV News Vancouver for "Trial by Twitter" Segment

Related to: Daniel J. Reid - 20.Feb.18

Best Lawyers® in Canada 2018 recognizes 27 Harper Grey Lawyers

Related to: Bryan G. Baynham, QC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, QC*, William S. Clark*, Prentice Durbin*, Kimberly J. Jakeman*, James M. Lepp, QC, Steven G. Lukas*, Maureen L.A. Lundell, QC, Derek Mah*, L. Neil Matheson, QC*, Jonathan D. Meadows*, Barbara J. Norell, QC, David W. Pilley, Christopher M. Rusnak*, Raj Samtani*, John P. Sullivan*, W. Sean Taylor, Michael G. Thomas*, Nigel L. Trevethan*, Abigail C.F. Turner*, Henning W. Wiebach*, Jennifer R. Woznesensky, Lara C. Zee - 22.Aug.17

Daniel Reid interviewed by CTV News Vancouver Island for “Canada Creep” Segment

Related to: Daniel J. Reid - 20.Jun.17

Harper Grey welcomes three new Associates – Daniel Kozera, Laura Miller, and Brett Weninger

Related to: Brett Weninger, Laura E. Miller, Daniel Kozera - 12.Jun.17

16 Harper Grey lawyers recognized for litigation expertise by Benchmark Canada® 2017

Related to: H. Roderick Anderson*, Bryan G. Baynham, QC, Salman Y. Bhura*, Guy P. Brown, QC*, Karen F. Douglas*, Kimberly J. Jakeman*, James M. Lepp, QC, Barbara J. Norell, QC, Terrence L. Robertson, QC, Christopher M. Rusnak*, John P. Sullivan*, Michael G. Thomas*, Nigel L. Trevethan*, Abigail C.F. Turner*, Jennifer R. Woznesensky, Jonathan D. Meadows* - 11.May.17

Barbara Norell appointed Queen’s Counsel

Related to: Barbara J. Norell, QC - 02.Feb.17

Martindale-Hubbell® recognizes 14 Harper Grey lawyers

Related to: Bryan G. Baynham, QC, John B. Brown*, Guy P. Brown, QC*, Karen F. Douglas*, Steven G. Lukas*, Maureen L.A. Lundell, QC, William D. MacRae*, L. Neil Matheson, QC*, Barbara J. Norell, QC, David W. Pilley, Terrence L. Robertson, QC, Abigail C.F. Turner*, Henning W. Wiebach* - 30.Jan.17

Best Lawyers® in Canada 2017 recognizes 24 Harper Grey Lawyers

Related to: Abigail C.F. Turner*, Barbara J. Norell, QC, Bryan G. Baynham, QC, Christopher M. Rusnak*, David W. Pilley, Guy P. Brown, QC*, James M. Lepp, QC, Jennifer R. Woznesensky, John P. Sullivan*, Jonathan D. Meadows*, Kimberly J. Jakeman*, Maureen L.A. Lundell, QC, Michael G. Thomas*, Nigel L. Trevethan*, Prentice Durbin*, Raj Samtani*, Richard E. Bereti*, Salman Y. Bhura*, Steven G. Lukas*, Terrence L. Robertson, QC, William S. Clark*, H. Roderick Anderson*, L. Neil Matheson, QC*, W. Sean Taylor - 10.Aug.16

Daniel Reid interviewed by BC Business Magazine about ‘The Streisand Effect’

Related to: Daniel J. Reid - 27.Jul.16

Daniel Reid interviewed by CBC National News about hateful comments made on Twitter aimed at comedian and actress Leslie Jones

Related to: Daniel J. Reid - 20.Jul.16

Daniel Reid interviewed by CTV Vancouver News on recent BC Supreme Court ruling in defamation matter

Related to: Daniel J. Reid - 22.Apr.16

Daniel Reid makes guest appearance on CKNW’s The Lynda Steele Show in “No, You Can’t Post Whatever You Want” episode

Related to: Daniel J. Reid - 22.Apr.16

Daniel Reid interviewed by CBC News Vancouver regarding Nova Scotia’s anti-cyberbullying law

Related to: Daniel J. Reid - 27.Aug.15

Daniel Reid appointed Chair of the CBABC Health Law Section

Related to: Daniel J. Reid - 13.Aug.15

Harper Grey welcomes Associate Nathaniel Turner

Related to: Nathaniel J.W. Turner - 09.Jun.15

Daniel Reid provides commentary on CBC News Vancouver segment – Home Security Cameras: Invasion of neighbours' privacy?

Related to: Daniel J. Reid - 06.Feb.15

Daniel Reid interviewed by CBC News Vancouver regarding expectations of privacy

Related to: Daniel J. Reid - 21.Jan.15

Bryan Baynham, QC interviewed by Canadian Business

Related to: Bryan G. Baynham, QC - 03.Dec.12

Bryan Baynham, QC interviewed by The Province and other media outlets

Related to: Bryan G. Baynham, QC, Daniel J. Reid - 05.Nov.12

Bryan Baynham, QC interviewed by CBC News

Related to: Bryan G. Baynham, QC - 02.Nov.12

Eight Harper Grey lawyers recognized by Best Lawyers in Canada 2013

Related to: Bryan G. Baynham, QC, Christopher M. Rusnak*, James M. Lepp, QC, Raj Samtani*, H. Roderick Anderson*, L. Neil Matheson, QC*, W. Sean Taylor - 22.Aug.12

Harper Grey welcomes Associate, Jeremy Shragge

08.May.12

Dan Reid now a featured blogger for “The Stream”, published by Courthouse Libraries BC.

Related to: Daniel J. Reid - 07.Nov.11

Harper Grey lawyers Bryan Baynham, QC and Daniel Reid quoted in commentary: SCC Decision re: Crooks v. Newton

Related to: Bryan G. Baynham, QC, Daniel J. Reid - 19.Oct.11

Seven Harper Grey lawyers recognized by Best Lawyers in Canada

Related to: Bryan G. Baynham, QC, Christopher M. Rusnak*, James M. Lepp, QC, H. Roderick Anderson*, L. Neil Matheson, QC*, W. Sean Taylor - 19.Sep.11

Harper Grey lawyers Bryan Baynham, QC and Daniel Reid quoted in Vancouver Sun regarding how social media is creating a growing business in defamation

Related to: Bryan G. Baynham, QC, Daniel J. Reid - 21.Jan.11