

# Defamation and Other Legislation Amendment Bill 2025

Amendments during consideration in detail to be moved by  
The Honourable the Attorney-General and Minister for Justice and Minister  
for Integrity

## 1 After clause 20

Page 25, after line 23—

*insert—*

### **20A Amendment of s 678D (Fresh and compelling evidence—meaning)**

(1) Section 678D—

*insert—*

(2A) For subsection (2)(b), a police officer or prosecutor is taken not to have failed to exercise reasonable diligence merely because the police officer or prosecutor relied on advice or forensic services provided by—

(a) Forensic Science Queensland under the *Forensic Science Queensland Act 2024*; or

(b) the part of Queensland Health that was known as Forensic and Scientific Services before the commencement of the *Forensic Science Queensland Act 2024*.

(2) Section 678D—

*insert—*

(5) In this section—

***forensic services*** means any type of testing and analysis or scientific interpretation.

***Queensland Health*** means the department administering the *Hospital and Health Boards Act 2011*.

- (3) Section 678D(2A) to (5)—  
*renumber* as section 678D(3) to (6).

**2 Clause 21 (Insertion of new pt 9, ch 113)**

Page 26, line 1, ‘provision’—

*omit, insert—*

**provisions**

**3 Clause 21 (Insertion of new pt 9, ch 113)**

Page 26, after line 18—

*insert—*

**769 Application of new section 678D**

- (1) New section 678D applies, and is taken always to have applied, to evidence against a person to whom chapter 68 applies under section 678A.

- (2) In this section—

***new section 678D*** means section 678D as in force from the commencement.

**4 After clause 21**

Page 26, after line 18—

*insert—*

**Part 4                      Amendment of  
Evidence Act 1977**

**22 Act amended**

This part amends the *Evidence Act 1977*.

**23 Replacement of pt 7A, hdg (Admissibility of tendency evidence and coincidence evidence)**

Part 7A, heading—

*omit, insert—*

**Part 7A                      Coincidence  
evidence and  
tendency evidence**

**24 Insertion of new s 129ABA**

After section 129AB—

*insert—*

**129ABA Committal proceedings**

- (1) Coincidence evidence and tendency evidence may be adduced in a committal proceeding.
- (2) Sections 129AC to 129AK do not apply in relation to coincidence evidence or tendency evidence adduced or to be adduced in a committal proceeding.

**25 Insertion of new pt 9, div 19**

Part 9—

*insert—*

**Division 19                      Transitional provision  
for Defamation and  
Other Legislation  
Amendment Act 2025**

**183 Committal proceedings**

- (1) Section 129ABA, as inserted by the *Defamation and Other Legislation*

*Amendment Act 2025*, applies to a committal proceeding on or after the commencement only if an originating step in the proceeding was taken on or after 20 September 2025.

*Note—*

See also section 177.

(2) In this section—

***originating step***, for a committal proceeding, means—

- (a) the arrest of the defendant in the proceeding; or
- (b) the making of a complaint under the *Justices Act 1886*, section 42 in relation to the defendant in the proceeding; or
- (c) the serving of a notice to appear on the defendant in the proceeding under the *Police Powers and Responsibilities Act 2000*, section 382.

## 5 Long title

Long title, ‘and the *Defamation Act 2005*’—

*omit, insert—*

**, the *Defamation Act 2005* and the *Evidence Act 1977***

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