



Speech By
Melissa McMahon

MEMBER FOR MACALISTER

Record of Proceedings, 11 December 2025

DEFAMATION AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Ms McMAHON (Macalister—ALP) (12.20 pm): I rise to make my contribution to the Defamation and Other Legislation Amendment Bill. As many contributors have already raised today, the principles that this bill puts in place follow the nationwide Model Defamation Provisions. I want to clarify that these amendments do not make any changes to what is considered defamation or how defamation provisions generally work; however, they do extend some protection to digital intermediaries. It means that people who organise or run search engines or caching services will not necessarily be liable for defamation that may be found on websites they are involved in. To make this contribution more relevant to the general Queensland population, most people will probably have dealings with this bill in relation to their role as digital intermediaries when they are administrators of social media platform groups.

Many members of parliament are members of various different community Facebook groups. Certainly, a very important part of the role of an MP is to keep check on a lot of the hot topics that are happening in our communities. Those community Facebook groups do a really good job of bringing community together for the most part, but I think we have all seen examples where posts and comments can cause division within the community. Some people behind their keyboards—without having directly attributable comments—can and do tend to make some comments which fall under the definition of defamatory. This bill seeks to assist in relation to people who administer that particular page.

Currently, where a defamatory comment is left on a community page, the administrator—if that comment is left up—might find themselves playing a role in a defamation case against them which names them personally. It has been irrelevant whether that Facebook administrator knew that the post was even there or was defamatory. This particular amendment provides a defence for a Facebook page administrator to be absolved of that defamation as long as, upon receiving information that that post is considered defamatory, it is removed within seven days.

This is a straightforward and logical process; however, I caution members of the Facebook community to check what groups they are an administrator for. Those who have been on Facebook for more than 10 to 15 years may have started a group some time ago that they have completely forgotten about. They may not be monitoring it. Their email address has probably changed so they might not be getting notifications. I urge those who are on Facebook to check what groups they might be administrators for. If they are not actively monitoring that page and if they are not making themselves available to people—either by not having an updated email address or not monitoring it; they have decided to go off Facebook—then they need to check to make sure they are no longer administrators because one day, if they have not removed themselves and they are not actively monitoring those comments and removing them as requested, they might find themselves subject to a defamation case.

While the provision is for active community pages—we know that our administrators generally do a really good job—for those older community groups, those pages that are no longer active and that may have had more open joining privileges, people should check to make sure they are removed as an

administrator lest they find themselves subject to a civil defamation case. Whilst I absolutely endorse the amendments to ensure our administrators are protected, I think some of the real-life realities of the digital footprints we had when we were probably a bit younger need to be acknowledged. Again, I urge all community group page administrators to make sure that, unless they are going to be monitoring and taking that administrator role actively, they consider whether they want to stay administrators. That is not to say that these community Facebook groups should be limited or removed—again, I thank all those administrators who take on that role on the various community pages in my community; all those lost dogs that are found, all the moving boxes that are shared—but people should make sure they are actively involved or else remove themselves. There are other provisions within this bill that I understand are being supported by the opposition, and I commend the bill to the House.