

SOCIAL MEDIA — FREE SPEECH

856. Hon SOPHIA MOERMOND to the parliamentary secretary representing the Attorney General:

Recent Australian legal decisions can now see individuals, as well as businesses or corporations, held liable for the comments of others on social media platforms such as the all-powerful Facebook, or whatever it is rebranding itself as this week. This is cause for great concern amongst those of us who wish to protect free speech. Can the Attorney General please explain how this government plans to empower ordinary citizens to protect themselves in light of this new threat against free speech, and has the government taken into consideration how recent legal changes in this area might be used to target individuals?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. I provide the following response on behalf of the Attorney General.

The question of internet intermediary liability in defamation for the publication of third-party content is a topic currently under review by the Model Defamation Law Working Party, which reports to all Attorneys General Australia-wide. It forms part of the stage 2 review of model defamation law reforms. Defamation laws Australia-wide are based on model provisions agreed by the Council of Attorneys-General. The working party issued a discussion paper in March this year as part of the stage 2 review and will report to all Attorneys General in due course. Any legal advice received by ministers is subject to legal professional privilege and is therefore not disclosed.