



NEW SOUTH WALES
BAR ASSOCIATION



THE UNIVERSITY OF
SYDNEY

Freedom of Speech and the Case for Defamation Law Reform

Presented by:

**Professor David Rolph,
University of Sydney Law School**

Chaired by:

**Greg Tolhurst, Executive
Director, NSW Bar Association**

**NSW Bar Association
Common Room**

6.00pm

Thursday 24 August 2017

**This seminar has been organised in
association with the Ross Parsons
Centre of Commercial, Corporate
and Taxation Law at the Sydney
University Law School.**

**1 HOUR SEMINAR
1 CPD POINT IN THE
SUBSTANTIVE LAW STRAND**

Freedom of speech has become politically prominent and contested in Australia in recent years, most notably through the long-running debate about the Racial Discrimination Act 1975 (Cth) s 18C. Public discussion about freedom of speech has tended to be narrowly focused. There are many areas of law which restrict or regulate freedom of speech, many of which are long-standing and well-known. Amongst the most significant, well-established and pervasive is the tort of defamation. The purpose of defamation law is to strike a balance between the protection of reputation and freedom of speech. Defamation law then is the common law cause of action with freedom of speech as a central interest. Given the renewed focus in Australia on freedom of speech, it is an opportune time to revisit the issue of defamation law reform. The last New South Wales Law Reform Commission report on defamation was released over twenty years ago; the last Australian Law Reform Commission report on defamation was released almost forty years ago. Much has changed in the intervening decades. The national, uniform defamation laws, commencing in 2006, were principally directed to achieving the goal of uniformity, rather than substantive law reform. There is then still scope for further reform. This lecture outlines the case for defamation law reform and the principles that should inform future reform processes.

**THIS SEMINAR IS OPEN TO MEMBERS OF THE NSW
BAR ASSOCIATION**

REGISTRATION IS NOT REQUIRED

**For more information, please contact Tiffany McDonald
tmcdonald@nswbar.asn.au OR (02) 92324919**

**NSW Bar Association
Selborne Chambers, B/174 Phillip Street, Sydney**

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