



Mark Speakman
Attorney General

MEDIA RELEASE

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NATIONAL DEFAMATION REFORM FOR SEARCH ENGINES AND SOCIAL MEDIA OPENS FOR COMMENT

Australians are invited to have their say on new proposals released today to modernise national defamation law for search engines and social media sites.

NSW Attorney General Mark Speakman said the reforms, led by NSW, focus on the extent to which internet intermediaries should be liable for reputation-damaging material published by third party users online.

In Melbourne today, the Meeting of Attorneys-General agreed to release the exposure draft amendments for national public consultation.

“Technology has advanced in leaps and bounds since Australia’s uniform defamation laws were drafted 18 years ago,” Mr Speakman said.

“Almost anyone can post their views on a wide range of platforms at the touch of a screen or a button.

“The real question is when search engines like Google, social media platforms like Meta and a whole range of other internet intermediaries should be liable for content posted by users.

“In considering this reform, it is critical that we balance protecting free speech with the right of individuals to seek redress in appropriate circumstances for harm caused to their reputation.”

Australia has had uniform defamation provisions since 2005, recognising the need for consistent defamation law across Australia.

Attorneys-General have since acknowledged the need for further reforms to modernise and focus on the responsibilities and liability of digital platforms for defamatory content published online, and other emerging issues in defamation law.

The proposed amendments to the uniform laws released today follow a Discussion Paper in April 2021.

This Discussion Paper received almost 50 written submissions in response from stakeholders which included the legal profession, academics, technology and media companies, community legal services organisations and peak bodies.

Three stakeholder roundtables were held in September and October 2021 to discuss the issues which have informed the development of the exposure draft amendments.

Written submissions on the exposure draft amendments can be made [here](#).

Submissions close on Friday 9 September 2022.

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