

DEFAMATION AND OTHER LEGISLATION AMENDMENT BILL 2025

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27 October 2025

Committee Secretary
Justice, Integrity and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

Via email: JICSC@parliament.qld.gov.au

Dear Committee Secretary

RE: Defamation and Other Legislation Amendment Bill 2025

The Crime and Corruption Commission (the CCC) appreciates the opportunity to make a submission to the Justice, Integrity and Community Safety Committee (the Committee) on the *Defamation and Other Legislation Amendment Bill 2025* (the Bill).

The Bill amends the *Defamation Act 2005* (the Act) to implement nationally agreed changes to the law of defamation following the review of the Model Defamation Provisions (MDP) by the Standing Council of Attorneys-General (SCAG).

The Bill will, amongst other reforms, extend the defence of absolute privilege contained within section 27 of the Act to publications of defamatory matter to officials of Australian police forces or services while they are acting in their official capacities.

During the review of the MDP, the SCAG agreed to a policy recommendation to extend the defence of absolute privilege to state and territory complaints-handling bodies, with such bodies to be determined by jurisdictions and listed in Schedule 1 of their respective defamation legislation.

This position was codified in section 27(2)(d) of the MDP which provides that each jurisdiction is to specify any other publications within its jurisdiction that should have the benefit of the defence of absolute privilege.

The SCAG issued a Guiding Principles paper¹ to assist states and territories when determining which complaints-handling bodies to list in their Schedule 1.

¹ Guiding Principles for Jurisdictions to Determine Whether to Extend Absolute Privilege to Matter Published to a Complaints-Handling Body.

The CCC was consulted during the SCAG review of the MDP. The CCC submitted its support for the SCAG policy recommendation and requested to be consulted when Queensland legislation to implement the nationally agreed changes was under consideration.

The CCC has not been consulted in relation to the Bill.

The Bill does not introduce a Schedule 1 to the Act. It does not extend the defence of absolute privilege to any complaints-handling bodies.

The CCC submits it should be included as a complaints-handling body to which the defence of absolute privilege applies.

The CCC is a statutory investigative body which receives and handles complaints about corrupt conduct. As required by the Guiding Principles, the CCC has sufficient safeguards to protect against the making of false and misleading reports and to ensure the integrity of the process for making and handling complaints.

Extending absolute privilege to matter published to the CCC will protect individuals who report corrupt conduct from defamation liability. This provides transparency and clarifies the defences available to persons who make complaints to the CCC.

While the CCC's governing legislation already provides a defence of absolute privilege against defamation for a publication to or by the CCC in the performance of its functions,² the CCC considers that inclusion within the Act as a complaints-handling body will further facilitate the reporting of wrongdoing in Queensland.

Should you have any questions about this submission or wish to discuss these matters further, please contact [REDACTED], Executive Director, Legal, Risk and Compliance on [REDACTED] or [REDACTED].

We confirm this submission is suitable for publication.

Yours sincerely

[REDACTED]

Bruce Barbour
Chairperson

² *Crime and Corruption Act 2001* s 335(6).