



Speech by

Mrs D. PRATT

MEMBER FOR NANANGO

Hansard 12 March 2003

CRIMINAL DEFAMATION AMENDMENT BILL

Mrs PRATT (Nanango—Ind) (9.29 p.m.): I rise to speak to the Criminal Defamation Amendment Bill 2002, because I believe that it deals with a real problem in our community that needs addressing. I feel that this area of the law is inadequate and needs to have been addressed in the way in which it has. Other states have implemented a severe penalty system regardless of which state the offending person has secreted themselves in and those states can extradite that person to their state to face the appropriate consequences. I believe that they really understand the pain and suffering that this kind of action can inflict on innocent parties.

It is so easy to look at a physical injury and feel real sympathy for the pain and suffering that a person has experienced as a result of their ordeal. It is easy to sympathise with the length of time of the recovery period. It is so easy to look at the cause, the negligence—if any is involved—and even weigh up the malicious intent that might have been intended. It is also very easy to accept the necessity of compensation, if appropriate. I do not think that any member in this House would expect anything else.

These kinds of injuries are healed in a relatively short space of time and people return to their jobs, their lives and they get back to normal—whatever is normal for them. On the other hand, what of the person who has been the victim of a vicious, slanderous attack that is untrue? A person intent on slander has the intention of hurting an individual over a real, imaginary or a perceived slight and is prepared to state anything regardless of the medium used to achieve their aim with no thought—or perhaps they have a thought—of the lifetime of pain and suffering that that victim and their family might be subjected to.

Too many people still regard slander as not a real crime, but that thought is very wrong and one that only an unthinking person could think—someone who has never been on the end of such an attack. In saying that, if a person is guilty of an accusation, then I have no hesitation in hoping that the law substantiates those accusations and then comes down on them. But defamation is a sightless wound that may never heal. Slander has the power to ruin self-esteem, to ruin careers, to destroy marriages, to tear apart a family, to turn children against their parents and to totally destroy reputations. It can also drive the victim and/or his or her family out of the town in which they had perhaps hoped to settle for the rest of their lives and to make their home. Slanderous accusations over the Internet can also make people eternal victims. Such slander may be but a five-minute wonder to the majority, but for many people they remember faces, if not the facts or the truth that may have been revealed later on. People remember names and inaccurate stories have a way of causing communities to act in a strange and unacceptable manner. But no matter how sorry those communities might be afterwards, the damage is done and inadvertently they have added and perpetuated an horrendous wrong to an innocent person.

As I said, defamation is a wound that may never be healed and the destruction associated with it may never end. At the time of the making of the untrue accusations, the victim is ostracised, both socially and psychologically, and is left to fend for themselves. Often these victims turn to suicide as they try to deal with the horror that is upon them. Unlike the victim of physical attacks or accidents, who are often cosseted by their family and friends because they are seen as a victim, the person who is facing a defamation charge is always seen in the light of 'where there is smoke there must be fire' and is treated accordingly.

To my mind, that is a far greater atrocity perpetrated against another human being. It can last for a lifetime. It can cost a life. Tonight, I have no hesitation in backing the Leader of the Opposition in his attempt to rectify the situation and to bring to the attention of the minister that if he cannot support this bill, he should at least address the issue, because it is very real in all our communities. I support the bill.