



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.

Dr David Rolph joined the University of Sydney Law School as a lecturer in 2005. His principal research interests are defamation law, privacy, contempt of court and tort law. Dr Rolph was promoted to Professor Law at the University of Sydney in August 2016. This is his inaugural professorial lecture.

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

**REGISTRATION IS NOT REQUIRED**

For more information, please contact Tiffany McDonald  
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