

It's the internet I can say anything I want right?

Actually No!

Things that you can't say;

Defamation

"The law of defamation is the area of law that deals with protection of reputation. Defamation law gives a person whose reputation has been wrongfully attacked the right to take legal action against those responsible. "

(From the lawhandbook.org.au)

In other words if you say something that puts another person in a really bad light, like "Tom is a liar, he lies all the time" then Tom has a right under law to take YOU to court in front of a judge and jury to correct the wrong.

You may be compelled to make a public apology and retract your statement or you may face a damages claim for money, this can be quite large in some cases .Legal costs alone, if you have been found to be liable (in other words you defamed someone unlawfully) , can be very high.



Devastating effect: Orange High School music teacher Christine Mickle. *Photo: Central Western Daily*

A NSW school teacher has made legal history after a former student was ordered to pay \$105,000 for defaming her on Twitter and Facebook.

In the first Twitter defamation battle in Australia to proceed to a full trial, District Court judge Michael Elkaim ruled that former Orange High School student Andrew Farley should pay compensatory and aggravated damages for making false allegations about music teacher Christine Mickle.

For someone to be defamed it does not matter whether you defamed them to one person or a million, although a judge will take that into account when calculating damage to be paid by you.

If you defame an organisation where the members can be identified, for example the teachers at your school, **all members of that organisation may seek damages** against you in court.

Racial discrimination and vilification

Racial hatred (sometimes referred to as vilification) is doing something in public based on the race, colour, national or ethnic origin of a person or group of people which is likely to offend, insult, humiliate or intimidate.

Examples of racial hatred may include:

- Racially offensive material on the internet, including eforums, blogs, social networking sites and video sharing sites
- Racially offensive comments or images in a newspaper, magazine or other publication such as a leaflet or flyer
- Racially offensive speeches at a public rally
- Racially abusive comments in a public place, such as a shop, workplace, park, on public transport or at school
- Racially abusive comments at sporting events by players, spectators, coaches or officials.

(From humanrights.gov.au)

The Racial Discrimination Act makes communication s like the ones above illegal, but there are some circumstances where there is an exception provided they are 'done reasonably and in good faith' - even if they are done in public.

Under the Act, the things that are not against the law if they are "done reasonably and in good faith" are:

- An artistic work or performance – for example, a play in which racially offensive attitudes are expressed by a character.
- A statement, publication, discussion or debate made for genuine academic or scientific purposes – for example, discussing and debating public policy such as immigration, multiculturalism or special measures for particular groups.
- Making a fair and accurate report on a matter of public interest – for example, a fair report in a newspaper about racially offensive conduct.
- Making a fair comment, if the comment is an expression of a person's genuine belief.

Man jailed over anti-semitic video

Updated 31 Jan 2011, 7:45pm

A 39-year-old Perth man has been sentenced to three years' jail for posting an anti-semitic video on the internet.

Brendon Lee O'Connell is the first person in Western Australia to be convicted under the state's racial vilification laws.

A jury found him guilty last week of six offences.

O'Connell posted a video on YouTube showing him insulting a young Jewish man in 2009.

The video also showed O'Connell standing in front of the Perth Bell Tower telling Jews their days were numbered.



PHOTO: Racial hatred... Brendon O'Connell's YouTube video.

MAP: Perth 6000

Things that you shouldn't say;

Before you post

Before you post anything on Social Media always ask yourself:

Is it true?

Is it necessary?

Is it kind?

Sometimes we post thoughts without considering how they might impact our entire audience. It's easy to forget how many friends are reading. Two hundred people make a crowd in person, but online that number can seem insignificant. Before you share, ask yourself: is there anyone this might harm?

Know why you are posting.

The seven psychological needs we may be looking to meet when we use social media are;

Acknowledgment

Attention

Approval

Appreciation

Acclaim

Assurance

Inclusion

Before you post, ask yourself is there something more constructive I could do to meet that need?

Once posted, always posted:

Protect your reputation on social networks. What you post online stays online. Think twice before posting pictures you wouldn't want your parents or future employers to see.

Recent research found that 70% of job recruiters rejected candidates based on information they found online.

These flight attendants hated on their airline carrier

13 Virgin Airlines crew members were fired after publicly discussing aspects of their job on Facebook -- they shared the number of times that certain airplane engines had been replaced and that the cabins were infested with cockroaches.

They also took the time to insult the passengers who ultimately pay their salaries.

