

LEGISLATIVE COUNCIL

JUSTICE LEGISLATION AMENDMENT (INTEGRITY, DEFAMATION AND
OTHER MATTERS) BILL 2024

(Amendments to be proposed in Committee by DAVID LIMBRICK)

1. Clause 7, page 8, line 25, omit "data; or" and insert "data."
2. Clause 7, page 8, lines 26 and 27, omit all words and expressions on these lines.
3. Clause 7, page 9, lines 9 to 16, omit all words and expressions on these lines and insert—
 - (5) A Court Chief Executive Officer may refuse to give the Chief Statistician a copy of applicable court data required by the Chief Statistician if the Court Chief Executive Officer considers that giving a copy of that data would, or would reasonably be likely to—
 - (a) prejudice the fair trial of a person or the impartial adjudication of a particular case or disclose data that is of such a nature that it would be privileged from production in legal proceedings on the ground of legal professional privilege or client legal privilege; or
 - (b) disclose, or enable a person to ascertain, the identity of a confidential source of information in relation to the enforcement or administration of the law; or
 - (c) endanger the lives or physical safety of persons engaged in or in connection with law enforcement or persons who have provided confidential information in relation to the enforcement or administration of the law; or
 - (d) be incompatible with the rights of any person under the Charter of Human Rights and Responsibilities.
 - (6) Any data provided by the Court Chief Executive Officer to the Chief Statistician under this section is taken to be crime statistics data for the purposes of standards issued, amended or reissued by the Information Commissioner under section 92 of the **Privacy and Data Protection Act 2014**.".'
4. Clause 14, page 13, lines 9 to 22, omit all words and expressions on these lines and insert—

"online service means a website, application or other scalable technology that allows a user to create, share, or publish content online or participate in social networking via means of a conduit service;"
5. Clause 18, lines 18 to 25, omit all words and expressions on these lines and insert—

"(c) if the plaintiff gave the defendant a written complaint under this section about the publication—

(i) the defendant provided a response to the plaintiff giving reasonable grounds for the defendant's belief that the publication is not defamatory; or

(ii) reasonable access prevention steps, if steps were available, were taken in relation to the publication—

whether before the complaint was given or within 7 days after the complaint was given."

6. Clause 18, line 32, omit "after "(1)(c)" insert "(ii)".
7. Clause 18, page 22, line 19, after "plaintiff" insert "reasonably".