

News sites are liable for defamatory Facebook comments, rules Australia's High Court | The Verge

By James Vincent

September 8, 2021

Media companies in Australia can be held responsible for defamatory comments left on their social media pages by members of the public, the country's High Court has ruled.

The decision is part of a long-running defamation case that could have huge consequences for Australia's media industry, forcing news sites to strictly moderate or remove comments on stories shared on Facebook, Twitter, and elsewhere. Writing in *The Conversation*, David Rolph, a professor of law at the University of Sydney, said the ruling "may mean anyone who runs a social media page can theoretically be sued over disparaging comments posted by readers or random group members — even if you aren't aware of the comment."

The ruling (which can be read in full [here](#)) is part of a defamation lawsuit brought against a number of outlets, including *The Australian* and *Sky News*, by Australia's Dylan Voller. Shocking photographs of Voller being restrained at a youth detention center went viral in 2016 and led to an inquest into the conditions at such centers. Many news outlets covered the story and shared their articles on Facebook. In 2017, Voller sued three of these companies, arguing that comments left on their Facebook pages in reaction to these stories were defamatory, and that, by inviting these comments, the news outlets were legally their publishers.

[...]

Source: [News sites are liable for defamatory Facebook comments, rules Australia's High Court | The Verge](#)