

Pyne at centre of defamation case

Cairns Post 13/8



Division 2 councillor Rob Pyne outside the Cairns Courthouse on Thursday where he faced a pre-trial hearing. Picture: Peter Carruthers

PETER CARRUTHERS

A LANDMARK defamation case that could reshape Australian social media use and force south Cairns voters into a by-election is set to get underway next week in a Cairns court.

Former Cairns MP and now Division 2 councillor Rob Pyne appeared before Judge Dean Morzone in the Cairns District Court in a pre-trial hearing on Thursday.

The case centres on a defamation claim brought by Local Government Association of Queensland CEO Greg Hallam against Mr Pyne

and Lyn Elizabeth O'Conner.

Mr Hallam filed for \$2.5m in damages against four defendants in 2018, including a \$500,000 claim against the then-MP over allegedly defamatory Facebook posts Mr Hallam said falsely questioned his integrity.

Barrister Michael Amerena, acting for Mr Hallam, along with self-represented respondents Ms O'Conner and Cr Pyne agreed, what was to be a jury trial, would now proceed as a normal trial before a judge.

"I don't seek to waste the time of the good people of the jury," Cr Pyne said.

The decision was made after Mr Amerena was instructed to request Cr Pyne contribute to jury fees of \$5607.40 for three days.

Leading the case against Cr Pyne, Mr Amerena named Facebook expert Dr Christine Satchell as a key witness in the case.

"We have a lot of damages witnesses including three medical witnesses," he told the court.

Judge Morzone said "it's such a pity views are so entrenched by this stage".

Speaking outside the court Cr Pyne said he was relieved he could no longer be held in

contempt of court for influencing members of the jury.

"I wasn't predicting that, but once it went to a judge-only trial that contempt no longer applied because who's going to be influenced by my comments?" he said.

"I'm pretty happy with today's outcome.

"I think it's unfortunate that a matter of this nature is taking out two weeks of court time. I think this sort of litigation should not be encouraged."

Cr Pyne said he planned to call cybercrime consultant Petros Kholesirad in his defence but it was not clear if he

would be accepted by the court as an expert witness.

"This is a technical process to go through there," he said.

According to court documents, defence of the defamation allegation will centre on Facebook algorithm sharing rules within Facebook groups, Google searches, online "grapevinning" and tagging within Facebook posts.

A finding against him could leave Cr Pyne bankrupt and, therefore, unable to hold his job under the Local Government Act and a division by-election would have to be called.