



Speech By  
**Martin Hunt**

**MEMBER FOR NICKLIN**

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Record of Proceedings, 11 December 2025

**DEFAMATION AND OTHER LEGISLATION AMENDMENT BILL**

**Second Reading**

**Mr HUNT** (Nicklin—LNP) (12.05 pm): I rise to speak on the Defamation and Other Legislation Amendment Bill 2025. As chair of the Justice, Integrity and Community Safety Committee, which examined the bill, I indicate that the committee made one recommendation: that the bill be passed. The committee undertook a detailed inquiry into this bill, considered five written submissions and received a departmental briefing on 10 November 2025.

This bill represents a significant and necessary step in modernising Queensland's defamation laws. It ensures that our legislation remains consistent with the nationally agreed Model Defamation Provisions and, crucially, that it keeps pace with the realities of communication in the digital age. When the original Defamation Act 2005 was enacted, its primary purpose was to implement nationally consistent laws, reducing forum shopping and ensuring that publications occurring across state boundaries were subject to uniform legal treatment. At that time, social media was barely emerging, search engines operated in fundamentally different ways, online community forums were small and relatively localised, and the concept of global platforms hosting user-generated content at scale had not yet transformed public conversation. Today, the situation could not be more different. Digital platforms have become central to how people communicate, how they share information and how they express ideas. They have also become places where reputations can be unfairly damaged within moments.

Existing defamation laws, drafted for a different era, have struggled to adapt to the complexity and speed of modern communication. The Standing Council of Attorneys-General recognised this challenge and initiated a national stage 2 review to assess the suitability of the Model Defamation Provisions in relation to digital platforms as well as the role of absolute privilege. The outcome of that review was the endorsement of the Model Defamation Amendment (Digital Intermediaries) Provisions 2023 and the Model Defamation Amendment (Absolute Privilege) Provisions 2023. It is these nationally consistent reforms that the bill before us now implements for Queensland.

During the departmental briefing I asked about national implementation timelines. Mr Leighton Kraa advised that all jurisdictions except Western Australia and Queensland had met the agreed target of enacting reforms by 1 July 2024. Again, we are here to pick up the slack left by the Labor Party, who could not get it done during their decade of decline, but we are happy to help.

This bill introduces modern definitions and a structured approach to determine when a person is considered a digital intermediary in the publication of digital matter. These definitions are central to the operation of the reforms. They recognise that in the online environment not all involvement in the transmission of content amounts to an act of publication. Some services merely act as technical conduits, caches or storage providers without any knowledge or control over what passes through their systems. The bill, therefore, provides statutory exemptions for intermediaries whose role is passive and technical. This includes cellular communication carriers, email service providers, cloud storage services and others who simply facilitate communication infrastructure. Similarly, search engine providers,

whose automated systems generate links to third-party material, will also be exempt. This is an essential correction. Without it, passive digital infrastructure providers could be unfairly burdened with liability for material they neither created nor meaningfully controlled.

Secondly, the bill introduces a tailored defence for digital intermediaries that host user generated content. These platforms, such as social media services, online community pages, discussion boards or websites that allow comments, do not fall within the passive exemption. They provide a space for public conversation and therefore have a more direct relationship with what happens on their services. Under the bill, such intermediaries will have a defence if they maintain an accessible complaints mechanism and take reasonable steps to remove or restrict access to defamatory content within seven days of receiving a complaint. This is a balanced and sensible approach.

Thirdly, the bill amends the criminal defamation offence under the Criminal Code, ensuring that the new exemptions and defences operate consistently across both civil and criminal law.

Fourthly, the bill modernises the offer to make amends process, allowing it to include steps to remove or block access to defamatory digital content.

Another significant reform is the extension of absolute privilege to communications made to Australian police forces acting in their official capacities. This promotes the reporting of suspected crime and misconduct without fear of defamation liability. The committee supports this reform as a necessary measure to uphold the integrity of our justice system and encourage public cooperation with law enforcement. The Defamation and Other Legislation Amendment Bill brings Queensland's defamation laws into alignment with national reforms and ensures they remain contemporary, fair and effective. I commend the bill to the House.