




Speech By
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DEFAMATION AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

 **Dr ROWAN** (Moggill—LNP) (12.47 pm): I rise to address the Defamation and Other Legislation Amendment Bill 2025. This legislation represents a timely and necessary update to Queensland's defamation framework. Our laws must keep pace with modern communication, particularly as so much of today's public discourse occurs in digital spaces that transcend electorates, states and even national borders. This legislation implements the agreed national reforms endorsed by the Standing Council of Attorneys-General—reforms that reflect careful review, broad consultation and a clear recognition that consistency across jurisdictions is essential to prevent so-called forum shopping and to provide certainty to both publishers and individuals.

Importantly, this legislation strikes an appropriate balance. It preserves longstanding protections for freedom of expression and for responsible public commentary whilst ensuring individuals have recourse when their reputation is harmed. It achieves this by recognising the genuine difference between those who actively publish defamatory content and those whose functions are merely technical or facilitative in nature. For example, a conduit or caching service, whether provided by a telecommunications service provider or a cloud-based platform, is not in the business of content creation; nor is a search engine that simply indexes material through an automated system. It is appropriate that services of that kind are exempt when they have no meaningful role in the publication of a defamatory matter. Equally, it is appropriate that digital intermediaries such as social media platforms and digital page hosts are required to maintain an accessible complaints mechanism, and once notified of potentially defamatory content they must take reasonable steps to remove or restrict access within seven days.

This is a fair, clear and balanced approach. It provides an incentive for the responsible administration of digital forums, without curtailing legitimate engagement or debate. It also modernises related aspects of the law by allowing offers to make amends to include the removal of content by enabling courts to make orders relating to unknown posters, and by ensuring service of documents can occur through contemporary electronic means. The extension of absolute privilege to police acting in their official capacity is likewise sensible and overdue. These reforms are not theoretical. They respond to very real challenges that communities, individuals and governments confront daily.

Many of us have seen within our own communities examples of how poor administration of digital forums can foster misinformation, disinformation and content that is, at times, blatantly defamatory. The 4070 & 4069 Action Group page on Facebook is one such example where administrators routinely allow material that has no factual basis, and in some instances can be defamatory, to be amplified and spread. This is not harmless chatter. The content is often inflammatory, designed to provoke conflict and has the potential to cause genuine social harm. There is also a direct linkage between the approach undertaken by the administrators of this page to foster and incite conflict and social and community harms and unrest which, undoubtedly, by setting poor standards of behaviour, can inevitably lead to mental health harms for children and adolescents for future generations.

It is also concerning when content on this page is manipulated for political purposes, including to advance a Labor Greens narrative that bears little resemblance to the lived experiences or values of local residents. In fact, some of the contributions, including by the editor of the *Local Bulletin* magazine, are poorly constructed, lack basic factual grounding and seek only to divide the community. Some contributions are so lacking that local residents often call it out as puerile, facile or simply juvenile. Content can also stray into defamatory territory, although this is unsurprising given the increasing irrelevance of the publication's broader contributions to civic and civil debate.

This legislation will not stop people from expressing views, and nor should it, but it will require those who host digital spaces to meet minimum standards of responsibility and to act promptly when content crosses the line. It reinforces that while public debate is welcome it must not come at the expense of a person's reputation or wellbeing. This legislation reflects sound policy, national consistency and a pragmatic response to modern communication. It strengthens protection for individuals, encourages responsible digital behaviour and reinforces confidence in the law. I commend the bill to the House.