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File Title: CHARLOTTE MACINNES v REBEL WILSON
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



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Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

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No. NSD 1727/2025

Federal Court of Australia
District Registry: New South Wales
Division: General

CHARLOTTE MACINNES

Applicant

REBEL WILSON

Respondent

AGREED ISSUES FOR DETERMINATION

A. DEFAMATION

APPLICABLE LAW (SOC [23]; D [23])

1. Is the substantive law applicable to Ms MacInnes' claims the law of Western Australia or the law of New South Wales?

MEANING

23 September 2024 Post (SOC [5]; D [5])

2. Has Ms MacInnes established that the 23 September 2024 Post carried any of imputations SOC [5.1]-[5.5] or any imputations that do not differ in substance?
 - (a) MacInnes lied by denying that she had made a complaint to Wilson about sexual harassment or other unacceptable behaviour by a producer of the film *The Deb* that made her feel uncomfortable (SOC [5.1]).
 - (b) MacInnes falsely changed her story that a producer of the film *The Deb* had made her feel uncomfortable by asking her to have a bath and a shower with her (SOC [5.2]).
 - (c) MacInnes falsely changed her story that a producer of the film *The Deb* had engaged in unacceptable behaviour toward her that made her feel uncomfortable during the making of the film *The Deb* in return for being employed by the producer in the lead role of the production called GATSBY and given a record label (SOC [5.3]).

- (d) MacInnes was paid off by a producer of the film *The Deb* to lie about a complaint she had made to Wilson about inappropriate behaviour by that producer during the making of the film *The Deb* (SOC [5.4]).
 - (e) MacInnes was a sell-out, in that she falsely denied being a victim of sexual harassment in exchange for a lead role in a production and a record label (SOC [5.5]).
2. Has Ms MacInnes established that any of imputations SOC [5.1] and [5.2] are defamatory if carried?

16 May 2025 Post (SOC [8]; D [8])

3. Has Ms MacInnes established that the 16 May 2025 Post carried any of imputations SOC [8.1]-[8.3] or any imputations that do not differ in substance?
- (a) MacInnes lied and supported people blocking the release of the film *The Deb* in exchange for a record deal, at the expense of the 300 people who worked on *The Deb* (SOC [8.1]).
 - (b) MacInnes preferred her own interests to the interests of the people who worked on the film *The Deb* by accepting a record deal from the producers and supporting them in blocking the release of the film *The Deb* (SOC [8.2]).
 - (c) MacInnes prevented the release of the film *The Deb* through her lies and support for the people blocking the film's release (SOC [8.3]).

Further May 2025 Post (SOC [11]; D [11])

4. Has Ms MacInnes established that the Further May Post carried any of imputations SOC [11.1]-[11.5] or any imputations that do not differ in substance?
- (a) MacInnes lied by denying that she had made a complaint to Wilson about sexual harassment made to her by a producer of the film *The Deb* (SOC [11.1]).
 - (b) MacInnes falsely changed her story that a producer of the film *The Deb* had sexually harassed her during the making of the film *The Deb* (SOC [11.2]).
 - (c) MacInnes falsely changed her story that a producer of the film *The Deb* had sexually harassed her during the making of the film *The Deb* in return for being employed by the producer in the lead role of the production called GATSBY and given a record label (SOC [11.3]).

- (d) MacInnes was paid off by a producer of the film *The Deb* to lie about a complaint she had made to Wilson that she had been sexually harassed by the producer during the making of the film *The Deb* (SOC [11.4]).
 - (e) MacInnes, as the lead actress of the film *The Deb*, conducted herself unprofessionally by engaging in an inappropriate relationship with one of the producers of the film and procuring special benefits not available to other cast members (SOC [11.5]).
5. Has Ms MacInnes established that any of imputations SOC [11.1]-[11.5] are defamatory if carried?

25 July 2025 Post (SOC [15]; D [15])

6. Has Ms MacInnes established that the 25 July 2025 Post carried any of imputations SOC [15.1]-[15.6] or any imputations that do not differ in substance:
- (a) MacInnes lied by denying that she had made a complaint to Wilson about dodgy conduct towards her by a producer of the film *The Deb* (SOC [15.1]).
 - (b) MacInnes falsely changed her story that a producer of the film *The Deb* had sexually harassed her during the making of the film *The Deb* (SOC [15.2]).
 - (c) MacInnes falsely changed her story that a producer of the film *The Deb* had sexually harassed her during the making of the film *The Deb* in return for being employed by the producer in the lead role of the production called GATSBY and given a record label (SOC [15.3]).
 - (d) MacInnes was paid off by a producer of the film *The Deb* to lie about a complaint she had made to Wilson that she had been sexually harassed by the producer during the making of the film *The Deb* (SOC [15.4]).
 - (e) MacInnes lied to support the financiers of the film *The Deb* in blocking the release of the film *The Deb* (SOC [15.5]).
 - (f) MacInnes lied by denying she had complained to Wilson, who is known by everyone as a ‘truth teller’ about inappropriate behaviour to her by a producer during the making of the film *The Deb*, which was sexual harassment and in breach of a safe and inclusive workplace for the film (SOC [15.6]).

7. Has Ms MacInnes established that any of imputations SOC [15.1], [15.2] or [15.6] are defamatory if carried?

SERIOUS HARM TO REPUTATION (SOC [25]-[28]; D [25]-[28])

8. If the law of New South Wales is the applicable substantive law, has Ms MacInnes established in respect of each matter that the publication of that matter has caused, or was likely to cause, serious harm to her reputation?

DEFENCE OF JUSTIFICATION (D [33])

9. In respect of each matter, has Ms Wilson established that each of the imputations found to have been conveyed and defamatory of Ms MacInnes is substantially true?

DEFENCE OF COMMON LAW QUALIFIED PRIVILEGE (REPLY TO ATTACK) (D [34]-[35])

10. In relation to the 23 September 2024 Post:

- (a) Has Ms Wilson established a relevant attack giving rise to an occasion of privilege?
- (b) Has Ms Wilson established that the 23 September 2024 Post was relevant and proportionate to any such attack made on her?
- (c) Has Ms MacInnes established that any defence of qualified privilege is defeated because the publication of the 23 September 2024 Post was predominantly motivated by an improper purpose?

11. In relation to the 25 July 2025 Post:

- (a) Has Ms Wilson established a relevant attack giving rise to an occasion of privilege?
- (b) Has Ms Wilson established that the 25 July 2025 Post was relevant and proportionate to any such attack?
- (c) Has Ms MacInnes established that any defence of qualified privilege is defeated because the publication of the 25 July 2025 Post was predominantly motivated by an improper purpose?

B. BREACH OF CONFIDENCE (SOC [29] D [29])

12. To the extent that Ms Wilson establishes that Ms MacInnes made a complaint against Ms Ghost to Ms Wilson during the production of *The Deb*, has Ms MacInnes established that:
- (a) the information provided by Ms MacInnes in any such complaint, and the fact that any such complaint had been made, had the necessary quality of confidence?
 - (b) the information was imparted in circumstances of confidence giving rise to an obligation of confidence on the part of Ms Wilson?
 - (c) there was an unauthorised use or disclosure of the information, and the fact that the complaint was made, to the detriment of Ms MacInnes?

C. REMEDIES

13. Has Ms MacInnes established an entitlement to an award of general damages against Ms Wilson, and if so, in what amount (including having regard to any question of mitigation or reduction by reason of the truth (whether substantial or partial) of any of the imputations and/or any other matters relied upon by Ms Wilson in mitigation)?
14. Has Ms MacInnes established an entitlement to an award of aggravated damages against Ms Wilson, and if so, in what amount?
15. Whether equitable compensation for breach of confidence should be awarded.
16. Whether injunctive relief against Ms Wilson should be ordered, and if so, in what form?

D. COSTS

17. Whether costs of the proceedings should be awarded, to whom and on what basis.