

## Executive Summary

On 14 October 2025, the Honourable Deborah (Deb) Frecklington, Attorney-General, Minister for Justice and Minister for Integrity, introduced the Defamation and Other Legislation Amendment Bill 2025 (Bill) to the Legislative Assembly. The Bill was referred to the Justice, Integrity and Community Safety Committee (committee) for detailed consideration.

The objectives of the Bill are to amend the *Defamation Act 2005* to implement changes that have been agreed to nationally. The amendments will aim to:

- provide a digital intermediary some limited protections from liability and a defence for third-party content
- allow for an offer to make amends including the removal of or restrictions of access to defamatory digital content
- enhance court powers so they can:
  - order intermediaries (even if not parties to a case) to remove or block defamatory content
  - require disclosure of the identity of anonymous posters, considering specific factors
- extend the defence of absolute privilege to officials of Australian police forces or services while they are acting in their official capacities
- allow the service of notices and other documents via email, messaging or other electronic communication to an electronic address or location indicated by the recipient, and
- include measures to manage the transition from the old to the new legal framework.

The committee received and considered the following evidence:

- 5 written submissions from stakeholders
- a written briefing provided by the Department on 21 October 2025
- a public briefing provided by the Department on 10 November 2025.

The committee is satisfied that the Bill gives sufficient regard to the rights and liberties of individuals and the institution of Parliament as required by the *Legislative Standards Act 1992*. The committee found that the Bill is compatible with human rights as defined in the *Human Rights Act 2019*.

The committee made one recommendation, found at page v of this report.