



Speech By **Nigel Dalton**

MEMBER FOR MACKAY

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DEFAMATION AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

 **Mr DALTON** (Mackay—LNP) (4.46 pm): How do I follow that? I rise to support the Defamation and Other Legislation Amendment Bill 2025, which brings consistency, fairness and modernisation to Queensland defamation laws. I want to thank the committee; some of my ex-colleagues are on that committee and I think they did a fantastic job. The members for Nicklin and Mundingburra recognised the need for better protection when dealing with social media. The member for Lockyer might not have been in the service to deal with Facebook messages—maybe I am aging him a little bit there.

Why does this reform matter? It aligns Queensland with the nationally agreed uniform defamation laws. That is a pretty good move. It provides clarity for individuals, businesses and courts across jurisdictions and reflects the realities of online communication, especially in communities like Mackay, where digital platforms are part of our daily life, but where is the debate? I am sad. A year ago I came into this House and it was buzzing with information and debate, yet when we come to an important piece of legislation it appears the debate is lacklustre.

We all know that digital addiction is a major issue. We see it in our young people, we see it in our families and we see it in older people, but we are not talking about it in this place where we can make a difference.

Mr McDonald: It can be so hurtful.

Mr DALTON: It can be very hurtful, extremely hurtful. I take that interjection.

Mrs Poole: You would have given some presentations.

Mr DALTON: I have done lots of presentations on cyber safety and digital addiction and this is something which will be able to assist the colleagues I have left behind in the service in doing more work.

With regard to the key reforms, there are clear exemptions for intermediaries, so it protects internet providers, email hosts and cloud services when acting only as conduits or caching or storage services. The bill exempts search engines for automatic search results in that a link is not an endorsement and reduces unnecessary legal risk for a small business relying on visibility. With regard to visibility, rural parts of Queensland need to use the internet to get messages out about small businesses, their sales, information about their products and we do not want them to have to worry about defamation if somebody jumps on their site.

Another reform is a new defence for digital administrators. These are the people in our communities running the Neighbourhood Watch and crime watch pages that are protecting our community by giving us information. For example, pages such as these tell us about a crash along Mackay-Bucasia Road that is going to slow people up getting to or from work. This legislation protects the administrators of these community Facebook groups and forums when third parties post defamatory material, provided—a great number of them are all volunteers—they have an accessible complaints

process and take reasonable steps within seven days to remove or restrict access after a complaint. That seems like a fairly reasonable amount of time—seven days. This is important for Mackay volunteers who run those pages. Courts may consider privacy, safety and public interest when identifying anonymous posters.

Mrs Frecklington interjected.

Mr DALTON: I take that interjection.

Mrs Frecklington: No, don't.

Mr DALTON: I will not then. Courts may order digital intermediaries, including platforms, to remove or restrict defamatory content. Legal documents can be served electronically, reflecting modern communication. Who would have thought? Absolute privilege has been extended and covers defamatory statements made to police officers acting in their official capacity. My former colleague who has taken my position, Sergeant Steve Smith, will be very pleased about that because he runs a Facebook page within—

Mr Stevens: Isn't he a cricketer? He's a cricketer.

Mr DALTON: He is a cricketer, but I am referring to the other one.

Government members interjected.

Mr DALTON: No, his knees are not ready for cricket. This privilege encourages community members to report wrongdoing without fear of defamation claims and supports public safety and crime reporting in regional areas. The Criminal Code amendments ensure new exemptions and defences also apply as lawful excuses in criminal defamation matters and maintain consistency across civil and criminal law.

In concluding, because I know that other members on this side of the House want to talk about this bill, this bill delivers fairness, clarity and modern tools for the modern digital age. It supports volunteers and small businesses, strengthens protections for victims and keeps Queensland aligned with national reforms. I commend this bill to the House.