

AUSTRALIA'S MODEL DEFAMATION PROVISIONS

REFORMS SINCE 2021



The Innocent Dissemination Defence

Previously, cases like *Voller* and *Defteros* applied the innocent dissemination defence to platforms like Google, but new reforms provide specific protections for internet intermediaries who have complaint mechanisms in place.

New Internet Intermediaries Defence

The stage two reforms offer protection for internet intermediaries like social media platforms if they establish a complaint mechanism and promptly remove defamatory content within seven days of a complaint.



Serious Harm Threshold

The "serious harm" requirement ensures only substantial defamation claims proceed. Individuals must show significant reputational harm, while businesses must prove serious financial loss caused by the publication.

New Public Interest Defence

This defence protects publications that serve the public interest, provided authors reasonably believed the content was in the public interest. It encourages accountability while supporting responsible journalism.



New Qualified Privilege Defence

Qualified privilege allows publishing information to a limited audience with a legitimate interest, such as private groups on Facebook.

