Defamation Policy

If you post content to treasurers.org or any ACT student e-learning site that we believe might be defamatory, we will remove it. Potentially defamatory material, may, at our discretion, be posted if there is credible evidence supporting your claims, or if the content is deemed to be fair comment.

The ACT welcomes comments from its members, students and users registered to the website however we reserve the right to remove or amend without notice comments which:

- Are considered likely to disrupt, provoke, attack or offend others
- Are racist, sexist, homophobic, sexually explicit, abusive or otherwise objectionable
- Contain swear words or other language likely to offend
- Break the law or condone or encourage unlawful activity. This includes breach of copyright, defamation and contempt of court.
- Advertise products or services for profit or gain
- Are seen to impersonate someone else
- Are written in anything other than English
- Contain links to other website without the express prior consent of the ACT
- Unattributed quotations used beyond accepted fair use

The use of such comments may also lead to account suspension or termination.

What is Defamation?

Defamation is the legal term that covers both slander and libel; slander is defamation by word of mouth, and libel is defamation in written form. A statement about an individual or organisation is deemed to be defamatory if it harms their reputation by:

- Exposing the individual or organisation to hatred, ridicule or contempt;
- Causing the individual or organisation to be shunned or avoided;
- Lowering the individual or organisation in the estimation of right-thinking members of society; or
- Disparaging the individual in their office, profession or trade or the organisation's office, profession or trade.

Avoiding Defamation

The following sets out some of the defamation issues you should be aware of when writing

content for treasurers.org or any ACT student e-learning site.

1. **Meaning** - Regardless of whether you intend to or not, if a statement is understood by a reasonable person to be defamatory, you will be liable for defamation.
2. **Identification** - For a defamation case to succeed, the defamatory statement must be seen to refer to the claimant, even if that was not the writer's intention. Leaving out someone's name is no guarantee of avoiding defamation, if there are other clues that could lead to their identification.
3. **Repetition** - Just because you are quoting someone else's words does not mean it is safe. You could just be repeating a defamatory statement. As far as the law is concerned, each publication is a fresh publication of the defamation and can be sued upon.

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