

Event Report: Defamation on Digital Platforms

In eager anticipation of the recommendations of the Defamation Working Party in relation to 'Stage 2' of the Defamation Law Reforms, CAMLA gathered together a panel of some of Australia's pre-eminent defamation experts for a lively discussion on defamation on digital platforms.

The panel, skilfully moderated by Marlia Saunders (Thomson Geer) and Jake Blundell (Bank Haddock Fiora), included David Rolph (University of Sydney), Sue Chrysanthou (153 Phillip Barristers), Matthew Lewis (Level 22 Chambers), and Andrew Stewart (Baker McKenzie).

Audience members both in person at Thomson Geer in Sydney and watching via live-stream were treated to a lively debate and various perspectives on the subject, although there were some areas of consensus. The panellists discussed that the *Social Media (Anti-Trolling) Bill*, described as a confusing effort by the Commonwealth to intervene on a single facet of defamation law, is likely behind us following the recent election result. The panel also discussed issues

left unresolved post-Voller, noting that the interaction of defamation on digital platforms with other areas of law and existing complaints mechanisms will require an integrated and holistic approach to addressing online harms.

Turning to what other approaches might be worth exploring, the panel discussed various approaches adopted overseas, noting that the solutions under consideration in Australia in 2022 were introduced nearly 10 years ago in the United Kingdom. They also explored some innovative possible solutions, such as a new form of an innocent dissemination defence available to digital platforms, and a process similar to site blocking orders available against ISPs, whereby a complainant could apply for a court order for content removal, to be heard by a judge in a specialist list.

CAMLA thanks the panellists for an engaging and thought-provoking evening, and our hosts Thomson Geer for supporting a wonderful event.

