

Welcome to the latest edition of the microskills™ network for participants of microskills™ training around the world.

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microskills™ and libel

An interesting libel case was thrown out of the British Court of Appeal recently when the judges distinguished between the microskills™ of Giving Information and of Giving Opinion (only they didn't call them that).

The UK law says that it is 'fair comment' if someone expresses an opinion (GO) about someone else. It is libel if they publish, as information (GI), something that is factually untrue and that damages the other person.

In this case, science writer Simon Singh questioned the value of chiropractic in medicine in an article in the Guardian newspaper. The case was brought by the British Chiropractic Association (BCA).

It took two years and cost £200,000 in legal fees to resolve the matter. microskills™ could have sorted it out in 20 minutes. Indeed, it has done before!

Twenty years ago I was on the jury in a libel case when the editor of one notable British newspaper was sued for libel by the editor of another after a claim that he was unfit to hold the job because of certain incidents in his private life.

To say that someone is unfit to hold a job is Giving Opinion. The alleged incidents in the editor's

private life were factually not true. Case closed.

problem ownership™ and the Court of Appeal

This case was also interesting from the point of view of problem ownership™ and authority.

An earlier trial had taken place in the High Court. There, the judge had the authority to determine the case and so his verdict, in favour of the BCA, was Giving Information. Anyone in the public gallery, without judicial authority, could only be Giving Opinion.

Dr Singh appealed against the verdict and the case went to the Court of Appeal where the judges have higher authority than the high court judge.

The high court judge had held that Dr Singh's comments were factual assertions rather than expressions of opinion – which meant he could not use the defence of fair comment.

The Appeal judges, the lord chief justice, Lord Judge, master of the rolls Lord Neuberger and Lord Justice Sedley allowed Dr Singh's appeal, ruling that the high court judge had "erred in his approach".

In other words, they used Giving Information that their authority overruled that of the less senior

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judge whose own Giving Information was thus downgraded to Giving Opinion.

Apart from seniority, they also used another form of authority – votes.

Whereas the High Court cases are heard in front of a single judge in whom is vested the authority to Give Information, at the Appeal Court there are three judges and their decision has to be by a majority vote.

Candidates and body language

Students of human behaviour will have seen the first ever UK live televised debates between the leaders of the main political parties. Type 'brown cameron clegg' into the YouTube search box.

Spot the practised non-verbal behaviours designed to demonstrate leadership, listening, control and empathy and hear the verbal microskills™ being used.

Then compare with the first US debate in 1960 between Richard Nixon and John F Kennedy. At the time, television viewers rated Kennedy the winner; radio listeners gave it to Nixon!

Footballers and body language

On microskills™ programmes we often review the non-verbal 'fight and flight' behaviours that people exhibit when they feel uncomfortable or under threat.

We also look at cultural variations and these past few weeks have been a wonderful showcase during the soccer World Cup in South Africa.

There have been several television shots of how Italian football managers behave, too!

Flexible working

Flexible working appears to be back on the agenda again with the Confederation of British Industry (CBI) calling for more flexibility in the times and the places that we work.

Work is what you do – not when you do it nor where you do it.

We are currently advising an Australian government department in setting up more 'working away from the office' to increase productivity and staff happiness and to reduce traffic congestion.

Job insecurity is good for you!

A recent study has shown that job insecurity is good for your health. It compared the incidence of sick leave among staff before and after the current economic crisis.

When employees feel that they are in danger of losing their jobs, their days of illness reduce.

Experiences, comments and questions

We always like to hear from readers with views and experiences they have either for publication or for reply off-line.

microskills™, problem ownership™ and Supportive Manager™ are part of a stable of methods used by the Tim Russell Group to train staff around the world in interpersonal skills. User organisations come from finance, travel, hospitality, retail, manufacturing, government, education, health services and telecoms. Applications range from customer service to management development, team-building to support skills, negotiations to managing meetings, interviewing to selling.

For more information

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