



Speech by

**LEX BELL, MP**

**MEMBER FOR SURFERS PARADISE**

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**CRIMINAL DEFAMATION AMENDMENT BILL**

**Mr BELL** (Surfers Paradise—Ind) (9.34 p.m.) In an earlier life, when I had many fewer grey hairs, I was a lecturer of broadcasting students on the subject of the defamation law of Queensland. At that time I always began my address to those students by pointing out what was then a peculiarity but was also the fact—that the law of defamation in Queensland could be found in the Criminal Code. That served to underline to those students just what an important topic defamation really was. It was not just something like a traffic offence; it was something that was of a very serious nature and it was something that they, as broadcasting students, had to take note of in considerable depth.

To many people, his or her reputation is his or her most important asset. Indeed, in some cases it can be one's only asset. I compare defamation to arson, because one's reputation can take a long time to acquire. It can be one's most valued asset. Similarly, a house can take years to acquire and can be one's greatest asset. Both can be destroyed in a few moments. A house can be destroyed by an arsonist in three or four or five minutes and one's reputation can be destroyed by a miscreant in an equal space of time. No-one would ever suggest that arson should not be covered in the Criminal Code of Queensland. I believe that defamation, relating as it does to a very important piece of property—one's reputation—should also be contained in our Criminal Code.

This evening reference has been made already to the great capacity for modern means of communication, the Internet and email and other media outreaches, to disseminate information. These days, the damage that can be caused to a person by defamation is potentially much, much greater than it was in the days when the law of defamation was contained in the Criminal Code of Queensland. It is trite that punishment should always equate with the circumstances, but I think that we have had revealed in this House tonight and we have had revealed in our community by events of the last few years that extreme cases are not covered by the Defamation Act at present. To have a simple offence, which has a 12-month limitation period, is not nearly a sufficient response to what can be quite a serious crime. I believe that the current provisions in the Defamation Act are totally inadequate. A weakness in our law has been exposed. This bill seeks to remedy that. I certainly commend it and support this bill.