



COMMONWEALTH OF AUSTRALIA

Proof Committee Hansard

SENATE

ENVIRONMENT AND COMMUNICATIONS LEGISLATION COMMITTEE

Estimates

(Public)

THURSDAY, 28 MAY 2026

CANBERRA

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ENVIRONMENT AND COMMUNICATIONS LEGISLATION COMMITTEE

Thursday, 28 May 2026

Members in attendance: Senators Ananda-Rajah, Faruqi, Ghosh, Henderson, McKenzie, Roberts, Shoebridge, Dean Smith, Tyrrell, Walker, Whish-Wilson and Whitten

INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT, COMMUNICATIONS, SPORT AND THE ARTS PORTFOLIO

In Attendance

Senator Green, Assistant Minister for Northern Australia, Assistant Minister for Pacific Island Affairs, Assistant Minister for Tourism,

Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts Executive

Mr Jim Betts, Secretary

Mr David Mackay, Deputy Secretary, Communications and Media Group

Dr Stephen Arnott PSM, Deputy Secretary, Creative Economy and the Arts Group

Ms Lisa Rauter, Acting Deputy Secretary, Sport, Territories and Regions Group

Corporate

Finance, Strategy, Budget and Research

Mr Mike Hogben, Assistant Secretary, Budget Engagement and Strategy Branch

Ms Lulu Ou, Acting Assistant Secretary, Bureau of Infrastructure and Transport Research Economics and Bureau of Communications, Arts and Regional Research

Outcome 6

Office for the Arts

Mr Phil Smith, First Assistant Secretary

Mr Jake Budd, Assistant Secretary, First Nations Policy Branch

Ms Marie Gunnell, Assistant Secretary, National Cultural Policy and Program Support Branch

Mr Jesse Fatnowna, Assistant Secretary, Creative Industries Branch

Ms Alison Todd, Assistant Secretary, Arts Development and Investment Branch

Ms Emma Shadbolt, Acting Assistant Secretary, Collections and Cultural Heritage Branch

Outcome 7

Office for Sport

Mr Travis Haslam PSM, First Assistant Secretary

Ms Carolyn Paterson, Assistant Secretary, Major Events Branch

Mr Greg Perrett, Assistant Secretary, Policy and Programs Branch

Portfolio Agencies

Australian Broadcasting Corporation

Mr Hugh Marks, Managing Director

Ms Melanie Kleyn, Chief Operating Officer

Mr Gavin Fang, Editorial Director

Australian Sports Commission

Mr Kieren Perkins OAM, Chief Executive Officer

Mrs Brooke De Landre, Chief of Staff

Dr David Hughes AM, Chief Medical Officer

Creative Australia

Mr Adrian Collette, Chief Executive Officer

Mrs Nicola Grayson, Head, Public Affairs

Mr Tim Blackwell, Executive Director, Corporate Resources

National Archives of Australia

Mr Simon Froude, Director-General

Ms Gill Savage, Deputy Director-General and Chief Operating Officer

National Gallery of Australia

Dr Nick Mitzevich, Director

Screen Australia

Ms Deirdre Brennan, Chief Executive Officer

Ms Grainne Brunsdon, Chief Operating Officer

Ms Irene McMonnies, General Counsel

Mr Mark Reid, Chief Financial Officer

Special Broadcasting Service

Ms Jane Palfreyman, Managing Director

Ms Nitsa Niarchos, Chief Financial Officer

Ms Clare O'Neil, Director, Corporate Affairs

Ms Mandi Wicks, Director, News and Current Affairs

Committee met at 09:00

CHAIR (Senator Ghosh): I declare open this hearing of the Environment and Communications Legislation Committee into the 2026-27 budget estimates. I begin by acknowledging the traditional custodians of the land on which we meet and pay our respects to elders past, present and emerging.

The committee has fixed Friday 17 July 2026 as the date for the return of answers to questions taken on notice. The committee's proceedings today will begin with the Australian Broadcasting Corporation. Under standing order 26, the committee must take all evidence in public session. This includes answers to questions on notice. I remind all witnesses that in giving evidence to the committee they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee, and such action may be treated by the Senate as a contempt. It is also a contempt to give false or misleading evidence.

The Senate has endorsed the following test of relevance of questions at estimates hearings. Any questions going to the operations or financial positions of the departments and agencies which are seeking funds in estimates are relevant questions for the purposes of estimates hearings. I remind officers that the Senate has resolved that there are no areas in connection with the expenditure of public funds where any person has a discretion to withhold details or explanations from the parliament or its committees unless the parliament has expressly provided otherwise. The Senate has resolved also that an officer of a department of the Commonwealth shall not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions asked of the officer to superior officers or to a minister. This resolution does not preclude questions asking for explanations of policies or factual questions about when and how policies were adopted. Witnesses are reminded of the Senate order specifying the process by which a claim of public interest immunity should be raised. I incorporate the public interest immunity statement into *Hansard*.

The extract read as follows—

Public interest immunity claims

That the Senate—

(a) notes that ministers and officers have continued to refuse to provide information to Senate committees without properly raising claims of public interest immunity as required by past resolutions of the Senate;

(b) reaffirms the principles of past resolutions of the Senate by this order, to provide ministers and officers with guidance as to the proper process for raising public interest immunity claims and to consolidate those past resolutions of the Senate;

(c) orders that the following operate as an order of continuing effect:

(1) If:

(a) a Senate committee, or a senator in the course of proceedings of a committee, requests information or a document from a Commonwealth department or agency; and

(b) an officer of the department or agency to whom the request is directed believes that it may not be in the public interest to disclose the information or document to the committee, the officer shall state to the committee the ground on which the officer believes that it may not be in the public interest to disclose the information or document to the committee, and specify the harm to the public interest that could result from the disclosure of the information or document.

(2) If, after receiving the officer's statement under paragraph (1), the committee or the senator requests the officer to refer the question of the disclosure of the information or document to a responsible minister, the officer shall refer that question to the minister.

(3) If a minister, on a reference by an officer under paragraph (2), concludes that it would not be in the public interest to disclose the information or document to the committee, the minister shall provide to the committee a statement of the ground

for that conclusion, specifying the harm to the public interest that could result from the disclosure of the information or document.

(4) A minister, in a statement under paragraph (3), shall indicate whether the harm to the public interest that could result from the disclosure of the information or document to the committee could result only from the publication of the information or document by the committee, or could result, equally or in part, from the disclosure of the information or document to the committee as in camera evidence.

(5) If, after considering a statement by a minister provided under paragraph (3), the committee concludes that the statement does not sufficiently justify the withholding of the information or document from the committee, the committee shall report the matter to the Senate.

(6) A decision by a committee not to report a matter to the Senate under paragraph (5) does not prevent a senator from raising the matter in the Senate in accordance with other procedures of the Senate.

(7) A statement that information or a document is not published, or is confidential, or consists of advice to, or internal deliberations of, government, in the absence of specification of the harm to the public interest that could result from the disclosure of the information or document, is not a statement that meets the requirements of paragraph (1) or (4).

(8) If a minister concludes that a statement under paragraph (3) should more appropriately be made by the head of an agency, by reason of the independence of that agency from ministerial direction or control, the minister shall inform the committee of that conclusion and the reason for that conclusion, and shall refer the matter to the head of the agency, who shall then be required to provide a statement in accordance with paragraph (3).

(d) requires the Procedure Committee to review the operation of this order and report to the Senate by 20 August 2009.

(13 May 2009 J.1941)

(Extract, Senate Standing Orders)

CHAIR: Senators are aware that one of the roles of the committee chair is to ensure that proceedings are conducted in an orderly way. This is intended not to prevent rigorous questioning of witnesses but to help ensure that senators exercise their rights and privileges and observe their responsibilities in a careful, civil and appropriate manner. I remind senators of their obligation, under the Behaviour Code for Australian Parliamentarians, to treat witnesses with dignity, courtesy, fairness and respect. As chair, I intend to uphold these standards.

These are public proceedings being videostreamed live via the parliament's website, and a *Hansard* transcript is being made. If there are no objections, the committee authorises media recording and photography of the committee's proceedings in accordance with Senate resolution 3. I remind the media that this permission may be revoked at any time, and the media must follow the direction of secretariat staff.

Australian Broadcasting Corporation

[09:03]

CHAIR: I now welcome Senator the Hon. Nita Green, Assistant Minister for Northern Australia, Assistant Minister for Tourism and Assistant Minister for Pacific Island Affairs, representing the Minister for Communications and the Minister for the Arts. Welcome. Minister, do you wish to make an opening statement?

Senator Green: Just that Queensland was robbed last night and we will come back in game 2.

Senator McKENZIE: Five other states go: 'What are you talking about?'

Senator Green: Thank you very much, Chair.

CHAIR: It's a broad test of relevance and ethics.

Senator McKENZIE: Says Western Australia!

CHAIR: I also welcome Mr Hugh Marks, Managing Director of the Australian Broadcasting Corporation. Do you wish to make an opening statement?

Mr Marks: Well, I might just add that New South Wales, I think, fought back hard last night, and when you lead with your head sometimes you get into a bit of trouble. No opening statement—thank you, Chair.

CHAIR: Thank you, Mr Marks. Alright, then I'll go to questions and to Senator Henderson.

Senator HENDERSON: To Mr Marks and your team: good morning. Thank you very much for your attendance this morning. Mr Stevens has resigned quite suddenly. I'd just put on the record that I did ask for Mr Stevens to attend estimates this morning, along with the chair, Mr Williams. Can you explain why Mr Stevens has resigned?

Mr Marks: It's a difficult role, the head of news at the ABC. After four years—and with, obviously, intense scrutiny not only from external to the organisation but also it is a very important and significant part of the ABC's operations, not the only part but a significant part—I think Mr Stevens felt it was the right time for him to move

on and pursue other careers. And I think it's an opportunity, obviously, for the ABC to enter into a new phase of operations, where we look to refresh and rejuvenate our output for what might be the next 20 years, to make sure that we're fit for the future.

Senator HENDERSON: There has been a lot of controversy about a range of decisions made by Mr Stevens. Most notably, there was the Heston Russell case—the fake gunshots scandal and how that was managed by the ABC—but there are many other concerns, including in relation to bias by ABC news and current affairs. Can I assume, Mr Marks, that Mr Stevens was encouraged to resign, very strongly?

Mr Marks: It's inappropriate for me to go into detail on specific staff matters and give any further background on that, other than what we've already said in our public statements and what I've mentioned today. But, as I said when I first answered the question, it is an opportunity for us to move forward and look at a refreshed and rejuvenated output as we work out what the future of the ABC is.

Senator HENDERSON: Can I put it to you that there were too many instances where Mr Stevens made the wrong judgement. I think the decision that has been made is the right decision, but this is well over time. I understand what you say—that you don't want to go into personal matters—but it does very much look like he was pushed. He was encouraged to resign. He was on the chopping block. I think it's well known within and outside the ABC. I would ask you: what is going to change after the Justin Stevens era?

Mr Marks: As we go into a future that is rapidly changing—it's been happening for many years, but it continues at a pace—it calls into question what our strategic priorities are in all of our output. The ABC obviously has a number of core responsibilities, many things that only we do now, and we carry that weight very seriously for the benefit of audiences and the public.

News and current affairs, in particular, are an area that is fast paced. Obviously, the output of the organisation has been built based on an historic aggregation of formats and people and processes. I guess we are at a time, as an organisation, where we need to say: what has served us in the past may not serve us well in the future. This applies to all of our divisions, not just news and current affairs. I expect, across this year, there is a lot of work that will go on in the organisation to position us better for a future. That includes news and current affairs, screen, audio—all of our areas, I think, with the change that's gone on.

There are two main things that I've got to deal with. One is, I think, we keep asking our people to do more, to occupy more platforms, to be in more places at more times. That pressure of more, I think, is something that we've got to solve. We need to be very specific and focused on what we think is going to be our best and most effective output and our best and most effective platform.

Senator HENDERSON: Can I put to you that doing more is not necessarily doing things better.

Mr Marks: No—I agree.

Senator HENDERSON: Surely the ABC should be just sticking to its knitting, to core business.

Mr Marks: I agree. Doing more is likely never better. Doing more often leads to spreading your resources too thinly. Doing more often leads to unreasonable pressures on the teams doing the job. I think being very focused on the things that we intend to do well is definitely a big part of the future.

Senator HENDERSON: I've been raising these issues for many years in Senate estimates, but there have just been systemic cases of bias within the ABC. When some journalists—not all, but the journalists involved—have made these errors, too often the ABC has backed them in rather than appreciated that they've made a mistake and that they need to correct that mistake. There's been this terrible culture of defensiveness when the ABC makes egregious errors, and I'd put to you that for far too long the ABC has tolerated this and that has impacted very seriously on the reputation of the ABC.

Mr Marks: There are a couple of things you mentioned there that I think are worth picking up. I'll go with the second point first—errors. Occasionally the ABC does make errors, as all media organisations do. I agree with you that it is important that, when we make an error, we acknowledge it and rectify it. You would have seen a situation recently where there was a bit of work out of our office in Adelaide, in the *BTN High* example that dealt with education. When it got to me, I identified it as an error, and it was removed almost immediately from our website. Under my tenure, I have been very focused on the culture of defensiveness—we defend where it is appropriate, but we acknowledge our errors when we have made them—and I think evidence in my tenure would suggest that we have got a lot better at that.

When it comes to the allegation of bias in the organisation, we don't accept the notion that there is systemic bias within the ABC. In fact, the evidence of complaint processes and the like would suggest that's not proven in fact. We acknowledge the importance of impartiality, as an organisation, and a constant focus on impartiality.

There is an incredible amount of work that goes on to ensure that we fulfil our charter obligations on that front. But we certainly don't accept the allegation of systemic bias as a default within the organisation.

Senator HENDERSON: There have been systemic complaints about the ABC's coverage of Gaza and Israel. The Jewish community in this country is up in arms about the way in which these matters have been depicted. I will be addressing a number of these issues through the session this morning. I did particularly want to ask the chair to appear this morning—and I may well seek an order in the Senate so that he does appear next time—because of Mr Williams's comments about the Israeli prime minister, when he described him in an article as 'an aberrant creature'. What sort of standard is that, when you've got the chair of the ABC indulging in that sort of personal criticism? If that's the standard that's being set by the chair, how can your journalists—almost 2,000 or so journalists and other people working in news and current affairs—be expected to comply with the statutory responsibility to be impartial and to be accurate when you've got the chair setting that sort of appalling example, Mr Marks?

Mr Marks: When those comments were made, I think the ABC was very clear that they represented comments by Mr Williams and were not reflective of the ABC.

Senator HENDERSON: That's not an excuse. You can't put a Chinese wall through your own body. That's no excuse.

Mr Marks: Well, there is a Chinese wall. I am the editor-in-chief of the organisation. Mr Williams sits on the board of the organisation, chairs the board of the organisation. The editorial part of the organisation is independent of the board, and that's reflected in the legislation. So, yes, I acknowledge that those comments were less than desired or ideal. I think Mr Williams regrets making them. I think he said it in the article at the time. It's not an indicator to our staff in any way to change their behaviour in compliance with the codes and standards that we abide to in the work that we do.

Senator HENDERSON: I have to say, Mr Marks, it's not acceptable to defend this in any way on the basis that they were his personal views, because Mr Williams occupies a very significant role at the ABC. He is the chair, and everything he says matters. If he engages in that sort of personal abuse, which is, frankly, completely unacceptable, then you as the editor-in-chief should not tolerate that. How can you do your job when your own chair is engaging in that sort of behaviour?

Mr Marks: I don't have difficulty in distancing myself from comments that I think are not reflective of where the organisation wants to be. I don't find that challenging. As I said, I think he would regret making those comments. He regrets anything that could, in any way, be seen as damaging the reputation of the ABC. He's a passionate advocate for the organisation and its work, and I guess I've answered the question by outlining the distinction that's in legislation between us as the management and the board of the organisation.

Senator HENDERSON: I had great hope for the ABC when Mr Williams started. He made some very significant comments that he did not want to see activism in the ABC. He wanted the highest standards of journalism—not activism—and yet he engages in this behaviour. I would like an undertaking that we're not going to see that conduct from the ABC chair, whether or not it's his personal views. There's no justification for it.

Mr Marks: Unfortunately, it's not my role to tell the chair of the organisation what to do, but we've—

Senator HENDERSON: I actually disagree. You're the editor-in-chief. The buck stops with you in terms of information disseminated by the ABC. Therefore, as editor-in-chief, that is your role.

Mr Marks: Those comments weren't disseminated by the ABC; they were disseminated by another media organisation.

Senator HENDERSON: No. Hang on.

CHAIR: We need to let the witness answer, and then we will come back to you.

Senator HENDERSON: They were disseminated by the ABC chair.

CHAIR: Mr Marks needs to be allowed to finish at least a sentence or two, and then we will come back.

Mr Marks: I've lost my train of thought now. The comments were made by Mr Williams. We immediately commented that they were personal views. I know he regrets making them. He said as much in the article. The rest of the organisation takes no guidance from those comments. As you say, the role of editor-in-chief sits with me. It is up to me to ensure we comply with our editorial standards and, where we don't, to ensure we take appropriate action.

Senator HENDERSON: You made an announcement that you'll be seeking an external appointment to replace Mr Stevens. What's the reason for that?

Mr Marks: I don't think we've made an announcement.

Senator HENDERSON: It's been briefed out.

Mr Marks: That's been inferred by media.

Senator HENDERSON: No, I think it might have been briefed out.

CHAIR: Give me one moment please. I'm conscious of the desire to get in, but if we can please have questions and answers to keep today orderly. Thank you.

Senator HENDERSON: Is that the case? You're making an external appointment.

Mr Marks: Yes.

Senator HENDERSON: What's the reason for that?

Mr Marks: It's a really important role. It's important that we get someone of the highest calibre to perform this role. I'm always looking at who are the best executives that could operate effectively as part of their responsibilities at the ABC. I've met a number of people over the years who might be opportunities for that role. I expect an announcement will be made imminently. We will proceed with a candidate who, I think, has the potential to lead the organisation editorially into a bright future.

Senator HENDERSON: I do want to go to another issue. This goes to the editorial decision-making by the ABC. I want to raise the conflict of interest concerns involving Ms Sarah Ferguson, who took on the role as executive producer of the documentary *Sentient*. There have been some FOI documents released. I do appreciate and commend the ABC for releasing those documents properly because, as we know, often with these things the bigger story becomes a cover-up—not what happened. I really do commend the ABC for being transparent when there are FOI requests made in relation to documentation. This is extraordinary to me, and it just would never have been permitted under any circumstances. When I was hosting the Victorian edition of the 7.30 program, there is no way that I could have been the executive producer of a documentary funded by an activist organisation which is highly political and which campaigned against the coalition. It doesn't matter who they campaigned against. How could the standard be set that the ABC would permit one of its leading current affairs presenters to be the executive producer of a documentary funded by an activist organisation, which completely undermines trust in the ABC when it comes to issues of impartiality?

Mr Marks: I can't talk to the specific examples of what happened in the past as to when that documentary was started. I understand that it was based on an idea—at a time when Ms Ferguson had time—that she was tossing around as an idea for a project. Obviously that project was taken forward by other people that did not involve Ms Ferguson. Ms Ferguson had no active role in the production of the program and had no active role in the financing of the program. Obviously, when it came to us with the notion that she was involved in the original conception of an idea and that was going to be a credit, it was important that we were transparent with the public to make sure that credit was on the film so that there was going to be no cover-up, as you say. She had no role. I've been an executive producer on so many projects, probably more than everybody else in this building combined. The role of executive producer can mean many things.

Senator HENDERSON: But you weren't hosting a current affairs program at the time and you weren't subject to statutory obligations to report impartially and accurately. These are very special positions occupied by the likes of Ms Ferguson and there are very high expectations in relation to impartiality. How could that standard be set at the ABC because, once that sort of decision is made, are we going to see this on an ongoing basis?

Mr Marks: I don't believe so, no. I think we look at those things very seriously. As I said, Ms Ferguson wasn't involved in the production of the program. I don't think the public should have concerns that it represents her views, that it represents her political opinion or that it compromises her ability in any way to do her role. We can feel confident about those matters. It may be that a film comes out in a year or two years that has my name on it as executive producer because of work that I did 20 years ago.

Senator McKENZIE: So in the wings?

Mr Marks: Not that I know of, but you never know.

Senator HENDERSON: But that is prior to your being the editor-in-chief and the managing director of the ABC.

Mr Marks: This credit was work prior to her becoming—

Senator HENDERSON: The point is—and I'm looking at your conflict-of-interest and external work request guidelines—that ABC staff are required to seek approval before any external work, no matter what it is, is approved. In this case, Ms Ferguson did not seek prior approval. Even worse, as I've subsequently discovered, in

fact not only did she not seek prior approval; she is listed as the executive producer on Screen Australia's website of this *Sentient* documentary five months before she even raised it with the ABC.

Mr Marks: Again, in the film and television sector you are involved in a million ideas. You can't stop people thinking and you can't stop people talking or creating. Your point is: what is the appropriate time that something should become real for that to be subject to a consent mechanism? Again, she would not have imagined when she was working on that original idea that may have even become a project that would be brought to realisation. Is it appropriate for her at that time to tell us every idea that she's mentioning to every person? I don't know. It's just the way it's rolled out.

Senator HENDERSON: That's not a fair characterisation. It's not about every idea. She became the executive producer as published in 2025 on Screen Australia's website. She did not seek approval from the ABC. That does not comply with your requirements in relation to external work approval requests and the policy that you've put in place.

Mr Marks: I would expect that any external work would go through our external work process. Mr Fang has been ensuring that those policies are robust and up to date. Perhaps if you want Mr Fang to discuss our external work policies—

Senator HENDERSON: No, what I'm discussing is Ms Ferguson's failure to comply and the fact that the ABC hasn't held her to the highest standard. I did write to the minister about this matter and asked a number of questions in relation to the management of conflicts of interest, because in the FOI documents Mr Stevens said, 'We will have to put in place conflict of interest management procedures.' What particular standards or processes were put in place to manage the conflict of interest issues that could well arise by reason of Ms Ferguson's role as EP of *Sentient*?

Mr Fang: Firstly, you are referring to the external work guidelines. As the managing director has indicated, Ms Ferguson's role in this documentary was in the original ideas discussion. It was then picked up by somebody else, so there was no external work going—

Senator HENDERSON: Are you saying that staff are no longer required to seek prior approval?

Mr Fang: No, I'm not saying that.

Senator HENDERSON: That's what's happened. I'm asking you to address the non-compliance of your own procedures. Not only did Ms Ferguson belatedly seek approval, but she, as has been published on Screen Australia's website, was listed as the EP five months prior. She did not disclose that to the ABC. I would put to you that is not acceptable and you should not accept that.

Mr Fang: I understand the point you're making. The point that I'm making is that the key here around this credit was that it's a disclosure issue for the audience. It wasn't an external work issue. External work was not carried out. There was an idea. That idea was picked up by others. Ms Ferguson didn't work on the documentary. What she did do was to disclose to the public when it was appropriate that she was going to get a credit. In that sense, she has disclosed these issues so that people know when the documentary comes out that she had a role in this original ideas discussion.

Senator HENDERSON: That constitutes a breach of your own processes. What processes were put in place and what restrictions were placed on Ms Ferguson's future coverage of Animals Australia, *Growing Kindness*, animal welfare, scientific testing or any related public policy issue?

Mr Fang: I'm sorry. I don't agree that it's a breach of the external work policy. External work didn't occur here. What occurred is that somebody came up with an idea and they were given a credit. That credit led to a disclosure, which Ms Ferguson did. In terms of what needs to be mitigated going forward, she has disclosed that she has a credit on that particular documentary. The audience knows about that and is aware that she worked on that documentary.

Senator HENDERSON: I'm astounded by that, and that goes to the heart of these sorts of issues. This is the very defensiveness I'm talking about. How can you say that it's fine to suddenly crop up to be the EP of a documentary funded by an activist group and that there's no problem? The fact of the matter is it is a conflict. I'm going to the very issue here. It was even flagged by Mr Stevens that there was potential for conflicts. I'm sorry, but this is the culture of defensiveness that has to stop at the ABC. Ms Ferguson has done the wrong thing here. The ABC should never have allowed this situation to exist where the host of a current affairs program is an EP—she didn't have to be an EP—of an activist funded documentary. This is the very culture of defensiveness that needs to be eradicated from the ABC. Not only did she not seek approval in a timely way; she was listed by Screen Australia five months before as the EP. She never disclosed that to the ABC. Given the potential conflicts

of interest that have been recognised by the ABC, what restrictions were placed on Ms Ferguson's future coverage of Animals Australia, animal welfare, scientific testing or other related public policy issues?

Mr Fang: Sorry, it's not my intention to be defensive; I was just trying to have a conversation about that particular policy. As I indicated, Ms Ferguson has disclosed her connection to that documentary and the role that she played in it, which was coming up with this idea, and that's the mitigation.

Senator HENDERSON: She didn't disclose it to the ABC at the time she became the executive producer. That's the very point I'm raising with you. She failed to disclose it, because she was listed as the EP on Screen Australia's website five months prior.

Mr Fang: What I'm saying is that what's important in a situation like this is that it is disclosed appropriately to the audience so that the audience can make up their own minds about this connection.

Senator HENDERSON: What restrictions have been placed on her coverage of these matters? I've asked you three times now.

Mr Fang: I'm not aware of any restrictions that have been placed on her coverage, other than, as I've said, she's disclosed her connection and the audience can make up their own minds in the future about whether or not there's any issue here.

Senator HENDERSON: So there's no restriction on it?

Mr Fang: But at the moment there's been no demonstrated conflict of interest.

Senator HENDERSON: Are you serious? You think it's quite acceptable now for ABC journalists to be working on documentaries funded by activist organisations which are politically engaged, and very engaged, in elections and the like.

CHAIR: I think there's been an answer to this question—

Senator HENDERSON: Seriously, that is absolute rubbish! Of course there is a conflict.

Mr Marks: Our view was that Ms Ferguson was not working on the documentary, as you categorised it, where she received a credit for some historical work. Would we encourage our journalists to be working on activist funded documentaries? No, we would not. That would not be consistent with our codes of practice. We have codes of practice and editorial guidelines that are appropriate limitations and reflections for all of our people in terms of the work they do. Those codes of practice and guidelines would apply to any work done by Ms Ferguson. I feel as though we have the appropriate procedures. I can't talk about what happened when the original idea was come up with. I can't talk about when the credit was formulated, or even whether Ms Ferguson knew about the credit at the time it was listed on Screen Australia. It did come up. As Mr Fang said, we felt it was important that it be disclosed.

CHAIR: Senator Faruqi.

Senator FARUQI: Has Simon Robinson from Reuters been appointed as the news director of the ABC?

Mr Marks: When an appointment is ready to be made, we will make that appointment. I expect to make one in the near future.

Senator FARUQI: The news is reporting that it is Simon Robinson, so you could just tell us now.

Mr Marks: I'm not prone to making announcements in Senate estimates proceedings. I'd prefer to make announcements in the appropriate way, if that's okay with you.

Senator FARUQI: What process was undertaken to replace Justin Stevens? Was it an openly advertised process or some other process?

Mr Marks: With those sorts of processes, I guess we always are running a view on who the best people are to represent the ABC as best as we possibly can. Over the past six months, I have met many senior news people from around the world. That's been an informal process. In terms of a formal process: knowing that Mr Stevens was potentially leaving the organisation, I interviewed a number of candidates for that role.

Senator FARUQI: There was no formal process except your meeting people and interviewing them?

Mr Marks: I don't know about formal process, but there was a process.

Senator FARUQI: What was the process?

Mr Marks: For a role of that seniority, we would normally engage with an external provider to do a full search of potential candidates globally.

Senator FARUQI: Is that what happened here?

Mr Marks: That's what happened here.

Senator FARUQI: Were internal applicants considered?

Mr Marks: Yes, internal applicants are always considered at the ABC, but we felt that a globally experienced executive is the right thing at this point in time for the ABC.

Senator FARUQI: In April this year, the ABC's head of employee relations and work health and safety, Josh Keech, resigned. That was after a tumultuous pay negotiation with ABC staff where 100 staff walked out and then thousands were on strike. I understand that Mr Keech resigned following four out of six members of his team resigning in a short space of time; is that correct?

Mr Marks: I won't comment on the specifics because I'm not necessarily au fait. Ms Kleyn might know the numbers in this particular case, but, yes, there had been high turnover in Mr Keech's department. Maybe I'll keep my comments to that. The reason for his resignation was multifaceted, both from his own perspective and from the organisation's, and we both felt it was the right time for him to move on.

Senator FARUQI: I am a bit concerned about a big changeover of staff, as you said. Why did so many people resign and why was there a big turnover in staff?

Mr Marks: It's a very difficult area inside the organisation. It's an area of the organisation that does operate sometimes, obviously, in massive negotiations where there is conflict. That creates pressure. I don't know that it's necessarily surprising for there to be high turnover in those areas, but certainly it was higher than we would have liked and so Mr Keech no longer works for the organisation.

Senator FARUQI: Were complaints made about Mr Keech's management?

Mr Marks: There had been some non-formal complaints, as I understand it, and some discussions that had been raised with the head of people and culture. She was in the process of looking at some of those, I guess, informal complaints from staff. But, again, that process was preceded by his resignation.

Senator FARUQI: News of Mr Keech's resignation was publicised shortly after the *Age* sent a request for comment relating to so many members of Mr Keech's team resigning, as well as questions around his team being taken on a private yacht, free or charge, belonging to a billionaire—according to reports. Did this media interest prompt the resignation?

Mr Marks: It certainly alerted us to the extent that there may have been problems that needed to be addressed. Obviously, we felt that the nature of the yacht was also a bad look—not necessarily in and of itself a problem—and certainly the inquiries caused us to look deeper into some complaints or noise that had been raised to see whether there was further substance there and that brought about the action.

Senator FARUQI: I have some questions about an interview that was conducted earlier this week on 7.30 by Sarah Ferguson, who interviewed Neve O'Connor. It was just one day after Ms O'Connor had returned to Australia following her participation in the Global Summit flotilla, where she was illegally imprisoned by Israel and repeatedly kicked in the head, handcuffed for 19 hours, sexually humiliated, threatened—and there's more there. This is just one of the accounts of hundreds of humanitarians who were illegally imprisoned by Israel, abused and tortured. I do have a few questions about this interview, which I must say honestly in my opinion was very harshly conducted, during which Neve O'Connor still showed the utmost dignity. Does the ABC have any guidelines for trauma informed practice specifically for when interviewing victims of abuse?

Mr Marks: I might hand that one to Mr Fang, as the expert on our editorial policies. I'm sorry; I didn't see the interview in question.

Mr Fang: Yes, we do in regard to our treatment of people with whom we engage and interviewing, and also in dealing fairly with members of the public. Our harm and offence standards speak to some of the ways that we should engage with people around trauma.

Senator FARUQI: Do ABC journalists undergo training in trauma informed practice in relation to interviewing?

Mr Fang: ABC journalists undergo training in relation to their editorial policies. Those issues would come up as part of that training. There's no specific trauma—

Senator FARUQI: There's no specific trauma informed training?

Mr Fang: No, not that I'm aware of. It might have been conducted within the news department separately as something they might have focused on or within that program team, but not that I'm aware of as a broad training program.

Senator FARUQI: What steps are journalists required to take to ensure they are not retraumatising victims of abuse during interviews?

Mr Fang: Journalists are making judgements about public interest and about what legitimate questions are. They are thinking about the way that those questions will land with the people they're talking to. Clearly, when you ask someone to come on and they agree to appear, they have a story to tell as well. There's a certain amount of ownership of their own story there. Largely, it's around balancing getting access to the information that the public needs while thinking about how you do that in a way that's fair and appropriate with whomever is the person that you're speaking to.

Senator FARUQI: Early in the interview, Ms O'Connor began to describe the experience of being intercepted by Israeli forces, including where troops threatened to shoot her and those with her. Ms Ferguson cuts her off and demands details of what she calls actual violence. Do you believe an appropriate way to question someone who is recounting a highly traumatic experience of kidnapping and abuse is to demand evidence of actual violence when they are telling you that troops were threatening to shoot them?

Mr Fang: Unfortunately, I have not seen the interview this week either. But I would say that, in a general sense, when people are making specific and strong allegations about conduct that has happened to them, it is important that we ask them in an appropriate way to be able to lay out enough detail to allow the public to make up their own minds about the accuracy of those claims.

Senator FARUQI: Could you give me an example of any other interview that the ABC has conducted with a victim of abuse which asked them to corroborate their evidence again and again?

Mr Fang: I couldn't off the top of my head. I could go and find some other interviews if you would like?

Senator FARUQI: Do you think it's appropriate to ask a victim of abuse to keep corroborating their evidence over and over and to not believe them?

Mr Fang: Given I haven't seen the interview, I probably shouldn't comment on that. I haven't seen the nature of that interview.

Senator FARUQI: You're here at estimates.

Mr Fang: In a general sense, it is appropriate to ask people about what has occurred to them—if they have come on to speak about that—to understand exactly the information they're putting forward. But also, as I've said, it's to do that in a way that is respectful to them and that considers the impact on them as well.

Senator FARUQI: Ms Ferguson went on to interrogate Ms O'Connor about what medical treatment she had sought and, 'Whether you were treated for injuries, what those injuries were, and whether there are other people who can talk about what was done to you'. These questions are horrific, honestly, for someone who has gone through such an ordeal. I'm telling you that this is what happened. You said 'in an appropriate way'. Do you think this is an appropriate way?

Mr Fang: Again, I shouldn't comment without seeing the whole context of the interview. I don't think that would be helpful.

Senator FARUQI: During the course of this short interview, Ms O'Connor was asked on four separate occasions to provide evidence of the injuries she suffered while being illegally imprisoned by Israel. After Ms O'Connor confirmed that there were medical records of her treatment and that she did not have them physically with her yet, Ms Ferguson went on to say:

So in your case, you are talking about multiple kicks to the head and to the person as well as restraints used against you, and you are saying the details that were taken from you in Turkey, the treatment will stand that up?

Is it usual practice for the ABC not to believe women who have been abused?

Mr Fang: Again, I haven't seen the interview. I need to see it for the full context.

Senator FARUQI: That's not acceptable. That really isn't acceptable. There has been a lot of media coverage of how Ms O'Connor was treated in this interview. Again, you raise the question of corroboration. Is it not the job of the producer to corroborate a story prior to the interview, rather than having someone who's just been through a horrific experience being relentlessly questioned again and again about corroborating what happened to them on national television?

Mr Fang: I'm sorry to be frustrating, but I haven't seen the interview so I can't comment specifically. I would say, though, that when a person agrees to come on and have a conversation to discuss issues of such magnitude that have happened to them on a national program such as that, it is important to allow the audience to understand the full facts of what has occurred.

Senator FARUQI: So it is important. When Ms O'Connor recounted her story about being forced to remove clothing while men stared at her, Ms Ferguson responded:

Did you discuss that with any of your colleagues at the time? Did it happen to other people? Have you any idea whether your story is a similar one being told by your colleagues?

Do you think that's the way that you conduct interviews, questioning again and again someone who has been sexually humiliated and kicked in the head so many times? Do you think that's appropriate?

Mr Fang: Again, I'm sorry. I haven't seen the interview, but that sounds to me like the interviewer is attempting to see how many other people have gone through a similar experience.

Senator FARUQI: You don't think, from what I've told you, there is anything inappropriate in the way this interview was conducted?

Mr Fang: No—I don't think I'm able to make a helpful comment, given I haven't watched the full interview. It's important to see interviews and stories et cetera in their full context before making a commentary about it.

Senator FARUQI: I can tell you that the entire interview gives off the impression that Ms O'Connor and those she was imprisoned and abused alongside are not to be believed. That is what the entire interview says. There's clearly scepticism and a demand for evidence that is, quite frankly, something I have never seen in any other interview of an Australian citizen who has been imprisoned and abused. I have not ever before seen that happen on the ABC. If you have seen that, please let me know. I would encourage you to see that interview and to change the way that your journalists treat people who have been abused/mistreated by Israeli forces.

Mr Fang: I'll watch the interview and I'll take that on board.

CHAIR: Senator McKenzie.

Senator McKENZIE: It is good to see you. I have a series of questions around the ABC *Creator* program. Who approved the commissioning of Cameron Mitchell under the ABC *Creator* program?

Mr Marks: The *Creator* program is run through the screen department. It's not something in which I'm actively involved. You're aware of the process for who gets selected under that process. That's something I have to come back to you on.

Senator McKENZIE: Did the ABC conduct any political affiliation or reputational due diligence before commissioning Mr Mitchell to be on the ABC *Creator* program?

Mr Marks: There are two aspects to this. One is the person, which you're raising. The other aspect is the work. Again, I'm not sure what work the person has been brought on to do. I assume we're going to get to that, but obviously that would be something we would have to consider.

Senator McKENZIE: It goes to your opening comments to Senator Henderson around the constant focus on impartiality at the ABC, because it would seem that Mr Mitchell's work is as someone who runs a company that provides a training program for Australians to become Labor candidates. It charges for that work, and he is somebody that the ABC has chosen to profile through your ABC *Creator* program. My series of questions goes to whether he was paid, either directly or indirectly, for his work on the ABC.

Mr Marks: I am not aware of the person involved. Obviously, I am aware of the *Creator* program. It's an attempt to find an opportunity for people to join the organisation and develop their skills to see whether they're capable of doing work at a more senior and more significant level. It's very much a work development program. That's its aim. It's also a recognition that increasingly we need to engage in digital environments as opposed to just being a broadcast operation. There are many laudable reasons for why the *Creator* program would exist. Many of the people that come on it would not necessarily be working full time for the ABC. There would be a range of things they're doing. We'll have to look into it and see what we can reasonably provide about the particular person involved.

Senator McKENZIE: Mr Mitchell runs the Barcaldine Academy, which is a business charging people money to go through this program in terms of how they can become a Labor candidate and be successful at that. You would appreciate your standards regime 4.1, which requires information to be presented with due impartiality, and standard 4.5, which states the ABC should not 'unduly favour one perspective over another'. It would seem to those in the know that Mr Mitchell would fail on both of those counts?

Mr Marks: Yes, the person and the work, again, as I said, are different. Obviously, the work would have to comply with our editorial standards. That would be subject to the same level of review that other work at the organisation goes through. You raise a point that we will have to look into in terms of the person involved and how that happened.

Senator McKENZIE: I would be requesting the ABC undertake a review of the process of his appointment. On any measure one would question his collaboration with the ABC. When someone clicks on 'Who's this guy?' they are fed into how to become a Labor candidate. I would like also to provide the ABC and, through you, Mr

Marks, a range of Young Nationals who also might be afforded the same opportunity, almost to balance the book, shall we say, on the digital content perspective. It really does undermine this. From an algorithm perspective, you're pushing traffic to this particular young man and furthering his business. That is great for the Labor Party—getting a whole new funnel of new candidates—but it's not very impartial.

Mr Marks: No. I think you make a good point. It's something on which I am very focused. We need to ensure we have diversity of voice in our organisation. Diversity of voice can mean various things.

Senator McKENZIE: Absolutely. Not just place—out in the regions—but having conservative young people involved in the ABC and digitally online would be very welcome for the half of Australia that votes the other way. I'll be, offline, happy to share some content creators with you, but I would also be requesting a review of whether there were breaches of editorial standard 4, regarding impartiality, and how this work was commissioned. I'd like full detail on the process.

Mr Marks: We'll see what we can reasonably provide about the work that he's undertaken and whether there are any concerns about that work involving a breach of editorial standards. That's the work we need to come back to you on.

Senator McKENZIE: It doesn't pass the pub test. When we click on these aspects, we're funnelled into a certain way of thinking, doing and voting. The ABC serves a great public good, particularly for those of us in the regions, but it is continually undermined by accusations of impartiality which the appointment of this person in the *Creator* program would seem to underline.

Mr Marks: You're right. People joining the ABC should be coming from a diversity of backgrounds.

Senator McKENZIE: They should—if only we could ask them.

Mr Marks: That diversity should not be relevant to their work. Their work should be judged by the editorial standards by which they operate.

Senator McKENZIE: Absolutely. We should be open to all perspectives. I turn to another matter. Again, it goes to how people consume news. I'm drawn to a tweet on 18 May from the ABC News account on X which said:

Not seeing as many ABC News updates here as you used to? Find us on Bluesky.

Why are we reducing the amount of content to X followers, which at last count was about 2.6 million, I hope Australians, following the ABC on X as opposed to shooting them over to Bluesky. Is the Bluesky platform getting more content from ABC News posted than X?

Mr Marks: I might ask Mr Fang if he's au fait with that change, but I assume it comes from a concern about the environment of X for some of our people.

Senator McKENZIE: 'Our people' being the left-wing people?

Mr Marks: People who work for the ABC, generally.

Senator McKENZIE: People who work for the ABC? You said it, Mr Marks, not me.

Mr Marks: I don't know what I said. I said 'people who work for the ABC'. We have concern for the environment in which they operate, and that environment can become increasingly hostile and aggressive. Again, I'm not particularly au fait with the exact move from X to Bluesky, but I can only assume that it's done on the basis that Bluesky provides a better environment for those people to do their work without being exposed to hate and without being exposed to aggression. That's an important part of us as an employer. Increasingly in this world we're seeing rising violence towards many of our people, and it's something that I'm very concerned about.

Senator McKENZIE: Are you posting less content into one platform where you have millions of viewers and followers? Regular Australians also use X as a platform to engage with media content. Is the ABC reducing its content on X and putting more of its daily and hourly news updates on Bluesky?

Mr Marks: Unless Mr Fang has something to add, I will have to investigate that and come back to you.

Senator McKENZIE: I shall have a bevy of questions on notice for you. Thank you. Thanks to the Young Nats.

CHAIR: Senator Henderson.

Senator HENDERSON: I want to return to the issues with Sarah Ferguson and *Sentient*. It's just been drawn to my attention that in the Screen Australia annual report 2024-25 it was published that Screen Australia was a funder of *Sentient*, contributing \$200,000. Sarah Ferguson is listed as the EP. Is this something that should have been disclosed at the time?

Mr Marks: Again, as Mr Fang explained, the external work policies relate to work. Ms Ferguson did not work on the project. I know the concern that you're expressing is that an executive producer credit reflects work. An executive producer credit can mean a whole bunch of things. In this case, executive producer credit reflects the fact that it was based on an original idea that she came up with. I understand the project is different to the idea. She wasn't involved in it. At some stage, the issue of the credit obviously has come to her to say, 'This is something we should disclose,' which we agreed with.

Senator HENDERSON: Given this was published in 2023-24 and given the conflict-of-interest issues at play, it's not just about external work. I think you're making quite a semantic point. This policy covers external work and the management of conflicts of interest. Should Ms Ferguson have disclosed this to the ABC when it was first determined that she was the EP of this documentary?

Mr Marks: Again, as I understand it, the original idea was developed well before 2023-24. That's when she was between roles. This was before she went to the US and the Washington bureau. She found a period of time where she was messing around with a few ideas. Some of those went obviously forward, and this was a particular one of them, but she was not involved past that time. I don't know how the credit came up. In relation to the issue of conflict—

Senator HENDERSON: Can you just address my question. Given it was published by Screen Australia, given this was the position in 2023-24 as published in the annual report, I would put it to you that it was incumbent on Ms Ferguson, as part of your conflict of interest management policies, to disclose that, at the very least, as part of her obligation given her very significant role with news and current affairs?

Mr Marks: Clearly, when we felt that the disclosure of the credit was relevant, that would have applied at the time whenever that was going to be reality. Things go through Screen Australia and get development funding. Does that mean they're going to happen or not? Not necessarily. There's a whole bunch of factors that would have to be taken into account about whether disclosure should have been done then as opposed to when it was finally done. I think the disclosure happened before the film was published, which is the best environment for audiences to view what her involvement was.

Senator HENDERSON: I would put to you that, if she's the executive producer of a documentary funded by Animals Australia—and that was known and determined back in 2023-24—it is most improper for that not to be disclosed to the ABC at the time.

Mr Marks: Clearly, we have the view that, if anyone is an executive producer on any film, that should be a matter subject to disclosure.

Senator HENDERSON: We eventually got there. I was speaking with you about Mr Justin Stevens's resignation. There was an article at around about 9.15 or 9.20 that was published: 'Reuters executive Simon Robinson expected to replace Justin Stevens as ABC News director'.

Mr Marks: Senator Faruqi was just asking me about this article. I haven't seen the article, so I can't comment on it. Obviously, as I've said before, I'm not prone to making announcements in Senate estimates hearings. There will be an appropriate process for that announcement to be made, and I expect it to be made in the near future.

Senator HENDERSON: Was that briefed out by the ABC?

Mr Marks: I don't believe that would have been briefed out by the ABC.

Senator HENDERSON: Really?

Mr Marks: Yes.

Senator HENDERSON: It's very unusual, because only the ABC and you as managing director would know who you were intending to employ.

Mr Marks: There was a furtive game of curiosity as to who might be the new head of news and current affairs at the organisation that went into overdrive yesterday. A limited number of candidates are probably suitable for the role. I assume people have gone through that process and there's been speculation. There was much speculation yesterday, none of which I confirmed or denied.

Senator HENDERSON: I would ask you to investigate that because—your recruitment practices. You've had what I would say is the forced resignation of Mr Stevens. Less than 24 hours later, we're now reading about the new head of news and current affairs, which appears to have been briefed out to the *Guardian* newspaper, one of the ABC's favourite newspapers given the number of stories dropped to the *Guardian* by the ABC. Isn't that undermining of your role as managing director, when you should be making appropriate decisions and announcing those properly rather than having this all leaked out?

Mr Marks: Sure, it would be ideal if it were announced properly. I can assure you that wasn't briefed under any auspices from myself. Looking at how information gets into the press, I'm sure you can all in this room can appreciate it can be somewhat of a useless exercise. It's never easy to know how things happen, but, as I said, there was a lot of speculation yesterday. I assume that speculation has led to someone trying to get the jump on the announcement—good journalism.

Senator HENDERSON: There can only be speculation if there's truth which underpins this story.

Mr Marks: We won't get into that debate today, but—

Senator HENDERSON: Did you ask anyone or authorise for anyone to brief this story out?

Mr Marks: I did not.

Senator HENDERSON: Do you know whether anyone within the organisation briefed this out?

Mr Marks: I don't believe so, but that's the people I would obviously deal with in relation to this matter. I don't know whether someone else in the organisation has some information. Anyway, an announcement will be made in due course.

Senator HENDERSON: Will Mr Robinson be the new replacement as the head of news and current affairs?

Mr Marks: Again, I'm not into making announcements during Senate estimates. I understand the question. An announcement will be made in due course.

Senator HENDERSON: How long before that announcement is made?

Mr Marks: I expect that it will be made in the near future.

Senator HENDERSON: At the end of the day? Tomorrow?

Mr Marks: I would expect tomorrow.

Senator HENDERSON: Sorry.

Mr Marks: I'm here; I'm fulfilling my democratic responsibilities to answer the question.

Senator HENDERSON: I appreciate you being open and honest with me. Clearly, it looks like it's been briefed out somehow. I'm not suggesting that Mr Robinson briefed out the story, but clearly someone has. If it's Mr Robinson, I would ask that you confirm that.

Mr Marks: We will. I expect an announcement to be made tomorrow.

Senator HENDERSON: Have you drafted the press release?

Mr Marks: I haven't approved a press release at this point.

Senator HENDERSON: Could we have a copy of the draft press release?

Mr Marks: I will include your office on the distribution list when the announcement is made.

Senator HENDERSON: Obviously, this has been in the wings for a very long time. Mr Robinson is an executive from Reuters, as I understand it. I'm just reading about him now. What can you tell me about Mr Robinson? He's been at Reuters for 16 years. He's currently the deputy to the editor-in-chief of a 2,600-strong newsroom. Two sources with knowledge of the appointment told *Guardian* Australia that Robinson had been at Ultimo recently and that ABC Chair Kim Williams was a big fan.

Mr Marks: As you know, Mr Williams was, for a period of time, the chair of the Reuters Institute. Obviously, he would know Mr Robinson through his role with Reuters. As I said, I've met a number of people over the course of the last 12 months, informally and formally, senior news people. I think Mr Robinson runs a large news organisation that operates in many territories around the world and also operates a very impressive business reporting function. He's an Australian who has been working overseas for a time. As I said, he is a senior journalist in this place with much experience.

Senator HENDERSON: When did you first meet with Mr Robinson to discuss this appointment?

Mr Marks: I meet people all the time. Whether an appointment is part of those meetings or not may be known to them or may not be known to them. Obviously, I'm doing that work constantly. We all here want the ABC to be the best, most effective organisation it can possibly be.

Senator HENDERSON: Just going to my question, when did you first meet with him?

Mr Marks: I don't know. I'm sorry.

Senator HENDERSON: A few weeks ago? A few months ago?

Mr Marks: No. I had met Mr Robinson before then. As I said, an announcement is imminent. We can all be put out of our curiosity when the announcement is made.

Senator HENDERSON: I think an implicit announcement has just been made, if I can be as cheeky as to say that. We would welcome the opportunity if you wanted to formally bring it forward. There is still plenty of time to run today in estimates.

Mr Marks: I'm not sure what you're asking, but I will ensure your office is on the distribution list of an announcement when it's made.

Senator HENDERSON: It just seems that Mr Stevens resigned yesterday, the day before estimates. The plan for the announcement of Mr Robinson's appointment is to be made tomorrow, which seems to be the day after estimates. Were you seeking to avoid scrutiny in relation to this appointment?

Mr Marks: No, I wasn't. Obviously, Mr Stevens's role is something that he and I discuss and have been discussing for some time. Obviously, it's a role of incredible high pressure and incredible scrutiny and it comes with a lot of expectations. It's an extremely difficult role. In many ways, it is even more difficult than the role that I occupy. It's something that we've been talking about for some time. Obviously, understanding that I was informing myself as to who might be alternatives in the role. The timing, as it's turned out, is somewhat coincidental. It just relates to the timing of the discussions we've had. This was something that Mr Stevens and I finally talked about late last week. Having done that, I think it was important that we moved to an announcement that he had made the decision to leave.

Senator HENDERSON: There have been many concerns by not just members of the Jewish community but many Australians about your coverage—

CHAIR: Senator Henderson, I don't want to interrupt you. I'm going to move you on in two minutes. Would you prefer to start what seems like a new topic?

Senator HENDERSON: It is a new topic.

CHAIR: I will move the call and then come back to you. Senator Walker.

Senator WALKER: I understand there has been \$50 million in additional funding to the ABC. Can you talk us through what that means for your organisation.

Mr Marks: That announcement was most welcome. It comes at a time when the independent production sector in Australia is in need of more work. There is limitless creativity available but limited opportunities for that creativity to find a home where it can reach an audience. It's also at a time when the international and global market obviously is changing with the rise of streamers highly penetrating our market.

That money comes at a time that enables us to really undertake two really important categories. One is children's production. Children's is an area where really the ABC is the last remaining substantial provider of content to Australian children that reflects their voices, cultures and stories. Children's production, I think, is an area that we could do limitless investment in, so this investment is most welcome to enable us to step up our production of children's content. The other area that will benefit from that money is in adult drama. Again, Australian stories told in a variety of ways—a bit like sport—have this beautiful function of bringing different people from different communities around a common theme. High-level quality television production has the same benefit. Being able to tell those Australian drama stories at a level and in a way that's competitive with the best of things that are coming from global streamers, I think, will be a real benefit to the audience on the basis that all of our content is freely available to all Australians. That investment really came at a very welcome time and has enabled us to step up our investment in those two areas in particular.

Senator WALKER: Are there any specific programs that have already been announced as a part of this investment?

Mr Marks: Children's was an area where we really needed more investment. There were two children's programs ready to go. The remake of *Bananas in Pyjamas* is happening in Adelaide.

Senator WALKER: Yes, I went and had a look. It was very cool. I didn't realise that the bananas are seven feet tall. It's pretty scary!

Mr Marks: The bananas are larger than life. In my view, the animated version of the show never quite matched the appeal of the live action version of the show. It relies on capturing particularly Australian children's world of whimsy, comedy and performative acting. I think the live action is great. It's being made by a small production company out of Adelaide called Windmill. The other children's program that we've announced is something called *The Tree House*, based on a series of books by a well-known Australian author. Again, it's amazing for us to be able to bring to life those books in a television format and to have the opportunity to take those stories around the world as well.

Senator WALKER: You touched on workforce earlier, but would you mind outlining what this means for local producers?

Mr Marks: The role of the ABC in the production sector is often underestimated. In particular, the work that we're able to commission supports a number of small- and medium-sized businesses all around the country who operate in every state and territory and every city. That work and our support of those businesses is becoming more important, because there are fewer opportunities for those people to tell their stories than there was certainly 10 years ago and even five years ago. That support of that local production sector is really important.

We did some work recently with an organisation, Deloitte Access Economics, because I really wanted to get an understanding of the economic outcome of that external commissioned work to which you're referring versus something that may be done internally at the ABC. When we're external, we see that there is a multiplier effect where we're getting \$1.31 benefit for every dollar that we're investing in the independent sector. It was really important for me to get that fact base as we go to spending over the next four to five years in excess of \$1 billion with independent producers on their output to ensure we're making the right decisions.

All of those things have come together at a time, particularly with this extra money, that's enabled me to go, 'I think I have a clear idea as to what the most efficient way of allocating our resource base in that space is.' Yes, roughly 7,700 full-time jobs are created by that work that's undertaken by the ABC externally. There is an external workforce that really relies on the commissions that the ABC does.

Senator WALKER: On a slightly different topic, what does the recent budget outcome mean for the Indo-Pacific Broadcasting Strategy?

Mr Marks: The money that we've been able to receive has been invaluable. We've not only been able to double our footprint in the region; we've been able to double our output in the region. That work and engaging in particular with local journalists, particularly in the Pacific, has, I think, led to some really great work that's come out and a great environment where the ABC is working collaboratively with broadcasters in the region to lift the standard of activity that's happening throughout the Pacific in particular. We're seeing rising trust scores for the ABC services in those spaces. We're seeing a real value perception towards the ABC services. As I said, we're proceeding to do a lot of work, a lot of content, that's specifically targeted at the Pacific, which is leading to really great results and outcomes that are supporting those trust and value scores.

Recently, we have been able to free up some of our DAB spectrum in Australia so that Pacific radio service that we've been doing is now also available to Pacific communities within Australia. That's been a really great addition to the range of services that we're able to provide, all of which have been, I guess, facilitated by that additional investment from the government.

Senator WALKER: Can you tell me a bit more about the Pacific Local Journalism Network initiative.

Mr Marks: They're a great bunch of people. I've met them all. They've come to my office. They are passionate journalists operating sometimes in really difficult environments for journalism and their markets. The ability to be supported by the ABC and to have the ability to tell their stories and to have some freedom to do so has been something they have really got behind. From time to time it does cause some difficulty in terms of the freedom of press in some of those markets, but working together with the various countries in which we operate and through local journalists is enabling us to deal with those issues well. It has become a very constructive relationship through the Pacific.

Senator Green: As someone who has been interviewed by some of those journalists, I can attest to their hard-hitting journalistic nature. They are being trained in good stead to deliver really good news to people in the Pacific.

Senator WALKER: That's great to hear.

CHAIR: Senator Roberts.

Senator ROBERTS: This is a slightly long question, although it is important to be accurate as the public's perception of ABC independence or bias is central to your role as a public broadcaster. Mr Williams, the chair, on the *Poll Position* podcast around 23 May this year was asked about an incident when ABC employees were removed from a press conference in the Farrer electorate and a separate incident in South Australia where a staff member continued to shout questions at Senator Hanson after the press conference was over. Your reporter was asked to shut up, for which the party apologised and the staffer involved apologised. The interviewer's question to Mr Williams included the statement that One Nation were picking and choosing who we let attend our press conferences, calling it pretty undemocratic. Mr Williams's response was:

Well, I would endorse that view—

that it's undemocratic—

I think if you're going to choose who you talk to and who you don't talk to, you're in a dark and dangerous place in democracy. And I think politicians are accountable to the people and they don't get to pick who's going to question them.

Mr Marks, can we agree that this is an accurate summary so we can move on to the questions?

Mr Marks: I think you referenced a journalist who was told to shut up. I'm not aware that was our journalist.

Senator ROBERTS: No.

Mr Marks: Sorry, I thought you said it was an ABC journalist.

Senator ROBERTS: That's what I thought. Sorry.

Mr Marks: No, it wasn't an ABC journalist. I'm sorry; it was my understanding.

Mr Fang: I don't believe it was either.

Senator ROBERTS: My apologies for that mistake, but I'm getting to the key question, which is Mr Williams's response.

Mr Marks: I think Mr Williams's response refers to the importance in a democratic society of informing the audience. The audience must come first. In doing so it's important that all parties of prominence and otherwise as well—people who have an impact in our political system—are able to bring views, opinions and statements from those parties to the public. We operate on the basis that the public must come first. To the extent that our people who turn up to do the job are deprived of their ability to inform the public, I think that can be a problem. That's something that we need to keep investing in, the importance of making sure that the public are informed about everything that has to do with what happens in this place.

Senator ROBERTS: Your budget is around \$1.3 billion. What's the exact number?

Mr Marks: Here's an answer for Ms Kleyn.

Ms Kleyn: Yes, that's correct. The exact number in FY26 is \$1.229 billion.

Senator ROBERTS: Value and accuracy—you left out the word 'accurate' public interactions?

Mr Marks: Sorry. Accuracy comes first. Accuracy goes to impartiality. Accuracy is the most important standard that we operate by.

Senator ROBERTS: We're agreed—good. My questions go to value, accuracy and compliance with the ABC Charter. Every day in this place politicians give interviews to journalists they trust and emailed press statements or text messages to those they don't trust to prevent their words being manipulated. Isn't it true that One Nation's actions are about lack of trust in the quality, accuracy and motivation of ABC reporting, a discretion we're entitled to exercise and is exercised every day in this place by all parties?

Mr Marks: I won't comment as to the motivations behind any One Nation action. That's obviously a matter for you and your colleagues.

Senator ROBERTS: I can tell you we think we're getting reported in a very biased way.

Mr Marks: We have an obligation, as you say, to report matters accurately and we have an obligation to report matters impartially. If anyone has a concern about our performance on those metrics, we are more than happy to have a conversation about that. In fact, I am endeavouring to do that, without much success, at the moment. That also comes with the expectation that policies, people et cetera should be subject to scrutiny. That is the journalistic process. Yes, we have to report accurately and we have to impartially, but also the notion that people should be subject to scrutiny and questions when performing all of the functions that happen in this place, I think, is a really important principle that goes along with that.

Senator ROBERTS: I would agree. Minister, isn't it true that in this place parties give interviews to journalists they trust and send written statements to journalists they don't trust?

Senator Green: It's not really a question for ABC estimates, but I'll answer it for you to assist you. Members of both parties of government give interviews to a range of news outlets and they invite a range of news outlets to their press conferences because that public scrutiny is important, particularly if you are promoting yourself as a party that not only has policies that could be formed in government. What we are now seeing is that your party has a primary vote that means you may now be the new opposition. It's important that every member of parliament is scrutinised by news outlets, whoever they may be. I'm not going to pass a judgement on which news outlets are more trusted or least trusted. I think the judgement of Australians is that, when you turn up to this place and you're asked a question, you should answer it.

Senator ROBERTS: What about the judgement from Mr Williams when he said that, if you're going to choose who you talk to, you're in a dark and dangerous place?

Senator Green: I'm not going to comment for the chair. I think that's a question for Mr Marks.

Senator ROBERTS: Doesn't the fact, Mr Marks—

Senator Green: Are you in a dark and dangerous place?

Senator ROBERTS: No, I'm not.

Senator Green: There we go.

Mr Marks: I think the answer to that question is what I referred to earlier, which is that it is very important that we perform our role accurately and impartially, but with due inquiry, due inquisition and due curiosity in everybody who operates in this environment to ensure that we are informing the public of the things that are important to them and relevant to them and the things that are of interest to them. I have no doubt at the moment with the way that the political landscape is forming that things that are happening within your party are of interest to Australians, and it is important as the ABC that we're able to inform them, and it's important that we're able to engage with your party on the basis that we're able to serve the public. I think that's a very important function for us to fulfil.

Senator ROBERTS: The public want fair engagement and impartial engagement. Doesn't the fact that Mr Williams highlighted us doing that, in terms of responding verbally to interviewers we trust and responding in text messages to interviewers we don't, without mentioning that other parties do that as well show that he is biased against One Nation? He tried to say we are the only ones doing it; that's the clear implication of that leading to a dark place for democracy.

Mr Marks: You're referring to a podcast that I haven't seen, so it's difficult for me. I can only talk about the quotes that you've referenced and the quotes I've seen in the press, and I can't talk to Mr Williams's motivations in that particular podcast. All we can talk to is facts, and the facts are the ABC currently is the most trusted media organisation in the country, according to the public. We have strong editorial principles and practices that are very important that we operate; I agree with you on that. We have the most robust complaints handling process that's available in the media in this market that's available to people who view they're not being treated fairly in that process. We can always do better; there is no doubt about that, and that is our constant aim. The principle of informing the public and being very vigilant in doing that is the most important principle we abide by. I think not being able to engage fully with all political parties in that process inhibits our ability to do that effectively and I think that is a problem.

Senator ROBERTS: Again you missed the word 'accurate'—to inform people accurately. A search of Mr Williams's media statements shows he has not used the phrase 'dark and dangerous place' in previous media comments around any other party, just One Nation. How is using a pejorative like that in keeping with your need to maintain a perception of independence and accuracy?

Mr Marks: Again, I can't comment on Mr Williams's motivations. I know he is a passionate advocate of democracy and I know he's a passionate advocate of informed democracy. I know he's a passionate advocate for accuracy and impartiality. Maybe he gets some of the words wrong, but they are his motivations, which I think we're all agreed with in this place. Did he get every word right? It doesn't sound to me necessarily based on your assessment; because I haven't seen the podcast or listened to the podcasting questions, it's hard for me to comment.

Senator ROBERTS: Let's move on to a topic you raised a minute ago, policies. Mr Williams said in the podcast:

Perhaps their concern is because they are such a policy-free zone, but I say that objectively, not in any spirit of partisanship. One Nation has statements. It doesn't have policies.

However, our website has many more policy statements than the Liberal or Labor parties. Some of our policies have been copied by both the Liberal and Labor parties and by other parties. In the last election we used fully costed policies and are releasing even more detailed policies at the moment. Why is Mr Williams perpetuating an internet falsity to denigrate One Nation?

Mr Marks: Again, Mr Williams is the chair of the organisation. I am the editor-in-chief. There is separation of powers between the board and Mr Williams, who represents the board as chair, and me as editor-in-chief. They were comments made by Mr Williams. They don't reflect the views of the ABC. As you say, it is important that the policies of One Nation are subject to the same interrogation as every party's policy and they should be treated equally, accurately and impartially.

Senator ROBERTS: We welcome that. We love it. Our gas policy is getting plaudits everywhere. That's fantastic. Patricia Karvelas allowed her strong bias against One Nation to show through in the Farrer election program. She stated:

It was actually people like Ron Boswell ... who campaigned to put One Nation last ... you've got the most conservative people who believed it was a big and dangerous mistake to legitimise One Nation and to embolden One Nation.

She also stated:

Here we've had ... Angus Taylor make a deliberate decision to preference One Nation above the independent, which tonight could really be one of the reasons they get across the line and that will legitimise them.

Patricia Karvelas also stated:

I used the term earlier on ... the permission structure—if they are able to win their first lower house seat, that begins the process of legitimising them.

She's clearly implying that we're illegitimate. How is this acceptable commentary? It's clear bias and it's insulting and denigrating and it's hurting the ABC and that \$1.3 billion that the taxpayers are investing in your corporation.

Mr Marks: I'm going to disagree with you in relation to that particular broadcast, which I've gone back and watched a few times. If you watch that broadcast in its entirety, Patricia Karvelas also makes a number of other comments. She says that there's no better poll than an election. She says that this is the result of 30 years of work by Senator Hanson to lift the party at this stage. She says that this is a major political shift. She says that this is a major win for One Nation. In the comments that you're referring to, which are a selected part of that whole broadcast, she's referring to comments that were made by Senator Boswell—I'm not sure in what era or what time—that refers to the politics. Remember Ms Karvelas is a political analyst. That refers to the political decision to preference one party over another and what the outcomes of that might be. If you listen to the broadcast as a whole, I think you can be in no doubt that broadcast was accurate; it was impartial. We would stand by Ms Karvelas's comments when taken as a whole across the broadcast. Do you want to add anything that I might have missed in that?

Mr Fang: No, I think you captured it. Senator, you read out some more of Patricia Karvelas's analysis that has been quoted in some other places, including the reference to Senator Boswell. I think Patricia Karvelas was making reference to previous politics around One Nation and around the Liberal and National parties' approach to One Nation in the past, and that was contextualised across the coverage.

Senator ROBERTS: Anyway, we can all celebrate Senator Whitten, because the ABC has now given us the blessing of legitimacy. The next day on the *Insiders* program—

Senator Green: I think Angus Taylor did that. Maybe the people of Farrer did that.

Senator ROBERTS: The next day on the *Insiders* program regular panellist Niki Savva made the statement that the 'Liberal Party, in preferencing One Nation, was aligning with a party which, at its core, is racist and bigoted'. When comments like this are not corrected—they're not factual, they're dishonest—when your staff are not told to keep commentary to factual matters, how can you whinge about us not empowering you to take another swing? This isn't journalism. The ABC is creating a dark space through political advocacy.

Mr Marks: I'll ask Mr Fang to respond to that particular instance.

Mr Fang: You're referring to comments made by Niki Savva on the *Insiders* program. She's not an ABC staff member. *Insiders* is a panel show where various journalists—

Senator ROBERTS: She is being legitimised by being your guest.

Mr Fang: are brought on to express their opinion. It's pretty clear to the audience that was her opinion and not the opinion of the ABC.

CHAIR: Senator Roberts, I'm going to have to—

Senator ROBERTS: Last question. A couple of years ago I had a conversation with a retired person who had been a miner in the Pilbara in the 1980s. He said back in the eighties all they had in terms of entertainment broadcasting was ABC Radio and ABC TV. He says nowadays we can go anywhere in the world, get podcasters, get independent news sources, private, government—a huge range. So, why do we need the ABC?

Mr Marks: It's a really good question and it's a question that we occupy ourselves with constantly, looking at that changed competitive environment.

Senator ROBERTS: We can give you some help with policies if you like.

Mr Marks: I don't think we're here for policy. I think we're here to create an organisation that should be the universal source of accuracy, that should be the place of due impartiality, because a lot of the context that you

refer to is actually an increasingly divisive and more perspective driven media environment. Our role in that environment has to be—and this is why it's so important that we meet our editorial standards—that we are the place that should be the source of truth, the place where people know, even though they've heard a lot, they say, 'I'm going to go to the ABC and see what they have to say about those facts.' That's No. 1 when it comes to news and current affairs. No. 2, why do we need the ABC? When it comes to children's programming, nobody else in the country or in the globe is servicing Australian children other than the ABC. When it comes to emergency broadcasting, the ABC carries unique responsibilities for ensuring the dissemination of information about emergency matters both through the ABC and through other third-party channels in relation to issues of national importance. When it comes to telling Australian stories, whether that be comedy, whether that be documentary, whether that be adult drama, whether that be entertainment shows, increasingly it is the ABC that is becoming the home of those Australian stories and becoming the supporter of the independent production sector. Many medium and small businesses all around the country rely on commissions from the ABC to function.

When it comes to Australian music, we are the one big supporter of Australian music that exists still today. We operate on the basis where our channels cover more than 50 per cent music across Triple J, Classic Country, Double J—various channels, all very focused as big supporters of Australian music. Again, it is an environment where most other music services are very globalised. If we really want to invest in what is the nature of Australian social cohesion, what is the nature of the Australian story, who are our Australian characters, that is our responsibility; we take that very seriously. Without us, a lot of that would be lost and lost forever and subject to a globalised environment.

I actually think we have more in common than not. I actually think we're all in it for the same reason: to ensure that Australian stories are connected with Australian audiences, and that is a big part of my function. We talk a lot in this room about news and current affairs, and there will always be views and perspectives on the quality, editorial strength, accuracy and impartiality of our news and current affairs. We accept that's part of the exercise, that's part of our attendance here today, but we do a lot more than that and that lot more, I think, can often be underestimated.

Senator ROBERTS: I look forward to the day when the ABC achieves the standards you're talking about.

Mr Marks: Wish me good endeavours to achieve the best possible vision of the ABC that we can. We are going to have to reposition ourselves into the competitive environment that you mentioned. It means doing things differently. It sometimes means choosing to do different things. I think it will mean partly being more distinctive at times and partly doing more detail in other environments. We need to be able to be changed to reflect the different competitive environment that you've identified.

Senator ROBERTS: I put it to you that the free, independent people's media is rising because the mainstream media, the mouthpiece media, is now being seen through by people increasingly all over the world.

Mr Marks: There's a lot of interest in new forms of media. I think it has changed the landscape. I'm not here to tell you that there's not interest in different voices, but I am here to tell you that the ABC's role in that is to be the place of truth and to be the place of impartiality; that's what our standards say. We will all debate about how well we achieve those standards, but that is our overriding objective every day.

CHAIR: Senator Henderson.

Senator HENDERSON: It looks like Senate estimates is the killing season at the ABC. I've just seen a report on the *Sydney Morning Herald* website that the ABC has sacked *Four Corners* reporter Mahmood Fazal after an internal investigation into an unauthorised podcast appearance with a former underworld figure last year. That's the opening paragraph of the story. Can you confirm that's the case and, if so, why has Mr Fazal been sacked?

Mr Marks: We conducted an investigation into matters that were raised about Mr Fazal in relation to an external work request that he made to the ABC. That was the scope of the investigation. That investigation has now been completed, as Mr Fazal was able to participate in that investigation. As a result of that investigation, Mr Fazal no longer is employed by the ABC.

Senator HENDERSON: He was terminated?

Mr Marks: He was terminated.

Senator HENDERSON: Because he didn't seek approval to do the podcast?

Mr Marks: It's inappropriate for me to go into the details of the investigation, but the outcome of the investigation is that the findings have led to Mr Fazal no longer being paid by the ABC.

Senator HENDERSON: I don't think it is inappropriate because I think in this case *Four Corners* has fallen well short of the standards that should apply at the ABC's so-called premier current affairs long-form program. I

want to refer to a report by Stephen Rice in the *Australian*, updated on 29 March and published originally on 27 March. I'm just going to quote in part. It states:

ABC bosses were said to be 'besotted' by the new hire—

Mr Fazal—

and happy to see the program back in the spotlight. The former bikie boss was 'untouchable ... a protected species', insiders say. When Fazal launched the program back into the headlines for all the wrong reasons, the ABC circled the wagons.

The allegations were serious. In October 2024, the Sydney Morning Herald's veteran investigative journalist, Kate McClymont, revealed that the 'postman' was once again delivering menacing messages from underworld figures.

...

Fazal had allegedly passed on demands from the Alameddine family to a producer of the popular YouTube show *FriendlyJordies*, fronted by comedian and commentator Jordan Shanks, insisting they delete a scathing video about the Alameddines.

The warnings had come in a series of meetings, calls and texts. The ABC reporter allegedly told *FriendlyJordies* producer Kristo Langker: 'These people kill people. If you don't take the video down something bad is going to happen.'

I do put on the record that Mr Fazal has rejected those allegations and that was also reported in the story. These are very serious allegations. Did these factor into your decision to terminate Mr Fazal?

Mr Marks: I'll get Mr Fang to respond to those particular concerns. I wasn't at the ABC at the time so I can't talk to the response. What I can say in relation to the investigation is the investigation specifically related to the external work request that Mr Fazal made at the time in relation to whatever podcast he intended to appear on. It was very important under our enterprise agreement that we were very specific as to the scope of that investigation.

Senator HENDERSON: The fact that there were allegations that he had passed on a message in relation to killing someone and that he was a former member of an underworld association or had underworld links—those matters were not material?

Mr Marks: That relates to the comments that you're making about a 2024 analysis of whether Mr Fazal's reporting the ABC should stand by at the time.

Senator HENDERSON: Aren't those matters material as to whether Mr Fazal is an appropriate person to be reporting for *Four Corners*?

Mr Marks: Under our enterprise agreement, which we have fallen foul of in circumstances that have been the subject of some discussion in this forum, it is important that, when we do an investigation, we are very clear on the scope of that investigation and that we make decisions about the clarity of the matters that we raise. That was the scope of the investigation. The matters that you raise were subject to a 2024 discussion.

Senator HENDERSON: Could we please have a copy of the investigation? There was a report, I imagine, produced in relation to this.

Mr Marks: I will speak with the team and look into what we can provide to you.

Senator HENDERSON: This is a matter of very high public interest, I would put to you.

Mr Marks: I will speak to my team and understand what is appropriate for us to provide to the Senate.

Senator HENDERSON: Was Mr Fazal a qualified journalist?

Mr Fang: Maybe I can help you. As to the series of events that you read out from Stephen Rice's article and that were detailed by Kate McClymont—and I think you also pointed out that Mr Fazal had denied the allegations, if I recollect what you had read out there—my recollection of it at the time is that the ABC had referred these matters to the police, which I think was the appropriate place for these to be referred to. You asked about Mr Fazal's background. My recollection is that prior to joining the ABC he had worked at Vice Media and he had been a journalist who had won a variety of different awards before he came to join the ABC, I think, in a casual capacity originally for one of our programs before being employed. He did bring with him journalistic background and a number of different types of stories which were important to tell to the public, notwithstanding any of the allegations that have since been made and that you've outlined.

Senator HENDERSON: I'm going back to May 2024, when these very serious matters were raised and Justin Stevens and the ABC communications team were alerted to serious allegations against Mr Fazal. The statement that was made by the ABC was that 'Mahmood Fazal does extremely challenging, impactful and important public interest journalism for the ABC and the ABC stands by his reporting'. On what planet is the ABC when it makes a statement like that in response to these most serious matters?

Mr Fang: I'm not party to the investigation that's gone on since then around the other matters that related to external work. At the time, as the statement indicates, the appropriate way to deal with those allegations was to refer them to police. Mr Fazal had denied them and they were put to the authorities.

Senator HENDERSON: That was not the response at the time, and I'm referring to May 2024, when these allegations were first raised. The ABC didn't announce an independent public investigation but very quickly issued a statement of support. Again, it goes to that culture of defensiveness—defend at all costs, no matter the facts, no matter the truth. Surely it would have been appropriate at the time to have a more measured response, to take those allegations seriously?

Mr Fang: I'm not aware of what else was conducted. As to a defensive position, I would point out, as you did, that Mr Fazal had denied the allegations and any issues that had come up were referred to police.

Senator HENDERSON: He was known as The Postman, so he obviously had these underworld links in a previous life. Are they the appropriate standards for the ABC and for its pre-eminent *Four Corners* program?

Mr Fang: He certainly wasn't known as The Postman to me. Whether that's—

Senator HENDERSON: No, I'm referring to this report and to the serious matters.

Mr Fang: Understood. We have discussed this previously, about the types of stories and the types of skills that journalists bring in this day and age and the ability to tell stories and bring perspectives from right across the spectrum, and to bring different issues that are important to the public. My understanding is Mr Fazal had been upfront about his previous involvement with organised crime, that he had left that, he had gone to university and studied and he had become a journalist. When he was employed by the ABC he had already had a journalistic background and a career in journalism, and that he was upfront that his previous connections allowed him to help tell stories about what was going on in the criminal underworld in a way that met our standards but was of interest and of public interest, and that at the time those stories were important to tell.

Senator HENDERSON: There is another way to tell those stories. You use one of your highly qualified journalists at the ABC, working for *Four Corners*, to interview Mr Fazal if he's got a good story to tell. It doesn't mean you've got to hire him as a journalist. I've never seen those sorts of standards apply to a program such as *Four Corners* or in fact any news or current affairs program. It's almost unprecedented. I'm not questioning that he may have a story to tell, but surely the highest possible standards of journalism should apply at a program like *Four Corners*, and working for Vice News I don't think necessarily qualifies him to work at *Four Corners*.

Mr Fang: I agree with you that the highest standards need to apply at *Four Corners*.

Mr Marks: We've spoken a little bit today already about the diversity of voices in our reporting and how a diversity of voices can be born. Again, I wasn't involved in his recruitment.

Senator HENDERSON: I wasn't thinking of the organised crime diversity of voices. I don't think that was within the gamut of our thinking.

Mr Marks: I don't think he was organised crime at the time. I think he was—

Senator HENDERSON: Former organised crime links.

Mr Marks: Former, and people are able to move on in their careers. I understand he was a somewhat awarded journalist at that point in time. The reasons to hire are to try to get deeper into an area of society, an area of Australia that is of some interest, I think, to the public. That was the objective. Have we met those objectives? I think there have been some good stories produced. Obviously there have been issues which have led us to where we are today.

CHAIR: Senator Henderson, I'll give you a minute and then we'll move the call.

Senator HENDERSON: I'm going to quickly move to the complaints made by the renowned singer Deborah Conway, a very fine Jewish woman, who performed in Hobart in May 2024.

CHAIR: Do you want to start that now? I'm going to move you on in a minute, so do you want to come back to it? It's a matter for you.

Senator HENDERSON: I'll quickly go to it. The renowned singer Deborah Conway performed in Hobart in May 2024. There were multiple interruptions to her performance. The following morning, an ABC Radio presenter in Tasmania asked the question: should Deborah Conway have the right to perform? Does the ABC acknowledge that these sorts of questions raised by an ABC presenter on ABC Radio imply implicit support by the ABC of division and antagonism towards Jews, almost suggesting that there is a right to harass Jews such as Deborah Conway when she is performing? This is the subject of complaints to the ABC. Deborah Conway has also made complaints through the royal commission. Could I ask you to respond to that?

Mr Marks: I'm not aware of those facts. We'll have to go into the detail of that particular set of circumstances and get an understanding of what went on and why.

Senator HENDERSON: I would appreciate that, because it certainly does suggest that the ABC, one of its presenters, believes there is a legitimate reason to harass a Jewish performer like Deborah Conway when she's performing. Those suggestions have not been made, to my understanding, in relation to any other performer. I would put to you that's a pretty appalling thing to say.

Mr Marks: I would have to listen to the broadcast in question and understand exactly the tone and context of those to be able to respond usefully. We'll have to look into that and come back to you.

Senator HENDERSON: I would appreciate it if you could investigate that, if you could come back to me on notice in relation to those concerns. That's one of many incidents involving the ABC's reporting and attitude towards Jewish Australians. That really has caused deep upset not just to Deborah but to her family and to the broader Jewish community, and I would ask you to take those concerns very seriously.

Mr Marks: We do in every such circumstance.

CHAIR: We'll go to Senator Whitten, who will take us to the break.

Senator WHITTEN: I've got some questions on Budget Paper No. 1, specifically table 6.11 on page 236. The figure given there for broadcasting is \$1.9 million. You mentioned before that your budget was \$1.2 billion or \$1.3 billion. Do you have a breakdown of that?

Ms Kleyn: I'm sorry, I don't actually have what you're referring to in front of me. Does that include SBS as well? I think it may.

Senator WHITTEN: It just says 'broadcasting'.

Ms Kleyn: It says 'broadcasting'. I believe that includes SBS as well. In the ABC's portfolio budget statements, with regard to how it's broken down for financial year 2027, we have the general operational activities, and that is an amount of \$1.071 billion, and then we have the transmission and distribution services, which is an amount of approximately \$217 million, so total government funding of \$1.2877 billion, or \$1.3 billion, going into FY27. The number I was referring to earlier was our financial year 2026 funding.

Senator WHITTEN: Do you have a breakdown between TV, online and radio?

Ms Kleyn: I don't in front of me. We certainly do organise the ABC across different divisions and departments. That doesn't entirely break it down, as you suggest. It does obviously provide a further breakdown, but I don't have that in front of me. I'm sorry.

Senator WHITTEN: Can you take it on notice and provide that?

Ms Kleyn: Certainly. We'll see what we can provide you.

Senator WHITTEN: You don't know what the total cost of maintaining an online presence is?

Ms Kleyn: No, not off the top of my head. It's kind of a quite complex multiskilled organisation, so it's not so much that we would divide our organisation in that manner. We would have to apply certain assumptions around resource allocation and time spent, but we don't break it down quite like that.

Mr Marks: When you say 'online', are you referring to online news, or are you referring to iview, or are you referring to the Listen app?

Senator WHITTEN: It is probably more social media online. What metric does the ABC use to measure success?

Mr Marks: We use a range of metrics and Ms Kleyn has probably got them in the annual report next to you, but I'll speak to begin with. The two measures that we are most focused on are the trust in the ABC, as measured by research, and the perceived value of the ABC in the community. I'm pleased to say both of those numbers have recently improved and both now sit at 80 per cent or more in terms of the population. They're the two overriding metrics that talk to a lot of things that we talk about today.

We then have measures about how we compare versus other media in terms of our television consumption, in terms of our audio consumption and in terms of our digital performance, mainly reflecting, again, the number of people who engage with the ABC on a weekly, monthly and annual basis. Again, those numbers have been relatively strong. It's a mix of those measures. There's a mix of trust, value, and we're introducing a new one, which is, do we make impact? Do we do things that are memorable, that people really go, 'The ABC is good, but that thing that the ABC did is really great.' That's another measure that we're introducing. It's a mix of those things and hard audience data.

Senator WHITTEN: The viewership, listenership and eyeballs would not be the highest metric like they are with a commercial operation?

Mr Marks: Our revenue is not linked to audience. Audience and the understanding of our relevancy is obviously reflected in viewership or listening, so it's obviously a very important factor for us. As the ABC, we have to operate independently of those factors and really focus on fulfilling our charter obligations to provide a service that informs, entertains and educates Australians. We do operate on a different basis to commercial media.

Senator WHITTEN: I'm going to touch on what Senator McKenzie was talking about earlier. Are you aware of how many followers you have on X?

Mr Marks: I'm not. You're about to tell me.

Senator WHITTEN: I believe it's about 2.6 million. Don't hold me to that, but that's the figure I've come up with. What about Bluesky?

Mr Marks: I'm not, but no doubt you're about to tell me.

Senator WHITTEN: It's about 7,000, I believe. Double-check me. Fact check me. You have 370 times the number of followers on X. However, your posting rate between X and Bluesky is 10 to 1. Why is that?

Mr Marks: Mr Fang has some response on this, so I'll go to Mr Fang on this issue.

Mr Fang: I'm just picking this up off what I've been told, so apologies if I take a bit of time to go through this with you. As to some of these questions, there has been no change to our approach to X since 2023. The ABC launched a Bluesky account in April 2026. It is fully automated and stories are published off our website's 'just in' feed, which pushes the summary to Bluesky. No comments are enabled, so it doesn't require any moderation; that's a factor. On Bluesky the ABC can opt to not have comments, but on X every post has to have comments turned off, which is a resource implication. That's why the number of posts on Bluesky at the moment is higher than on X, because of the moderation required for X posts versus Bluesky posts.

Senator WHITTEN: You mostly have your comments turned off on X?

Mr Fang: I believe so. That's the case, yes. No comments are enabled, yes.

Senator WHITTEN: Explain to me the moderation requirement then? If you're doing 10 times the number on Bluesky to what you are doing on X, but you haven't got comments on X, what are you moderating?

Mr Fang: We can opt to not have comments on Bluesky, which means less moderation than if we were doing that on X, which is why there's a greater number on Bluesky. We can post fewer stories or we don't take comments.

Senator WHITTEN: Should you not be trying to reach the widest possible audience?

Mr Fang: Absolutely. That's one of the reasons we're still on some of these platforms. We also have to manage volume, the resources able to moderate that output to make sure those stories are accurate and correct. These are all variables that have to be managed when publishing. We can't be everywhere. We try to be where Australians are where we can, but we have to manage a bunch of different variables.

Senator WHITTEN: I would suggest there are a fair few Australians on X, so you have 1.9 billion reasons to support those eyeballs perhaps. Using your words, you need to inform the audience, and the public must come first. It doesn't sound like the public is coming first if you're putting 10 times the amount of content where there's much less viewership.

Mr Fang: I think we're publishing across a variety of different platforms where we can get to the audience. In some ways where it's easier we might be doing more on a particular platform at the moment. That might change over time. It just depends.

Mr Marks: It sounds like, from what Mr Fang is saying—and it's dangerous to make assumptions in this House—the Bluesky platform enables automatic publishing based on our feed, so it would be an automated process, whereas I think the X process requires manual activity. That may explain why there's a difference in volume.

Senator WHITTEN: It's a massive difference.

Mr Marks: You can imagine when it's automated it is just constantly publishing; that would be the difference. I think we said earlier we would come back to the Senate on this particular issue.

CHAIR: We will take a break and then return.

Proceedings suspended from 11:01 to 11:18

CHAIR: We recommence with the Australian Broadcasting Corporation. I observe that a number of senators are seeking the call, so we are going to go to 10-minute blocks of questions, but we will keep rotating through as we need to. Senator Whish-Wilson.

Senator WHISH-WILSON: I have a couple of questions about a new AI trial called the Daily News Briefing, which I understand is happening in my home town in Northern Tasmania. Is it correct that you're embarking on a new pilot program to use AI in your operations?

Mr Marks: That's referring to an initiative we have going which is about ensuring that sometimes the news content that we produce for radio is translated into a digital format so that news content can get more life than just a radio broadcast; it can also be available for local audiences. Soon we will have an option to localise your digital experience as well so you can get that localised content preferenced.

Senator WHISH-WILSON: Is that the kind of stuff that's done by junior journalists at the moment?

Mr Marks: No, that wouldn't be done by anyone at the moment. What that's about is ensuring that content, which is currently just on radio, has more life than what it's currently able to do. It's about giving the hard work that the junior journalists do to create that content a broader audience.

Senator WHISH-WILSON: How long is it going to be trialled for?

Mr Marks: We've done some trials already. Assuming that this is the program we're operating on, we've done some trials in Gippsland. I think that was one. I'm not sure where the other trial was.

Senator WHISH-WILSON: I've heard regional WA maybe.

Mr Marks: Maybe regional WA. In terms of the results from the teams that operate in those local markets, my understanding is they were very happy with the outcomes of the trials. I think this is a major initiative and it's all aimed at engaging with local audiences. Localism is a thing that the ABC can do again that nobody else can do. Localism is very important, but we need to make sure that good journalism is available in more places.

Senator WHISH-WILSON: I have a couple of questions on that. I noted you said to Senator Roberts that you're looking at how to do things differently, which I'm sure you're doing all the time anyway. What consultation have you done with staff on this, particularly in Northern Tasmania? They might see an AI program being rolled out and wonder if this is the tip of the iceberg in relation to their jobs.

Mr Marks: I assume—and, again, I'm not sure of the detail—the consultation has been quite broad across many of the local operations. It's certainly something that I've spoken about quite generally across the organisation. As to the nature of how it's going to be rolled out in Northern Tasmania, I'm unsure as to the exact—

Senator WHISH-WILSON: Could you take it on notice?

Mr Marks: Yes, I would be happy to.

Senator WHISH-WILSON: Let me know what your plans are.

Mr Marks: It's an important thing for the journalists, but it's focused on the audience.

Senator WHISH-WILSON: I am also interested in quality, as you just said, which is the kind of thing the ABC is known for. I would be keen to know what kinds of safeguards are going to be put in place around the use of AI. Are you aware of that?

Mr Marks: Yes. I will get Mr Fang to talk to our general principles in a minute. In the case that you're mentioning, all of that content will still be subject to editorial review by senior editors in each of the individual local markets, so quality control remains paramount. In terms of our general principles—

Mr Fang: There are two things I would add. I'm not aware of the details about Tasmania, but I know that this project the managing director is referring to was trialled in Victoria; it was led by the regional staff who are working on it to get it up to what they want to meet their local community needs, so it's being driven by staff.

Senator WHISH-WILSON: It's being driven by local regional staff?

Mr Fang: For that trial, correct. In terms of our editorial approach and policies, human oversight is still required to make sure that anything that we have go out meets our standards.

Senator WHISH-WILSON: Would that pick up AI slop or what's commonly referred to as AI hallucinations, which you would have to agree would undermine the quality of journalism and trust in you if you got it wrong?

Mr Fang: Agreed, absolutely, which is why what's being piloted here is taking journalism we are already doing and making for radio and finding ways to, as the managing director has said, give it a secondary life that meets local audiences on digital. Rather than it just creating its own AI slop, as you've said, it's actually based on

the ABC's own journalism that it's doing with human oversight to make sure that it is still meeting accuracy standards.

Senator WHISH-WILSON: Even if it is based on your radio content, for example, it can still produce hallucinations?

Mr Fang: Absolutely. It still needs someone to look at it, check it, make sure that these things are meeting the standards, make sure that it's the same as the original copy; that's an important part of the step. All of the content that we make, whether it has some form of AI usage in the background, for example, through data journalism, et cetera, needs to still meet our standards when it gets to the audience; it still needs to be accurate, impartial, independent et cetera. There's no change in our standards because AI may be somewhere in a process.

Senator WHISH-WILSON: It is certainly a question for the senior management at ABC but also potentially to the minister. What guarantees are there that AI won't be used as a reason to cut jobs at the ABC? Is this the tip of the iceberg in terms of the use of AI replacing journalists?

Mr Marks: I don't think this is cutting jobs. This is making the most out of the jobs that exist and also that journalism in terms of our work and trying to work with other local media players. We've done this now with emergency broadcasting, but this is another option for us, once the journalism is in written form, to be able to share that potentially with other local media operations just in terms of extending the depth and quality of some of the operations they do. I think it has actually got really good public purpose behind it. In terms of AI more generally and more broadly, it can be an amazing tool, but it's not a replacement for people; it's a resource for people to use to do their work. I expect jobs will probably change, but it's not a job replacement. Those who are able to understand how they can use AI in their world to enable them to do their jobs better will be the ones who will really continue to grow. I think that's the way that we should look at that technology.

Senator WHISH-WILSON: In terms of looking at that technology, are you formally looking at increasing AI in published content?

Mr Marks: Again, as Mr Fang said, most of this is staff led. The staff are voting with their feet. The staff are saying, 'Hey, here's a program that enables me to do my work better.' We're largely responding to things that staff are doing. Again, we're early in its adoption, and it will be interesting to see how it plays out, but rest assured that our use of technology will be to enhance the experience of the audience, not lessen it.

Senator WHISH-WILSON: Yes, I don't dispute that. I also want to make sure journalists keep their work, too. It's obviously a bigger issue than journalism. It's a topic of discussion everywhere right now. I understand some of these agencies have completely banned the use of AI. Is that something you're aware of and the ABC has chosen—

Mr Fang: No, that's not what I would understand to be common practice in terms of when you say 'ban the use of AI'. No, I've not heard that. I'd be interested to know—

Senator WHISH-WILSON: I'll see if I can find out for you.

Mr Fang: What's happening in journalism is that there are a bunch of different things that are tasks that you might do that could take you a considerable amount of time or to sort through large datasets, for example. Investigative journalism, for example, is a place where AI is starting to be utilised. Overall, what we're seeing is that it's still relying on the journalists to be able to know what the story is and to know where to point the AI in terms of its use around data. At the moment I think that's one of the most powerful places. As to whether other media companies are banning AI, I'd be very surprised about that. It may be banning it in different ways based on a number of different AI principles, but I haven't heard that.

Senator WHISH-WILSON: One of the key uses now is that, if you're just googling something, AI will provide a summary of available documents and research reports, and that can be quite subjective and often wrong. In fact, I was on a committee with Senator Ananda-Rajah on disinformation and this issue came up time and time again. With the translation from the radio to digital content, obviously you'd be hoping to get a word-for-word translation, but would the use of AI in this case also provide a summary of an interview with Senator Green on the Barrier Reef or whatever it happens to be? Is that the kind of application that's also going to have for taking audio on to digital?

Mr Marks: I think our digital approach is often to provide a summary of an article. Again, as Mr Fang said, all of the work that's published will still be subject to human editorial review.

Senator WHISH-WILSON: You'll still have someone listen to the radio and say whether that AI summary was a fair and accurate representation?

Mr Marks: It will be the same journalists.

Mr Fang: Everything that we publish still needs to meet our standards. This requires human oversight to ensure that it's an accurate summary, an accurate translation—whatever it might be.

CHAIR: Senator Henderson.

Senator HENDERSON: I return to the resignation of Mr Stevens. I have received some information that you threatened to terminate Mr Stevens if he didn't resign. Is that the case?

Mr Marks: I don't know where that information is coming from. I'm sorry.

Senator HENDERSON: No, I'm not going to disclose the source, clearly.

Mr Marks: There were two people in our meeting or maybe three, so I don't know where that information has come from.

Senator HENDERSON: No, but I'm asking you: is that true?

Mr Marks: I don't make threats.

Senator HENDERSON: Did you suggest that you were going to terminate Mr Stevens if he didn't resign?

Mr Marks: I think it's inappropriate for me to go into the details of individual discussions with Mr Stevens about a very serious matter in this forum. The outcome is Mr Stevens has resigned and that we will be, in due course, in the near future, making an appointment.

Senator HENDERSON: In relation to that appointment of Mr Robinson, can I ask whether you have investigated and scrutinised his social media?

Mr Marks: Yes, we have looked and he has raised a few matters, as has every applicant that I've been talking to about some things in their past.

Senator HENDERSON: Have you got any concerns about any of his activities on social media? He's been quite prolific, I think, on social media.

Mr Marks: You'd have to tell me specifically what you're referring to.

Senator HENDERSON: He retweeted one particular article, which was a 7,500-word anti-Israel essay, very critical of Western media coverage of Israel. It was titled the 'Shoah after Gaza'. That essay made some awful statements in relation to these matters. I'm wondering whether you've had a look at that.

Mr Marks: Again, in the absence of an appointment and in the absence of the person who has done that work, it's not really going to be productive for me to speculate or make any assumptions about what that may relate to or otherwise.

Senator HENDERSON: I won't go into any more details in relation to that. Have you had cause for concern in relation to any other social media activity of Mr Robinson?

Mr Marks: Again, we're assuming Mr Robinson's appointment—

Senator HENDERSON: We are; you're right.

Mr Marks: Again, in relation to any issues of concern, it would be appropriate for me to have spoken to any person involved as to what the circumstances of that may be to be able to respond usefully to your questions.

Senator HENDERSON: I want to return to the issues I raised about Deborah Conway. I will table this description by Deborah of what happened. She has actually complained to the ABC about what she said was such a frightening experience. It included threats and abuse during her performance. There was also someone who smashed a glass. There was a protester who smashed a glass and was waving around broken glass, as I understand it. She says in this document, which I will table, 'It was without doubt the most scarifying performance I've ever been part of.' Then she was asked by ABC Hobart to be interviewed and, without having any regard to the horrific nature of what happened, the ABC Hobart radio presenter Leon Compton simply said, 'Should Deborah Conway have the right to perform? Where is the balance between the right to protest and the right to perform? Where does that line sit?' Implicitly he was saying, 'Why shouldn't people have the right to protest?' I take on board that you're going to investigate this further, but it was pretty frightening. I will provide more information on notice and also table this document. I wanted to ask you about the Giggle and Tickle Federal Court appeal. Sall Grover, who was the appellant in that case—and that's been very broadly reported—has raised concerns that at no time has the ABC ever shown any interest in interviewing her, reaching out to her or reporting her side of the story. Last year, I did do a doorstep or a media conference with Sall after she came to Canberra and the ABC journalist present asked a reasonably hostile question of Sall but in no other respect, as she says, has the ABC reached out and sought to interview her at all. Can you explain—and I have raised this before—why the ABC hasn't been prepared to do that in the context of a very high-profile case? This is also in the context where the ABC ran an op-ed in which the author, Paula Gerber, hailed the Federal Court decision as being good for both trans rights and women's

rights. That's a highly contested view and there was no attempt to portray the other side of the story, that this was a very detrimental decision, as many people believe, including myself, for women's rights. I'm wanting to ask about this matter and how that possibly meets your impartiality test.

Mr Marks: I read an online article about the recent decision on ABC Digital, which I thought was a fair and very good summary of the matters at hand. I'm not sure about the particular matters you're referring to, but Mr Fang would have been looking at these matters. I don't know if you have anything to add?

Mr Fang: There was, as you know, an ongoing case before the Federal Court. There was a bunch of different stages through that. We have covered that case at every step of the way, including the decision, which I think was Friday a week ago. I'm not aware, as you have said, about whether any ABC programs have approached Sall Grover. I've heard that criticism previously. I think during the coverage of a Federal Court hearing in general we would be covering the hearing and the outcome of that in a fair and accurate way as it relates to best practice court reporting. It's not common to interview somebody who's included separately in a Federal Court case while that is going on, given that the case is yet to be decided. I'm sure people in the ABC would be interested in hearing from Sall Grover appropriately now that is completed. You mentioned the other article—

Senator HENDERSON: It's still ongoing. I understand there is the possibility that it will go to the High Court.

Mr Fang: My apologies. That part of the Federal Court process is completed. Yes, it's possible that it can go to the High Court. You mentioned an article which I believe you're referring to on the *Religion and Ethics Report*?

Senator HENDERSON: That's right.

Mr Fang: We post different opinions and views on the *Religion and Ethics Report*. There are a variety of different views and opinions that are posted on that site. I'm not aware particularly of others who might have been referring to this case, but over time we have published a variety of different opinions about these issues that are on that religion and ethics website.

Senator HENDERSON: In the case of this issue, you haven't, Mr Fang; you've only published one opinion piece. It was clearly marked 'opinion'. I appreciate that. There were claims made that were very highly contested, and there has been no attempt by the ABC to present the other side of the story or to seek opinions from other people, including Sall Grover herself.

Mr Fang: I assume you mean we've only published one opinion piece on this Federal Court outcome—

Senator HENDERSON: That's right.

Mr Fang: as opposed to opinion pieces on the issue more broadly?

Senator HENDERSON: Yes, I'm talking about this issue.

Mr Fang: We've published multiple pieces on this issue more broadly. We've done a fair and accurate report on the Federal Court case.

Senator HENDERSON: No, you haven't. You've only published one opinion piece in terms of the outcome of the full Federal Court decision. I would put to you that the claims that were made in that piece, while they were held by Ms Gerber, were highly contested and yet there has been no attempt by the ABC to seek other opinions. If you're interested in a diversity of voices, why not look to other voices in relation to this matter?

Mr Fang: It may be that the religion and ethics side is looking for other opinions about this issue at the moment; I don't know. They have published that. We've published other opinion pieces about these issues. The fact that we published one opinion piece does not indicate an issue in our coverage, I wouldn't have thought.

Senator HENDERSON: No, it does. It absolutely does. It shows that in relation to the outcome of this full Federal Court decision, which is a very significant decision, the ABC has made the decision to only publish one opinion piece which is very slanted, which makes what I would say are wrong assertions I strongly disagree with. Putting that to one side, there has been no attempt by the ABC to seek to publish other views about this case.

Mr Fang: So far; I'm not sure what else the R&E website is intending to publish.

Senator HENDERSON: Can I suggest that it would be appropriate that you balanced your coverage with other opinions in relation to this case? It looks really bad. It looks like the ABC has a very jaundiced view when it only publishes opinions that reflect one side of the argument.

Mr Fang: I'll take that on board.

Senator HENDERSON: Is that an appropriate time to share the call?

CHAIR: Yes, certainly. I would like to ask some questions about your regional work, firstly in general and then they will turn to your work in Western Australia. Are you able to provide us an update on how ABC is reaching and connecting with regional and rural communities? I ask that at a general level and then also particularly for Western Australia.

Mr Marks: It is unfortunate that, in many cases, due to factors affecting commercial media, it's more and more difficult for commercial media to service local markets. The local journalism and network of the ABC, I think in 65 offices around the country—I always get that number wrong, but it is in the 60s—

Ms Kleyn: It is 67.

Mr Marks: It's 67. I think that's a fundamental part of the future of this organisation, an important part of our nation. We're very committed to that local operation. In some cases, some of the markets have more local content than others. It just depends upon the particular market. In each place we have journalism, we often have morning radio, if not other radio, and obviously in emergency broadcasting we have continuous broadcasting. As a connector for local communities, we need to be ensuring that we are servicing the local community and not servicing more national communities and that we are very focused on the interests of the relevant community they serve. We need to keep investing in that, being a core responsibility of the ABC. It's more relevant in some circumstances and less relevant at other times, but at every time there will come a moment where that connection with communities is really important. I'd like to do more. Senator Whish-Wilson asked about some of the digital initiatives that we're working on. That's about localising beyond radio to digital environments as well. I'd like to do more to service those local audiences.

CHAIR: I know particularly in regional Western Australia the ABC footprint is so important and it does build that sense of connectivity, particularly where there are people on the ground doing local stories. Do you have a mapping exercise or a snapshot of all the different places the ABC operates in regional Australia?

Mr Marks: We do. I think we cover close to 99.9 per cent of the Australian population in terms of ABC services. I think I'm correct in saying it is the largest radio network in the world in terms of its coverage of nations. It's something that we should be proud of and something that warrants continued investment.

CHAIR: In relation to your answer a few moments ago about the digital expansion, I would probably emphasise and ask whether that would involve any reduction in local footprints or local reporting as distinct from the current ABC Radio?

Mr Marks: No reduction. There are various things that we will look to as we go forward. Investing in local journalism and investing in journalism based in regional Australia are certainly two priorities for the organisation. Technology enables us to be able to enliven that across more platforms. That should mean that, if you choose to engage with local ABC, you're able to prioritise local content as your experience. Or if you choose to engage with national ABC, you'll get national. Of course that should be a choice of consumers.

CHAIR: By comparison with commercial media you do have this additional element of responsibility and service provision relating to disaster relief and emergency situations. Are you able to elaborate on what you're doing in that space and if there are any updates? I think I asked you this question in last estimates as well. Are there any updates to the services you're providing or networks you're facilitating in helping Australians get critical information during those awful moments of either natural disaster or other emergencies?

Mr Marks: There's probably two initiatives I'll talk to. One is we have invested in the emergency broadcasting team. Obviously, the emergency broadcasting team is part of a wider ABC. They are a facilitator as well as a content originator of emergency broadcasting, but they obviously draw on the resources of the broader ABC as well. We've invested to ensure that is capable of being a 24/7 operation, which it wasn't previously. That's been a key investment made. In terms of other matters, we've recently finalised an agreement with AAP. AAP is an organisation connected into many media organisations around the country as a supplier. We now have a system where other media organisations are able to pick up and broadcast the ABC emergency broadcasting information when it's appropriate to do so. It's making our material available to anyone who might benefit from using it for the benefit of their audiences. That I imagine will be particularly the case in moments of emergency broadcasting. A number—I'm not sure it's a huge number—of those organisations have signed on to that opportunity, and I hope that continues to grow.

CHAIR: Senator Henderson.

Senator HENDERSON: I would like to turn to the ABC's decision not to adopt the IHRA definition of antisemitism, including because the ABC has described this definition as contentious and widely regarded as ambiguous. Can I ask you to explain what parts of the definition are ambiguous and who within the ABC reached this view?

Mr Marks: I don't think that's been expressed as a view of the ABC, what you just referenced. I don't necessarily accept the premise of the question. Let me answer, though, the essence of it: why don't we accept the IHRA definition? We believe that the basis on which we operate is consistent with the IHRA definition. Obviously—and I think we've spoken about this in many circumstances—as a broadcaster that really must invest fundamentally in independence, it is important that we operate on the basis of our own independently formed views. We take a number of things into account in doing that, one of which would be the IHRA definition. I think what you're referring to in relation to some of the examples used in the IHRA definition is there is some discussion around experts and other industry commentators and the like about some of those examples as to whether they are ambiguous or contentious. Again, those are matters that we include in our reference as to whether we are operating on the basis that we think is the appropriate basis to operate. As I said, we believe our definition is entirely consistent with the principles of the IHRA definition.

Senator HENDERSON: Why not then adopt it, because that's a determination made by the royal commission itself in terms of an acceptance as to what defines antisemitism? That doesn't place any fetter on your ability to independently report the issues with impartiality and balance. It doesn't prevent the ABC from criticising Israel. I'm wondering why you wouldn't adopt the IHRA definition.

Mr Marks: Again—and I'll let Mr Fang take up the response as obviously this falls squarely in his area of responsibility—we believe that our definition is consistent with that of IHRA. In fact, we have had discussions with a special envoy about this. I don't think the definitional issues are necessarily the ones that are really at the centre of what we've got to address. I think our definition, as I've said, works consistently with that of the IHRA definition.

Senator HENDERSON: I would put to you that not adopting the IHRA definition of 'antisemitism' undermines confidence that antisemitism is being properly recognised. If it's not being properly recognised by the ABC, it can't be properly addressed. As I say, I can't see how adopting the IHRA definition of 'antisemitism' impacts on the ABC to report any issue impartially, inaccurately. However, it does seem to be turning your back on what Jewish Australians and governments around the world have accepted is the appropriate definition of 'antisemitism'. Antisemitism arises in many ugly forms, in many guises, and I think there have been many examples with the ABC where perhaps that hasn't been recognised in the past. I would put to you that this was a major misstep and the antisemitism envoy clearly has a very different view to the ABC. If you are adopting a definition which is aligned with the IHRA definition, why not just adopt the IHRA definition?

Mr Marks: Again, I will defer to Mr Fang in a moment, but I will answer some specifics first. There are many media organisations around the world that have not adopted the IHRA definition. Each, no doubt, have their own reasons for doing so. But each, no doubt, would not be on the basis of in any way underestimating or underplaying the scourge of antisemitism in society. I think everybody is united in their belief that hate in all its forms and in the form of antisemitism is to be discouraged. As I said, we don't believe that our definition works contrary to those principles. Again, I don't think you would suggest that we should adopt something just because the government has adopted something. I think you would expect us, as an independent national broadcaster, to make the right decisions to ensure that our content and our approach on these matters is governed by our independence and not by something that we're told to do by somebody else.

Senator HENDERSON: I understand that point you're making, but the IHRA definition encompasses antisemitism in many different forms. It should not constrain you in any way from reporting on issues provided you stick with your statutory responsibilities of impartiality and accuracy. What the IHRA definition makes clear, though, is that antisemitism occurs in a number of different contexts. It's not just someone expressing unbridled hatred for Jewish people; it is much more complex than that. The IHRA definition encompasses the complexity of antisemitism.

Mr Marks: As it's Mr Fang's area of exact responsibility, I will defer to Mr Fang in terms of the exact definition. I will say again at the outset everything you've said is accepted; everything you've said we understand. We engage with the special envoy and her team on this issue. We have had constructive discussions. I think we are working on an agreed plan forward as to what are the things that the ABC can assist in discouraging the scourge of antisemitism. When it comes to the definition, though, again we stand by the fact that our definition is not inconsistent with that definition and is consistent with the approach taken by many major media companies around the world. Do you want to talk to the specifics?

Mr Fang: I'm happy to. I will make just a few points. You mentioned the royal commission and Commissioner Bell. I've noted Commissioner Bell's comments at the royal commission on a couple of occasions about the IHRA definition. Not to verbal the commissioner, but my understanding of her words is that the definition works for the work of the royal commission. We await to see the results of the royal commission about

what recommendations they might make. In regard to the media and the use of this definition, as the managing director has said the definition that exists for us is similar in the sense that it does the same job. The IHRA definition, while not necessarily contentious to us, is contentious in different parts of the community. While it has been adopted by some governments, it hasn't been adopted by media organisations all around the world.

Senator HENDERSON: Exactly, and that's the point. If it's not contentious to the ABC, aren't you appeasing those people, including I would say anti-Israel, Jewish-hating activists who do not subscribe to the IHRA definition? Aren't you therefore appeasing those people in not adopting the IHRA definition? If it's not contentious to the ABC, why not accept the definition of 'antisemitism' which has been broadly accepted and endorsed, including by the antisemitism envoy, who's an expert, including by many leading members of the Jewish community, who live and breathe this every day, Mr Fang?

Mr Fang: You said we're appeasing critics, I think. I wouldn't agree with that.

Senator HENDERSON: You referenced the fact that this is not accepted by—

Mr Fang: It's not accepted by or not utilised by many media organisations, but I think it's important in the context of an independent media organisation with impartiality as a statutory obligation to ensure that on something as important and sensitive as this we avoid adopting definitions that aren't independently made, as we do, and that also are contentious with some members of the community. I think what's most important is that the definition and our approach that we do use is in line with what's accepted as appropriate when considering antisemitism.

Senator HENDERSON: I do want to quote Mr Colin Rubenstein, the Australia/Israel & Jewish Affairs Council Executive Director, who said that both the ABC and SBS, in not adopting the IHRA definition, are pouring more fuel on the antisemitic fire. He said that this is the most regrettable decision at a time of unprecedented surge in antisemitism. Can I ask you to respond to those criticisms?

Mr Fang: People have the right to have their own views about that. I disagree that our decision around keeping an independent framework around antisemitism and the definition is leading to more antisemitism.

Senator HENDERSON: If the ABC is not prepared to recognise antisemitism in all of its forms, as encompassed by the IHRA definition, then—

Mr Fang: No, I don't agree with that. I don't think that the definition and our approach to antisemitism and to journalism that accepts that it should not be racist or doing harm does not already encapsulate what's necessary to be able to report on issues of antisemitism.

Senator HENDERSON: What part of the IHRA definition do you disagree with?

Mr Fang: I said the issue here is that we have obligations for independence and we have frameworks for which we determine our own editorial approach. There are parts of the IHRA definition that are contentious for some people. In an effort to—

Senator HENDERSON: Appease them?

Mr Fang: maintain our independence and assure that we're impartial, our approach is to continue with the current framework that we have which does the same work.

Senator HENDERSON: I'm going to read this out and I would like to ask you: what part of this definition do you disagree with? It states:

Antisemitism is a certain perception of Jews which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

What part of that definition do you disagree with?

Mr Fang: You keep asking me if I disagree with it. I'm saying to you that the reason we have our own definition is because we're an independent media organisation that has statutory obligations around that and that we come up with our own frameworks about these matters.

Senator HENDERSON: Just tell me what's wrong, what's offensive or what's not appropriate for you to accept in that definition.

Mr Fang: I'm not suggesting that's offensive or wrong. I'm saying that the reason that we have our own frameworks is because of our independence.

Senator HENDERSON: That's just like arguing that black is white. I'm asking you to explain why that definition or what part of it is not acceptable to the ABC?

Mr Fang: I'm sorry, but I think we're having two sideline conversations. You're asking me to agree or disagree to something, which I'm not suggesting is the basis for us not utilising the definition. I'm explaining that we have obligations to independence and impartiality and, when we adopt definitions, we work on our own frameworks in order to maintain that independence.

Senator HENDERSON: Since 7 October 2023, how many complaints has the ABC received about its coverage of Jewish matters and in relation to antisemitism?

Mr Fang: I'd have to take on notice and see what I can provide. I don't have that in front of me, and it would be good to try to be as specific as possible about what you mean there. You've mentioned a bunch of different things. Are you referring to the Israel-Gaza war?

Senator HENDERSON: I'm referring to complaints about antisemitism—

Mr Fang: About antisemitism specifically?

Senator HENDERSON: and the ABC's coverage of these matters.

Mr Fang: What parameters do you put around that?

Senator HENDERSON: I am referring to complaints that the ABC has been biased in relation to matters concerning the Gaza war, and not been reflecting concerns about antisemitism appropriately. So, really, I am asking about such things right across the field. I accept that you can provide that on notice, so perhaps you could do that.

Mr Fang: Will do.

Senator HENDERSON: You've rejected the IHRA definition of 'antisemitism'. What's your definition, please, and how does it differ?

Mr Fang: We've got a bunch of different editorial policies and practices that reference issues about racism, including our harm and offence standard and also in our guidance around hate speech. Our definition says 'legitimate criticism of the State of Israel or the actions of some Israelis becomes antisemitism when the target shifts from Israel to Jews'.

Senator HENDERSON: So that's your definition of antisemitism, is it?

Mr Fang: That is one aspect that allows us to report on this.

Senator HENDERSON: What are the other parts of your definition of antisemitism?

Mr Fang: The editorial policies also say that content managers must 'avoid the unjustified use of stereotypes or discriminatory content that could reasonably be interpreted as condoning or encouraging prejudice'. This includes antisemitism.

Senator HENDERSON: Is that the complete package?

Mr Fang: All of these things need to be read in conjunction with the broader editorial policies, but they are the two main aspects, I think, that go specifically to this.

Senator HENDERSON: Again, I go back to the IHRA. I'm really asking you to explain what it is that is offensive about that definition.

Mr Fang: I'm not saying that definition is offensive. I'm saying that the reason for our not adopting it is that we have our own independent frameworks for coming up with definitions, as is required of us being an independent media organisation.

Senator HENDERSON: I would say to you that you are using your editorial independence, which is an important tenet of the way in which you operate, as a shield against accountability in relation to the IHRA definition. Nothing you have said explains why you have not accepted the definition of antisemitism in all of its ugly forms, because it's complex.

Mr Fang: I disagree with you.

Senator HENDERSON: So your editorial independence does not exempt you from adopting standards?

Mr Fang: No, it doesn't. I wouldn't use the term 'exemption'. It asks that we're independent and that we come up with frameworks, definitions and policies that make sure we're meeting our standards and those the public expect of us. In cases where there is contention, it's up to us to be very particular about making sure that independence is maintained.

Senator HENDERSON: I appreciate that you'll need to investigate this but, in 2025, on the anniversary of the 7 October massacre, Danny Majzner, the brother of Galit Carbone, who was the only Australian murdered on 7 October, was in Canberra. He gave a range of briefings to parliamentarians, and I attended one of them. I have

been informed that he was asked whether he'd agree to be interviewed on the 7.30. He waited at the ABC studio in Canberra for some two hours, waiting for the time of his interview, only to be told at the last moment that he was no longer required. Are you aware of this incident, Mr Marks?

Mr Marks: No.

Senator HENDERSON: Mr Fang?

Mr Fang: No, I'm not aware of it either.

Senator HENDERSON: Can you explain why the ABC's 7.30 asked Mr Majzner for an interview and then kept him waiting and declined to interview him?

Mr Marks: It's not sensible for us to speculate. I think we will have to ask that of the team and come back to you.

Senator HENDERSON: Obviously, that's not a good way to treat anyone who has been asked to come in for an interview on your premier daily current affairs program. I think it did cause Mr Majzner quite a lot of distress.

Mr Marks: I know that, when these sorts of things happen—this is not the only circumstance where this sort of thing has happened and, obviously, these things do happen from time to time—people are upset by having to wait, but we'll have to look into the circumstances and come back to you.

Senator HENDERSON: I have many more questions, Chair, and may need to put some of them on notice. But I'd like to thank the witnesses very much for their time today; I do appreciate it.

CHAIR: Senator Walker.

Senator WALKER: I just have a few questions. I know that ABC staff in Adelaide will be moving out of the ABC building in Collinswood and into a new location. Can you explain why the Collinswood facility is no longer suitable as the long-term home for the ABC in Adelaide?

Mr Marks: I'll ask Ms Kleyn to respond to that question.

Ms Kleyn: Yes, that's right. The former managing director announced, I think in 2025, that we would be looking at a feasibility study with the South Australian government for a new facility. Collinswood is, I think, over 50 years old and, in that regard, it's literally not fit for purpose anymore. It's surplus to our requirements. The structural work that we would have to do to bring it up to being fit for purpose and a modern broadcast facility would be such that we'd actually have to move out of the building. In doing that, we would have to build other broadcast facilities, even if it were just for a short time. So then the obvious logical solution was for us to start looking for alternative premises.

Senator WALKER: Can you outline the work that is being delivered currently by the ABC in Adelaide for South Australian and national audiences, such as news, radio, screen and digital? Also: how do you think a new facility is going to help ABC teams to continue to deliver these services?

Ms Kleyn: Across South Australia itself, we have more than 300 staff. Outside of the offices in Adelaide, we have Port Lincoln, Renmark, Mount Gambier, Port Pirie and Victor Harbour. As was mentioned by Mr Marks earlier, not only with regard to Western Australia but also in South Australia, we've got a really broad footprint. Obviously, that's incredibly important to us.

As to what we produce out of South Australia, within our Adelaide office itself, we have *BTN* and *BTN High*. We have the *ABC News Loop*, which is relatively new and also being developed out of that building. It's actually the home of our ABC Emergency Broadcasting team. We have a range of not only dramas but also, more broadly, productions which we make with independent production sectors. I think Mr Marks referenced *Bananas in Pyjamas*. We've got series 3 of *Austin* being produced. In the past, we've had *Stateless* and *Aftertaste*. So we've got a really broad, I guess, operational commitment to South Australia. With regard to the move, the location that we're looking at is in the central CBD. It's a really great location. It's a modern facility for our staff and, through just having that presence, presents us with an amazing ability to partner with arts organisations and the South Australian government. We're calling it an arts and media hub. It will have a presence that will be visible to our audiences, and we'll have access to just what's around us with regard to education facilities, or whatever that might look like. So just being in that location is a really exciting opportunity for us.

Senator WALKER: How have ABC Adelaide staff contributed to the planning so far and, as the project moves forward, how will you continue to consult with staff and unions?

Ms Kleyn: As I think I've said, we have been working on this for some time. It was the former managing director who announced the feasibility in February 2025. In February 2026, we then were able to share the location that we had found, working with those arts organisations. Also, throughout that time, we've been talking

to staff and having workshops with staff, in order to understand requirements as well as what we would hope to achieve with modern facilities, moving forward, so new technology and adoption of new ways of working. We've been working with staff on the way through. Obviously, as this progresses and we get closer to a move, we will meet all of our obligations under the enterprise agreement to consult with staff.

Senator WALKER: In terms of the timeframes for the move and the design—getting everyone ready for that: what are we looking at?

Ms Kleyn: All the things that come together. We expect we will be able to move by financial year 2031. In the leadup to that, a range of activities need to be undertaken to get ourselves ready. We will need to go through both state government and federal parliamentary approval processes, so we're stepping through those. We aim to get to the federal Public Works Committee, hopefully, by the end of this year. So we're taking all the steps that we need to take to get through those processes, and that includes there being a level of design, a range of understanding around engineering and a very extensive body of work. From there, we will go into the detailed design processes, and then we will obviously go to the build and the construction. So, as I say, we're looking at relocating all teams by financial year 2031.

CHAIR: Senator Henderson, I understand that you also have a short block of questions.

Senator HENDERSON: I want to look more generally at your coverage of the Gaza war. What I would say is that there's a systemic anti-Jewish bias that has permeated the ABC, particularly since 7 October. Chris Kenny has outlined those concerns in a great deal of detail, and I would ask you to address those on notice. I know that the Chair has written a column pushing back on that, but there have been many instances where the ABC has reported matters with a very strong slant against Israel and against Jews, and in a way that has prosecuted false narratives. Also, sometimes when the ABC has reported matters, such as the bombing of a hospital—which was said to have been done by Israel but which later turned out to be incorrect; it was actually a bombing by Hamas of the car park next to the hospital—the ABC has not corrected the record appropriately. Part of the problem is that once these stories get traction and headlines, the subsequent correction gets buried. You would be familiar with this article by Chris Kenny. Can I ask you to respond to those allegations in a broad sense? I'm happy for you to take the detail of this on notice and respond in more detail on notice.

Mr Marks: I don't think we're going to respond in this forum to an article by Chris Kenny. I think he was referring to a submission to the royal commission, and I think the royal commission is the appropriate place for those matters to be raised. I do reject many of the assertions that you've just made, and those made by Mr Kenny, about our coverage of the war in Gaza; I reject those entirely. I think our coverage has been appropriate. Yes, on occasion, errors have been made. But even in the instance to which you refer, I think the facts are still somewhat vague as to what the actual outcome was. It's very hard as well, as I think you would appreciate, to report from a war zone where, in fact, media are not allowed into the territory and so we're trying to get facts from a whole bunch of sources. I reject the assertion. I don't think we're going to respond to a Chris Kenny article, but I think the matters you've raised have gone to the royal commission and—

Senator HENDERSON: I'm asking you to respond, as this article encompasses a whole range of concerns that are reflected in a submission to the royal commission. That is a summary of a range of concerns. I appreciate that you can just say, 'We don't accept it.' But I would ask that you respond in detail, on notice, to the various allegations that have been made about the ABC's coverage. Yes, I appreciate the point you've made that, in a war zone, it's often hard to ascertain all of the facts. But I think, when the ABC makes mistakes, too often those mistakes haven't been appropriately ventilated or highlighted by the ABC, and the bombing of that hospital is probably a very good example of that.

Mr Marks: I'm happy to speak to the bombing of the hospital, which I assume is the Al-Ahli Arab Hospital incident. I've heard about that a little over the past couple of weeks. I think that was an incident in 2024.

Senator HENDERSON: It was in 2023.

Mr Marks: In 2023; my apologies. The initial reporting was done by us at six in the morning, relying on agency material initially. By 6.29, that story had been updated with a new headline, with Israel denying that it was responsible for the attack and also with statements in that story by the Israeli Defence Force, blaming the bombing on—

Senator HENDERSON: Hamas.

Mr Marks: In fact, it was actually Islamic Jihad rather than Hamas that was, in turn, blamed. We covered that quite extensively over a couple of weeks because there was a large number or variety of investigations done by not only different governments around the world but also different organisations looking into that. For a while—in fact, for the first couple of weeks—what was still undetermined by most people was who was responsible for

that attack. I would just point out that, in relation to that story, about which I have heard a bit in recent times, we admitted that we had that wrong for 29 minutes before we corrected it. There was also an ombudsman investigation, which wrote that up transparently, and you can find that on the website of the ombudsman. So, in that regard, I think we admitted where we had made a mistake, fixed it very quickly and also put an editor's note on that story. Also, we continued to cover that story for weeks afterwards, conveying the views of the Israeli government and the IDF about what had happened there.

Senator HENDERSON: I don't think it was as clearcut as that because, on the day of the wrong report, John Lyons appeared on 7.30 and, when asked about that, he sidestepped the question, so there was a lot of vagueness about what the ABC was reporting.

Mr Marks: In terms of our digital reporting, which is where most of the critique has been, that's exactly what happened, as I laid it out.

Senator HENDERSON: If you could provide the details of how the ABC responded and copies of those reports, I'd appreciate it.

Mr Marks: I'm happy to provide the ombudsman's investigation.

Senator HENDERSON: A very detailed submission has been made to the royal commission and a whole range of allegations, and I imagine the ABC will be called up to provide a detailed response to the allegations.

Mr Marks: I'm happy to deal with any of those specifics as they come up.

Senator HENDERSON: Have you made any changes in this respect to address these deep concerns about the ABC's coverage?

Mr Fang: What do you mean?

Senator HENDERSON: In terms of editorial guidelines, perhaps ones that have been updated, or greater clarity that journalists are being given?

Mr Fang: As you know, we developed guidance around coverage of the war and the 7 October terrorist attacks shortly after they occurred, and that guidance has continued to be updated over the course of the last couple of years. I think the last time we were at estimates I said that it was last updated in September last year. I'd have to check to see if there's been any further updates, but that's the broad guidance that we give. Of course, that guidance sits within the broader context of our editorial policies. We provide verbal guidance, as required, and sometimes additional written guidance, depending on what the story is. Of course, our editorial leaders are always having conversations about what they should and shouldn't do and the best way to cover these stories.

Senator HENDERSON: Perhaps I can also ask you about the recent story, which was broadcast just a few days ago, titled *A rare look inside Iran*. An ABC journalist was given access into Iran by the Iranian government, for only a few days and, apparently, only on the basis that they would follow the rules of the Iranian regime. There has been some criticism of that report that it didn't sufficiently highlight some of the horrendous human rights abuses, the executions and the mass killing of more than 30,000 Iranians which happened in January this year. In particular, there is an Iranian-born Australian and Sydney local councillor, Tina Kordrostami, who has said that this is a 'spit in the face' to Iranians stuck living under the rule of theocratic regime. Can I ask you to respond to those criticisms? I appreciate that there may have been significant limitations placed on the reporter when she was in Iran, but it does seem that the report was lacking some of that critical information, which could have been included after the reporter left Iran. In addition, I don't know whether communications were being monitored, how she was being supervised or whether someone was supervising the script but, obviously, the editorial independence of the ABC extends to those very difficult reports.

Mr Fang: I'm not aware of whether the reporter has left Iran, so I'll step carefully. To put this into context, we have done many reports over the past couple of years and, going back further, for a very long time, but particularly more recently, about the Iranian government's brutal crackdown on dissidents. We have spoken to people inside Iran. We have maintained direct contacts with people who have been able to speak to us, by phone or by getting through the internet ban occasionally, about what has happened. We've done that consistently to enable people to understand what's been going on in Iran, certainly over the last little while in particular. The particular story that you're referencing was, I believe, about a seven-day reporting trip into Iran. As you point out, and you would know, to try to get into these types of countries, you do have to agree to have a minder or protection or to be shown around by the government of that country; that's the only way to get into these places. But I think it's still important to be able to go in, see with Australian eyes and tell Australians what's going on.

As to the particular story that I think you're referencing—the reporter said very clearly at the start of the package that this was all that the Iranian government would show them, and they were being chaperoned or

shepherded by Iranian minders. It was very clear to the audience that this particular story was being done under those auspices, but it was still important to show the types of propaganda and material that the Iranian government was showing to its own people. I understand that, if somebody saw that story, they might have asked, 'What else is happening?' But I think within the context of the broader trip and the broader reporting that we've done we've been very clear about the conduct of the Iranian government in connection with its own people.

Senator HENDERSON: There was an 'anti-American propaganda' tour, which obviously was organised by the Iranian regime's minder with the journalist, and there was coverage of a pro-regime demonstration. I appreciate the points that you're raising, but surely that story, or what the journalist was being shown by the Iranian regime representative, must be balanced with the atrocities that are happening to the Iranian people?

Mr Fang: As to the particular incidents that you're talking about there—he story showed a large mural in connection with the Strait of Hormuz, which the Iranian government had painted on, I think, the side of a street. The reporter spoke about that as being a 'piece of propaganda' and 'this is what the Iranian government is showing to its people'. As you've said, she also went to that rally and referenced the fact that the people there were regime-aligned or very conservative. She made it really clear about the status of those things.

Senator HENDERSON: Yes, I appreciate that.

Mr Fang: So I think what you and I might be talking about—

Senator HENDERSON: But there was no inclusion of really critical facts. That pro-regime protest was only one snapshot of what was going on in Iran. There were other massive protests against the Iranian regime, which resulted in the horrific, cold-blooded murder of thousands upon thousands of protesters.

Mr Fang: I understand your point, but I suppose what we're now talking about is craft versus, over time, whether we have painted a balanced picture.

Senator HENDERSON: No, not over time. I'm talking about this report. If this is meant to be an insider view into Iran, then I think it's incumbent on the ABC to tell this story with a great deal of accuracy as well as impartiality. Despite the fact that the regime's representative wanted a very pro-regime story told, it's incumbent on the ABC to tell the story impartially.

Mr Fang: I don't disagree with you, and I take on board your comments about that particular story. I suppose all I would say is that it was really clear to the audience that this particular story was what the regime was showing us; it was amid a bunch of other stories that we had done while on that trip; and, more broadly, it was a focus on what the Iranian regime has been doing over weeks, months and years. But I take on board that you think that particular story might not have met the standards you expect.

Senator HENDERSON: Can I just ask whether this reporter's script was approved or checked? What supervision was there? If she's reporting and, I imagine, sending out her story from Iran, was that supervised?

Mr Fang: I'm not sure of the exact specifics and, actually, I don't know whether all of the material had to be sent, or whether some of it was sent and some other work was done back in Sydney. I'm not sure whether, at the time, we were able to have any connection with the reporter about the script. But, clearly, everything that goes to air still must go through an oversight and approval process before it goes to air.

Senator HENDERSON: If her communications were being monitored and her script was being vetted, or if she was concerned about her own safety and was reporting matters that were contrary to the regime's wishes, then that's very material, and I'm just asking whether that was the case.

Mr Fang: I think we're now adding a number of things that I don't know occurred there.

Senator HENDERSON: No, that's what I'm asking—

Mr Fang: I shouldn't be commenting on that.

Senator HENDERSON: That's why I'm asking. Could you please come back to the committee on notice—

Mr Fang: About the process of having the script approved?

Senator HENDERSON: and inform the committee about whether there were any such constraints or issues in that respect.

Mr Fang: Specific constraints other than being under the watchful eye of the Iranian regime?

Senator HENDERSON: That's right, yes.

Mr Fang: I'll see what we can do.

Senator HENDERSON: And why endeavours weren't then made to send, say, a back announce to the story saying the reporter was unable to include other facts in the story because of various reasons.

Mr Fang: I accept that. I accept—

Senator HENDERSON: Sorry, Mr Fang. It's not enough to point to other stories that the ABC may have done 12 months before or six months before. That's not balanced reporting.

Mr Fang: I accept your criticism, but I'm not saying that. A number of stories were done over the period of that assignment. I don't think that story ran on its own. I think there was another story that went with it, and then there was another story the next night and something the next night. We also did a bunch of reporting on our website, so it's not like that stood alone as a story by itself.

Senator HENDERSON: Yes, but when you're disseminating information ABC audiences expect it to be factual and impartial and that reporters are reporting the facts without fear or favour. If there are huge parts of the story as to what's happening in Iran that have been removed or not included, that's very material and I don't think it meets the appropriate standards.

Mr Fang: I understand where you're coming from, but again it was very clear to the audience the way that that story was captured and what it was doing. We do expect people who sit down to watch the seven o'clock news to watch the program, not just one story that might be in it at that time, contextualised by what else is around it. But I'll take on board your criticism and see if I can come back with what the editorial oversight process was that happened there.

Senator HENDERSON: And what, if any, constraints there were on the journalist and why they weren't appropriately addressed by ABC management in how the story was presented.

Mr Fang: I don't necessarily agree that that happened—

Senator HENDERSON: No, I'm asking were there any—

Mr Fang: but if there is anything that I can reasonably provide to you, I will.

Senator HENDERSON: Were there any constraints on the journalist and, if so, why weren't they appropriately addressed and made known to the audience?

Mr Fang: I'll see what we can provide.

Senator HENDERSON: Thanks very much, Mr Fang. Thanks very much, Mr Marks, also. I have no further questions.

CHAIR: On that note, we say thank you to the officials from the Australian Broadcasting Corporation for their work and the evidence they've given here today.

Special Broadcasting Service Corporation

[12:34]

CHAIR: I welcome Ms Jane Palfreyman, managing director. Congratulations!

Ms Palfreyman: Thank you.

CHAIR: Do you wish to make an opening statement?

Ms Palfreyman: I do. As you've mentioned, since last estimates I've been appointed managing director of the Special Broadcasting Service. SBS was established in 1975 to provide important information about the new national healthcare scheme to multilingual communities in their first language. Today, SBS helps Australians understand each other and the world around them through trusted news, award-winning drama, distinctive documentaries, world-class sport, multilingual information, movies, music on SBS Chill and SBS PopAsia and lifestyle content on SBS Food. We support new Australians to participate fully in life in Australia—for example, understanding cost-of-living pressures, how to manage flu season and what it means when Australians say, 'Bring a plate.' We also connect the newest Australians with the stories of the world's oldest continuous culture, with NITV proudly part of the SBS network since 2012.

Today, SBS produces more original Australian content than ever before across more than 60 languages on broadcast, digital and online platforms, and our role has never been more important. At a time of growing polarisation, SBS fosters cross-cultural understanding and community cohesion. As cost-of-living pressures affect many households, SBS also provides Australians with free, high-quality media, including moments that bring the nation together such as the FIFA World Cup, which commences on 12 June, with all games live and free on SBS and SBS On Demand. I hope you'll all be watching.

Independent studies continue to show that SBS is among Australia's most trusted news services. That trust is earned through accuracy, balance, impartiality and the care our teams bring to complex and contested issues every day. On that note, I want to briefly address some of the commentary that SBS's reporting or editorial approach is biased. We refute that in the strongest terms. SBS is editorially independent, as legislated in the SBS Act. We are

required to independently determine what we broadcast and publish, guided by the SBS charter and the SBS Code of Practice. The code requires our news and current affairs to be gathered and presented with due accuracy, balance and impartiality. It requires SBS to give due weight to available evidence and to present a comprehensive range of perspectives over time without misrepresenting them or unduly favouring one view over another.

SBS neither adopts nor rejects definitions from third parties, whether from governments, advocacy organisations or peak bodies. Where definitions are relevant to the story we report them, attribute them and explain their context. That applies to terms including Palestine and antisemitism. Where there are different views, we explain these perspectives so our audiences have the information they need to make up their own mind. This impartiality and independence is what our audiences expect of us, and this approach is consistent with trusted media organisations in Australia and around the world.

As a leading source of world news in this country, SBS comprehensively covers the horrific realities of war and violent conflict in the Middle East and across the globe. For many, these aren't just events in distant places. These are wars that are impacting the homelands and families of many Australians. At home, SBS has reported extensively on antisemitism and Islamophobia, including incidents affecting Jewish and Muslim Australians, community safety, hate driven abuse and discrimination. We do this because hate directed at any community damages cohesion and must be covered with care, accuracy and humanity. Our code is clear on its rejection of prejudice, racism and discrimination. Clause 5.1 states that SBS 'seeks to counter attitudes of prejudice against any person or group' and that SBS 'will avoid content which clearly condones, tolerates or encourages prejudice and discrimination'. These obligations are at the heart of SBS's purpose.

Accountability also matters. Complaints that SBS has breached its editorial standards are investigated by the SBS Ombudsman, who is independent of SBS's content division, and complainants can also raise these matters with the ACMA. We listen to our audiences. Where SBS makes an error, we acknowledge it and address it in a timely way.

I also want to welcome the government's additional funding for *SBS Examines*, which provides fact based and culturally appropriate journalism and explainers that address accurate information and inaccurate information circulating in communities, particularly when this impacts community cohesion. Since launching in July 2024, *SBS Examines* has delivered more than 2,600 pieces of content in 55 languages resulting in 11.2 million video views and almost 30 million social media impressions. These numbers demonstrate that Australians continue to seek out trusted news and information from SBS. They also underscore the importance of SBS's impartiality and the importance of sustainable support for trusted public interest journalism, including through the News Bargaining Incentive.

I'm proud that Australians continue to place a high level of confidence and trust in SBS. We value that confidence and trust, and we don't take it for granted. Our role is not to take sides. Our role is to inform, to serve all Australians with independent, accurate and impartial journalism and to help people better understand each other and the world around them. I welcome your questions.

CHAIR: Senator Henderson.

Senator HENDERSON: Ms Palfreyman, thank you very much for your attendance, and congratulations on your appointment as managing director, which I suspected was going to happen, given you were acting in the role.

Ms Palfreyman: Thank you.

Senator HENDERSON: There was a directive issued by the editorial operations manager of SBS news and current affairs in February 2024 saying, 'Please do not use " Hamas controlled health ministry", " Hamas run health ministry", "health ministry in Hamas controlled Gaza" or "health ministry in the Hamas run territory".' Then it went on to say: 'We don't say "the Democrat controlled health ministry in the US" or "the Labor run health department in New South Wales"'. Instead, use "the health ministry in Gaza".' Can you explain that directive. I think it's important that Australians understand that, when there is reference to the health ministry of Gaza, we are talking about Hamas, which is a terrorist organisation. Your audience and viewers should be entitled to know that the health ministry is run by a terrorist organisation.

Ms Palfreyman: I don't have that specific email you refer to in front of me. I might hand over to Ms Wicks in a moment. I would say we take a great deal of care with language, and that's about safeguarding our independence. Maybe Mandi might have some specifics.

Ms Wicks: Yes. In the context of our reporting, it is clear to our viewers that, when we're discussing the situation in Gaza, the conflict is between Hamas and Israel. We very frequently reference the fact that the Australian government recognises that Hamas is a terrorist organisation. Whether we include it in relation to the

health ministry or not, I think it is clear to viewers, from the context of the overall reporting, that Gaza is currently run by Hamas.

Senator HENDERSON: It's not clear to viewers if it's not stated in your reports. I put to you that the direction to not include Hamas when referencing the health ministry is concerning. If you simply talk about the health ministry in Gaza, I suggest that that's not properly informing your viewers, particularly when the health ministry in Gaza is committed to the destruction of Israel. This is not a benevolent department looking after the health of all people. This is a division of Hamas which is committed to the destruction of Israel. It is a terrorist organisation.

Ms Wicks: Which is what we have acknowledged many, many times in our reporting to ensure that Australian audiences understand that perspective. From 7 October onwards, we have absolutely comprehensively covered the actions of Hamas. In relation to health reporting and the statistics, if there is a particular story where you felt that that was therefore leading to imbalance in the overall coverage of a particular story, I'd be very happy to look into it. But I would suggest that, in the context of our overall coverage, we have frequently referred to the fact that Hamas is considered to be a terrorist organisation.

Senator HENDERSON: I'm looking at an editorial directive, which makes it clear, telling journalists not to inform SBS viewers that the health ministry is run by Hamas.

Ms Wicks: That's not meant to imply anything. As I mentioned, in our overall context we're quite clear in terms of how Hamas is described and perceived as a terrorist organisation. It's not meant to infer partiality in any way. It is to reference the fact that the casualty figures are coming from what they call the health ministry. Then we refer to the similar organisational reference point from an Israeli perspective. That's not to infer anything beyond that, because our overall coverage absolutely and comprehensively references the fact that you're suggesting, which is that we need to acknowledge that Hamas is recognised as a terrorist organisation.

Senator HENDERSON: I'm not inferring anything. I'm looking at your directive to your journalists, which makes it clear that journalists are not permitted to say in their reports that the health ministry of Gaza is run by Hamas, a terrorist organisation. Why should journalists be told to not include that critical information in their reports?

Ms Wicks: We would include that, from time to time, where it is relevant. Generally speaking, the health ministry is their official place for statistics. Israel has a corresponding source for statistics. We call them by the names described by the organisations themselves. But, overall, our reporting is quite comprehensively explaining who Hamas is and definitely recognising that organisation as a terrorist organisation.

Senator HENDERSON: Ms Palfreyman, can I put to you that that's an inappropriate direction to SBS journalists and that that should be a cause for concern.

Ms Palfreyman: As I mentioned, I'm not familiar with that specific email you're referring to. What I would say is that we take a great deal of care with language. Our role, as legislated in the act, is to operate independently and to be impartial in our coverage, providing context and different perspectives for our audiences. Again, I'm not familiar with that directive you're referring to. However, if you've got concerns about our coverage and our output, I really welcome you sharing any articles you're concerned with on that matter.

Senator HENDERSON: I've got enormous concerns about the directive to journalists because that's an incredibly important factual matter that should be included in your reporting. This is a terrorist organisation, and the health ministry is committed to the destruction of Israel. Hamas is committed to the destruction of Israel and of Jews, and it's extraordinary that journalists are being directed by SBS management to not even refer to Gaza as 'Hamas controlled Gaza'.

Ms Palfreyman: I think we've reported extensively on some of those matters you've referred to. The fact that Hamas is a terrorist organisation has featured heavily in our reporting.

Senator HENDERSON: So why direct journalists not to say that?

Ms Palfreyman: I'm happy to take that on notice and come back to you with more context on the specific directive you've highlighted.

Senator HENDERSON: If you could, please investigate it, Ms Palfreyman. I think this warrants investigation and reconsideration by SBS.

Ms Palfreyman: I'm happy to come back to you on that.

Senator HENDERSON: Thank you very much. We are going to have to go to a lunch break. We'll obviously return after lunch.

CHAIR: We will now suspend for our luncheon interval.

Proceedings suspended from 12:48 to 13:49

CHAIR: Senator Smith.

Senator DEAN SMITH: Generally speaking, why does the SBS attract much less controversy than the ABC?

Ms Palfreyman: Interesting question. I can speak to what we do—

Senator DEAN SMITH: Of course, yes.

Ms Palfreyman: We spend a great deal of time and effort on ensuring our work is in line with our code. Our journalists are thoughtful and consider deeply language and how best to reflect stories from around the world and here at home. That independence, as I mentioned in the opening statement, is legislated through our act and governed by our code of practice. It's something we take great care in, and when I think about our charter, safeguarding social cohesion, it's in service of that.

Senator DEAN SMITH: Do many SBS journalists go to the ABC and do many ABC journalists come to the SBS?

Ms Palfreyman: I imagine from time to time it may happen. I don't have the specific numbers, but Ms Wicks might be able to share that detail with you.

Ms Wicks: I would just reinforce what you say. Yes, from time to time, some journalists go to the ABC and vice versa. Every recruitment opportunity we have is shared broadly, and we have applicants from across the industry apply—so we end up with journalists coming to SBS from many different new organisations.

Senator DEAN SMITH: How does the SBS editorial policy differ from that of the ABC?

Ms Palfreyman: I might more speak to our policies and practice. We are in service of our charter, which is about safeguarding social cohesion. That is governed by the code of practice I mentioned before. Everything that we do is about impartiality, accuracy and balance. As I said, the work our teams do is phenomenal and is work we stand behind.

Ms Wicks: We are particularly focused on multicultural, multilingual First Nations communities and broadcasting in languages other than English extensively in order to provide Australian news and information to those communities—so there are lots of differences in that regard.

Senator DEAN SMITH: But the multicultural, multilingual, Indigenous aspects of the SBS—the ABC would say that also fits within its own diversity requirements and expectations.

Ms Palfreyman: Our act specifically requires us to service multicultural, multilingual and First Nations communities. That's why we broadcast in over 60 languages. That's why, on SBS On Demand, you can log in in language, in a number of languages. We take a great deal of care in ensuring we provide services to all communities but with particular focus.

Senator DEAN SMITH: How many people listen to SBS Chill?

Ms Palfreyman: That's a great question.

Senator DEAN SMITH: I'm curious. I've only just discovered it.

Ms Palfreyman: I don't have that number. I know it is incredibly popular.

Senator Green: Me, after estimates!

Ms Palfreyman: We can come back to you with that number. I don't have that specific number.

Senator DEAN SMITH: How significant is the hybrid funding model in shaping the culture and the attitudes of the SBS?

Ms Palfreyman: It is significant, of course. We are two-thirds government funded, as you would be aware, and one-third commercially funded. That revenue is derived through advertising, and we work hand in glove with the advertising community. In terms of the culture, the commercial side of our business is in service of telling more diverse Australian stories—so there's a wonderful complementary hand-in-glove aspect to the commercial teams feeling deeply connected to our purpose. It brings a wonderful culture to the organisation. We have incredibly high employee engagement. We're in the 80th percentile in terms of how engaged our employees are; we are really proud of that. The commercial side of a business gives us a focus on efficiency, too, and how we think about deploying our resources in service of the charter.

Senator DEAN SMITH: The commercial elements of the SBS, the hybrid funding model, in no way compromise the quality of the broadcasting experience for Australians?

Ms Palfreyman: Absolutely not. Our commercial efforts are in service of our charter and our purpose. Everything we do at SBS is in service of that. In fact, the one-third commercial revenue that I referenced before allows us to cover our commercial costs and invest in more content, in more Australian stories, for all Australians.

Senator DEAN SMITH: When you are speaking to potential advertisers, what attracts them to the SBS?

Ms Palfreyman: Our audience. We have strong audience numbers across our six linear channels, across SBS On Demand. The fact that our audience is unique to the free-to-air broadcasting landscape—if you look at the audience across the whole landscape, we offer an audience that you won't necessarily find anywhere. It is about audience engagement. It's about our purpose. It's about the stories we tell. Different advertisers have different needs. We have NITV, our Indigenous channel, as part of our portfolio, and some of our advertisers are deeply connected and committed to elevating and supporting First Nations stories.

Senator DEAN SMITH: Is it right to assume that the multicultural, multilingual, Indigenous emphasis, which is captured by the charter, is reflected in the SBS audience? Is that a correct assumption to make?

Ms Palfreyman: When you say it's reflected in the SBS audience—in the make-up?

Senator DEAN SMITH: In terms of its make-up; correct.

Ms Palfreyman: Yes. Our objective is to reach all Australians and to encourage all Australians to engage with the Australian story.

Senator DEAN SMITH: I suppose what I'm saying is: you don't have to be multicultural, multilingual or Indigenous to recognise or have an appreciation for that?

Ms Palfreyman: That's right. Our role is to build cross-cultural understanding, to serve communities but also to help build communities' understanding of each other. It's in serving all Australians, as mapped out in our purpose.

Senator DEAN SMITH: How do your commercial and sponsorship arrangements compare and compete with fully commercial broadcasting offerings?

Ms Palfreyman: A couple of ways. On our six linear channels we are legislated to have five minutes of advertising per hour; that's a stark difference. Sorry, the question was around the—

Senator DEAN SMITH: We covered a little bit of it, in terms of what someone who wants to advertise on the SBS would find attractive about the SBS, but I was more interested in those competitive commercial tensions between yourselves—five minutes out of 60 is not a lot, but I am just keen to understand how you might ensure your offering is as competitive as it can be.

Ms Palfreyman: We have a really competitive offering. We have a broad range of content from sporting rights. We have the FIFA World Cup coming up in a few weeks, which is commercially attractive. It's a significant event. It garners huge audiences for us. We have dramas. We have documentaries. We have, as I said, lots of First Nations content. We are competitive with both the free-to-air landscape, as you've referenced, and the streamers, which are more and more in this territory. In terms of the guidelines you were referring to before, we have our own set of guidelines governing what we can do from a commercial perspective. We are incredibly competitive, and we are pleased to be so. We are proud of the commercial side of the business and the revenue it writes, as it allows us to invest more into Australian stories.

Senator DEAN SMITH: If the opportunity for commercial advertising was to grow from five minutes out of every 60 to 10 minutes out of every 60, how does that change the culture or the operation of SBS?

Ms Palfreyman: We'd probably need to model that and consider that in the context of the broader market. In terms of how it would change our culture, I don't imagine it would. As I mentioned, we are all there to serve our purpose; we are very clear about that. It's a hypothetical question. I'd probably need to have a think about it and work through.

Senator DEAN SMITH: I was going to preface it as a hypothetical, and then I thought, 'No, I won't do that.' If it was permissible to go from five to 10 minutes, how do you think traditional commercial broadcasters might react to that?

Ms Palfreyman: That's probably a question for them. I'm not sure I'd like to speculate on their response.

Senator DEAN SMITH: I suppose I'm just trying to understand: if it was a Venn diagram, how much of your commercial advertising world intersects with theirs?

Ms Palfreyman: Advertising broadly is highly competitive. Whether you are a free-to-air broadcaster, an out-of-home medium or a streaming service, their response would purely be speculation on my behalf, I'm sorry.

Senator DEAN SMITH: On notice, if you can expand on my original question about, comparatively, the lack of controversy that the SBS attracts—I would be most curious about that. Thanks very much.

Ms Palfreyman: Thank you, Senator. The teams do a wonderful job.

CHAIR: Thank you, Senator Smith. I have got some questions about the 2026 World Cup.

Ms Palfreyman: Fantastic.

CHAIR: I'm really excited that we will get all 104 matches free to air on the SBS platform: SBS, SBS Viceland and SBS On Demand. I think that's wonderful news, and I think all Australians will be overjoyed that that will be freely available to them and that they will be able to enjoy the soccer World Cup. Are you able to give us a rundown on when and where the games will be available and any updates on the broadcast of that?

Ms Palfreyman: Sure. We are equally excited. We are in countdown mode. As you've mentioned, there are 104 games for this tournament. It's the largest World Cup ever—almost six weeks of content. We have 550 hours across, as you mentioned, SBS, SBS Viceland and SBS On Demand. We have a wonderful commentary team. We have some fantastic new features on SBS On Demand which will be pleasing to viewers. We have the ability to restart, pause and rewind, which we have brought into SBS On Demand.

I think the other point I would say is there's lots of wraparound content for the World Cup. There are, of course, the games and all the commentary around the actual football, but there are some beautiful shows the teams have either acquired or commissioned themselves. We have a nightly comedy vodcast, *Cup Fever!*, with Santo Cilauro and Ed Kavalee. We have a really beautiful documentary titled *Wogball: Australia's Beautiful Game*, which is narrated and presented by Anthony LaPaglia, which talks about the success of football in Australia. Adam Liaw has done a wonderful show for us around food, as you would expect, *North American Fan Feasts*. We have some World Cup episodes of *Mastermind*. So there's lots of wraparound content, and I think that's the beauty of the World Cup. Yes, it's about sport—football, in this instance—but it's also about cultural celebration and unity and coming together to cheer on your home team. We know lots of Australians have a second team that they might have an affiliation with—

Senator TYRRELL: No!

Ms Palfreyman: So we are looking forward to it. No, just the Socceroos!

CHAIR: I would like to ask you about *Beautiful Game Changers*. Can you tell us a bit about that project and what the feedback has been.

Ms Palfreyman: *Beautiful Game Changers* are mini documentaries. There are 12 of them. It's all about celebrating local heroes who have used football to drive social cohesion. So it's very much linked to our charter in that respect, thinking about those people who have done wonderful things.

CHAIR: Turning to NITV, are you able to update us on what work has been done in that space and through that channel to amplify the voices and stories of our First Nations communities since our last meeting?

Ms Palfreyman: We are really pleased with the work the NITV team do. In fact, when you look at the numbers—obviously, as we all know, how audiences are consuming content is changing. We used to watch it on what we call the old-fashioned linear TV, and now more and more people are consuming through digital. NITV is bucking that trend a little bit. When you look at prime-time audience growth over the past years, it has sort of grown year on year, so it's really pleasing. There's some beautiful content that team does, from news and current affairs, with INACA and *The Point*, to co-commissioning some fantastic dramas. We had *Reckless*, which aired last year, which was filmed in Western Australia. We have *2.6 Seconds* coming shortly. We have also, through NITV but as a broader SBS partnership, just renewed our partnership with the Yothu Yindi Foundation and are looking forward to Garma in early August this year. I think there are a couple of the things led through NITV but also supported by the broader network in elevating First Nations voices.

CHAIR: May I just follow up on Garma. There is a commitment to bringing that to people across Australia. How is that going to be made available? Obviously, it's a festival; it's a significant volume of time in terms of programming. What's the plan to bring that to Australian audiences?

Ms Palfreyman: Yes, it is a festival. It's run over four or five days. It's covered, actually, by the broader network, not just NITV. Of course it features on NITV; it features through NITV news. We also cover it through SBS news, online and through *SBS World News*, from a video perspective. Our language teams too; the SBS Arabic and the SBS Mandarin teams cover it, and we have reporting of the event across our 60 languages. So it's very much a whole-of-network approach. We have collections on SBS On Demand around this time as well, allowing Australians to dive deeper into First Nations content and seek to better understand our First Nations people and their stories.

CHAIR: Thank you very much. Senator Henderson.

Senator HENDERSON: Ms Palfreyman, I wanted to continue my questions in relation to the SBS's editorial guidelines. There was an email sent from Ms Florencia Melgar, the same person who sent the email in relation to the matter I raised with you before lunch, and she has given some editorial guidance preventing misleading parallels between the Holocaust and the Palestinian-Israeli war. I thought the war was with Hamas myself, but maybe that's not permitted to be said. In any event, I'm particularly concerned about some of the advice in this email, and I just want to read you a couple of things: 'In the context of the current war and the worldwide-recognised humanitarian crisis in Gaza, we should avoid an overrepresentation of Holocaust centred stories. This excludes news stories such as the International Holocaust Remembrance Day.' And then she went on to say: 'Our focus is to centre coverage around the conflict between Israel and Hamas, recognising that Palestinians had no involvement in World War I.' I think there was subsequent correspondence to indicate that that is contested. And then there was the direction: 'When the senior editorial leadership deems Holocaust victims' voices newsworthy, on a case-by-case basis, scripts and articles should be referred up for guidance to ensure the inclusion of appropriate context.' Can you explain these guidelines at all, Ms Palfreyman?

Ms Palfreyman: Senator, I will hand over to Ms Wicks in a moment. What I would say is that's one piece of editorial guidance, obviously, that you are referring to. We have substantial editorial guidance across a range of documents, and they do need to be considered in full. As you can appreciate, our journalists, when reporting on a story, there are multiple considerations; hence that broad editorial guidance, which is also coupled with lots of conversations. Often the guidance is delivered by the requests of journalists for clarity. As mentioned before, I stand behind the work our team does. They take great consideration about language. If there are specific articles that you think this editorial guidance has produced that are in contravention to our code, please share that with us. I might hand over to Ms Wicks.

Senator HENDERSON: No, I'm not raising concern about particular articles, Ms Palfreyman. I'm raising concern about the editorial guidelines. It just seems a quite extraordinary direction that essentially any story involving the voices of Holocaust victims needs special approval.

Ms Palfreyman: Senator, again, I will throw to Ms Wicks. Editorial guidance considered in full. Of course we have upward referral pathways, and that is to ensure that we are in line with our codes, we are impartial, we are accurate, we are balanced. But, again, if Ms Wicks wants to speak specifically—

Ms Wicks: I would suggest there is significantly more context to that advice which I don't have to hand, and I'm happy to take it on notice and provide a response. All our editorial guidance is generally crafted following questions or conversations from within the newsroom seeking clarity. Generally, there is then a conversation, and guidance is shared in that moment, usually in relation to a moment in time or a particular story we might be covering, and is not necessarily applied holistically across every single thing that we are doing. It's usually a very timely piece of advice. So I'm very happy to take that on notice and come back to you.

Senator HENDERSON: Well, it is one particular—I have scrawled on this particular document. I can provide it on notice.

Ms Wicks: Yes, thank you.

Senator HENDERSON: I'm happy to do that. This is an email just about reporting in relation to the Holocaust in the context of the Israeli-Hamas war in Gaza. This email also says: 'The mass murder on 7 October is the most significant crime against Jewish people since the Holocaust. However, it is crucial to consider historical context, as audiences may not automatically grasp it.' I'm not sure what that means.

Ms Wicks: Again, there would be more context around that within the guidance that was given.

Senator HENDERSON: It then goes on to talk about the reason for context. It refers to code 5.1, 'Prejudice, Racism and Discrimination':

SBS understands that different cultural groups may have different perceptions and values.

Surely the fact that this was the most significant mass murder of Jewish people since the Holocaust stands and falls on its facts without any qualification?

Ms Wicks: Yes, and I don't think we would dispute that. I think it's providing additional context, and certainly in our reporting we have covered that frequently in terms of that being the fact.

Senator HENDERSON: There just does seem to be a particular focus on the reporting of the Holocaust, which concerns me. Would it be possible to have a copy of your editorial guidelines?

Ms Palfreyman: There is no one document; it sits across a range of documents. Is there any particular area?

Senator HENDERSON: Well, this is editorial guidance on antisemitism, November 2023. This is the version that I've got. Now, I don't know whether this has been updated. So that's one part of it. But I would like a copy of all your editorial guidelines.

Ms Palfreyman: Let's take that on notice, Senator.

Senator HENDERSON: Thank you. I do want to turn to SBS's decision not to accept the IHRA definition of antisemitism. In this document, the antisemitism editorial guidance dated November 2023, under the heading 'Implications of the IHRA definition of antisemitism for freedom of speech', it refers to Francesca Albanese, who is a sanctioned person, the UN Special Rapporteur on the occupied Palestinian territories, sanctioned by the United States. It makes special mention of the fact that she has highlighted that IHRA's definition of antisemitism correlates antisemitism with criticism of Israel: 'Consequently this association is exploited to accuse civil society and human rights groups of antisemitism when they voice legitimate concerns about Israeli policies in line with international law.' So I would put to you, firstly, that the IHRA definition does not prevent legitimate criticism of Israel. That's quite clear. The other thing that I would say in relation to quoting Francesca Albanese is that a number of European countries have demanded that she be stood down as the UN rapporteur because of her known antisemitic views. That's why she has been sanctioned by the United States.

Ms Palfreyman: Let me first start with the IHRA definition. We don't adopt nor reject the IHRA definition. Given we are legislated to be independent, our role is to report on the news of the day, to report on multiple perspectives, and not to adopt one view, whether it's a government view, an expert view or an NGO view. Our role is to provide the information, to attribute it to those who are defining it that way and to provide that context for Australian audiences to make up their own minds.

Senator HENDERSON: But can I just query this, because we obviously debated this issue with the ABC, which has taken the same view. It says that its definition aligns with the IHRA definition. I put to you that the SBS already operates within accepted external frameworks; whether it be workplace laws, the definition of defamation law or other types of legal frameworks and definitions. That doesn't undermine SBS's independence in any way.

Ms Palfreyman: Senator—

Senator HENDERSON: It just seems to me that SBS, like ABC, has declined to adopt this definition, because there's been a fierce lobbying campaign by a range of activist groups who are very opposed and are very anti-Israel and, frankly, anti-Jewish.

Ms Palfreyman: Senator, I reject the assertion. Our role isn't to sit in judgment on what's right and wrong but to report the news, and we do that with great care. We provide a range of perspectives. We attribute the views or the definitions to those who are making them. It's not up to us to define. You referenced in your earlier question the IHRA definition having been provided. We provide a range of context materials for our journalists, and that is one of them, as you've articulated.

Senator HENDERSON: But you're quoting someone who's a known antisemite, someone who has been formally sanctioned by the US.

Ms Wicks: In terms of the editorial guidance given, we obviously give our staff a general view that antisemitism is about prejudice and discrimination against Jewish people, which is abhorrent, and we have extensively covered the impacts of antisemitism, as per our purpose, which is all about trying to safeguard social cohesion. We've done that. We'll continue to do that. That's really important.

In terms of the context and the guidance provided to our staff, I'm not privy to what you have there, but there are pages and pages of additional context. The comments you referenced then would be just one perspective that would have been included in seven or so pages of context for our team members to understand that there have been different perspectives on this particular definition. At the end of the day, though, we don't reject it and we don't accept it. Our role is to report on those perspectives and, essentially, to focus on the issue of antisemitism—what is causing it and how it could be prevented—and, indeed, of course, to condemn the horrific impacts of antisemitism.

Senator HENDERSON: So you have rejected the IHRA definition?

Ms Wicks: I said we've neither accepted it nor rejected it.

Senator HENDERSON: Well, you're not accepting it. You've made that clear in your public statements.

Ms Wicks: Under our statutory obligations, we're required to be impartial and neutral in our language. The fact that there is so much context around this definition indicates there are different perspectives. So our role, which we've done—

Senator HENDERSON: Different perspectives? Sorry to interrupt, but I would put to you that when you are quoting a known antisemite like Francesca Albanese—sanctioned by the United States, condemned by many countries around the world for her horrific anti-Jewish, anti-Israel sentiments—that is a most improper way in which to justify that the IHRA definition should not be accepted.

Ms Wicks: I would suggest that, with our guidance, we have listed multiple perspectives, which provides context to our users.

Senator HENDERSON: But that perspective is not legitimate. That perspective is abhorrent because she's a known antisemite. She despises Jews. That's why she has been sanctioned. That's why the likes of various European countries, including France and Germany, have called for her to be stood down as the UN rapporteur.

Ms Wicks: And so our role is to cover different perspectives and developments in relation to this. But in terms of discussing the definition of 'antisemitism', SBS has no house view. We don't form a view about what we believe is antisemitism, apart from—

Senator HENDERSON: Well, I think this is a view you should be forming. When you're determining the meaning of 'antisemitism', you should not be relying on the views of a known horrific antisemite.

Ms Palfreyman: That context material is not endorsing the context material; it's giving our journalists a whole range of material to understand how this issue has been discussed and reported on all around the world. Our role is then to factually and impartially report on it. Please judge us on our output. I think you'll find the work our journalists do is thoughtful and is taken with great care.

Senator HENDERSON: I hope your journalists are ignoring this, Ms Palfreyman, because I think this is very ill-advised guidance when you haven't even made a note in this guidance about Francesca Albanese's history.

Ms Wicks: I think the guidance was issued in 2023.

Senator HENDERSON: That's true.

Ms Wicks: And since then there have been sanctions against—

Senator HENDERSON: There have been further developments.

Ms Wicks: That's right. So this was issued prior to those sanctions being administered.

Senator HENDERSON: So have these editorial guidelines on antisemitism been updated?

Ms Wicks: Our guidelines are always under review in terms of—

Senator HENDERSON: But has this November 2023 antisemitism editorial guidance document been updated?

Ms Wicks: No, I don't believe it has. It remains context, of which there are seven pages of different perspectives on the definitions—plural—with SBS not forming a view. Generally speaking, we think of antisemitism as being prejudice and discrimination against Jewish people, and our focus has been and will continue to be on reporting about that and really giving those communities a voice about the impact that is having on their lives every single day. That's our focus.

Senator HENDERSON: So let me give you an example. Saying that a Zionist is a terrorist—is that antisemitic?

Ms Wicks: I'm not going to give you a view or form a judgment.

Senator HENDERSON: Well, this is exactly my point. This is what the IHRA definition encompasses, because 'Zionist' is used interchangeably with 'Jewish' for activists and antisemites to attack Jewish people. It's a way that they attack Jewish people without using the word 'Jew' or 'Jewish'. They say Zionists are terrorists. If you can't provide guidance as to whether that's antisemitic then I would suggest that the SBS is failing in its obligation to its journalists.

Ms Wicks: We've reported on the definition and the different perspectives, for those who would absolutely concur with what you've just said. Our role, then, is to explore and report on the different perspectives in relation to that definition.

Senator HENDERSON: But people who hate Jews are not a legitimate reference point when giving your journalists guidance. And I would suggest to you that your policy document needs to be dramatically and very quickly updated so that you're not referring to known antisemites in your guide.

Ms Wicks: The guidance, I would suggest, doesn't inform our editorial. It's context and information in order to address what are complex issues on many things, in terms of our reporting. It is one perspective of many from 2023.

Senator HENDERSON: Well, it says—

Ms Wicks: It does not influence our reporting, and our perspective in relation to our reporting, which is absolutely guided by our code of practice, which requires us to be balanced, impartial and accurate at all times. If there is a particular story or piece of coverage that we've done where you've felt that this has influenced it, I would be really happy to look into that. As I say—

Senator HENDERSON: Well, the introduction to the document says: 'This editorial guidance provides clarity on SBS's understanding of antisemitism and the diverse perspectives regarding the IHRA definition of this term. It also explains the distinction between antisemitism and anti-Zionism.' I've just put that question to you—is the claim 'Zionists are terrorists' antisemitic? You couldn't address that. You might want to consider that and come back to me, because that concerns me. This is the guide that your journalists are relying on, and I would put to you that this is most improper. It does not reflect the understanding as to what journalism is. I mean, yes, people have different perspectives, but why should you be guided by known antisemites in relation to the definition of 'antisemitism'?

Ms Palfreyman: I'm not sure that providing context on the issue is suggesting that we're being guided by it. I think it's helping our journalists understand the complexity of the discussion and the reporting that's happened. It's not to be taken as a directive; it's not taken as our position. We're not in a position to take a position. But it is important that our journalists have context and that they understand the broader discussions and the broader reporting around this.

Senator HENDERSON: What is it about the IHRA definition, Ms Palfreyman, that you don't accept?

Ms Palfreyman: It's not about the IHRA definition; it's about our independence and that our role isn't to adopt a view. It is to report on the views, to attribute those views to those who have made them and to give that context to our audiences. It's not for us to sit in judgment and determine what's right or wrong about any view but, rather, to report as a public broadcaster and provide as much context and nuance as we can.

Senator HENDERSON: So do you have a definition of 'antisemitism' that you rely on?

Ms Palfreyman: I think, as Ms Wicks referred to before, we broadly understand antisemitism to be racism and discrimination against Jewish people.

Senator HENDERSON: But you don't accept the other manifestations of hate towards Jews and those who would identify as being Zionist?

Ms Palfreyman: If you're talking about hate to Jewish people, then of course that's part of the broader understanding we have, which is discrimination, racism and hatred towards Jewish people.

Ms Wicks: And we've reported on those things extensively.

CHAIR: Senator Henderson, I'm just going to rotate the call. Senator Tyrrell.

Senator TYRRELL: Welcome to my very first question as a Labor girl! I'd like to ask some questions about the funding that the Albanese government has provided for *SBS Examines*. How does the program tackle mis- and disinformation directly for people in the community?

Ms Palfreyman: Yes. In the budget this year, we received a moderate uptick and extension of the *SBS Examines* product, which we're incredibly proud of. *SBS Examines* delivers fact-based, culturally appropriate audio, video, written explainers and journalistic content which is absolutely designed to counter mis- and disinformation that erodes social cohesion. Since launching that, in July 2024, we have created over 2,600 stories in over 55 languages. We've had some strong engagement, with almost 30 million social media impressions. The content is of course on our platforms but also on a lot of digital platforms and social media locations where we know some of this mis- and disinformation can take hold. We're really proud of the work the team does and happy to continue the work.

In terms of themes it covers, it's a whole range of themes. It could be around antisemitism. It could be around the role of immigration in the housing crisis and some of the misinformation that was circling. It could be on the debate around welcomes to country, visas or AI—misinformation around how it's being used in war. So there's a whole range of issues, informed by the news of the day and informed by our journalists and our teams.

Senator TYRRELL: And the beautiful thing with SBS is that it breaks down information so that everybody can understand it, from whatever walk of life. My dad—God love him—is not the brightest tool in the shed, and he can understand exactly what is on SBS. I love my dad; he's an amazing human being, but he needs simple words and language to understand a topic. But SBS also comes across to the highly educated person and tackles topics in a different vein.

Ms Palfreyman: The team take great pride in their work, and helping to break down some really complicated issues is what they do every day. We also have a range of products. We have *SBS News in Easy English*, with scripts, to help people whose first language isn't English dive in and better understand the issues of the day.

Senator TYRRELL: Yes, and they're examples of how you do break down the information for everybody in community.

Ms Palfreyman: I think that's the role of *Explainers*. We're very passionate and committed to the work teams do. It helps to provide that context to have a better understanding of the issue at hand.

Senator TYRRELL: And it's a job well done.

Ms Palfreyman: Thank you, Senator.

Senator TYRRELL: Has the reception been positive towards it?

Ms Palfreyman: To *SBS Examines*, absolutely. Some of those stats—as I said, almost 30 million social media impressions, but we've also had almost 12 million video views and almost a million audio downloads. Of course, there's been engagement on our platforms too. So we're really pleased thus far and are committed to continuing to do that work to safeguard social cohesion with that clarity.

Senator TYRRELL: So it's not going anywhere soon?

Ms Palfreyman: Unfortunately I think that's right.

Senator TYRRELL: Perfect. For a change of gears—Eurovision. I've been a big fan of Eurovision for a very, very long time. We're disagreeing a little bit on who is the best singer and representative of Australia in the last couple of years and whether it's Delta or Dami Im.

Ms Palfreyman: What's your view, Senator?

Senator TYRRELL: Dami Im all the way.

Ms Palfreyman: They're both good choices.

Senator TYRRELL: How important is it to SBS for us to participate in an international forum like that and get it to people in community?

Ms Palfreyman: It's really important. Obviously we've got a history in broadcasting Eurovision. We're very proud of that moment. It is an irreverent celebration of music in its own beautiful way. It's also a celebration of culture through music, and I think that's why it's something we're so proud of at SBS. When I think about this Eurovision, with the phenomenal Delta, we've had such strong engagement. We had 3.27 million people total TV national reach across a number of platforms, with the grand final being over 1.2 million. So I think that speaks to the engagement and the commitment Australians have in cheering on, this year, Delta and, in other years, Dami.

Senator TYRRELL: I liked the death metal band a few years back as well.

Ms Palfreyman: That's wonderful to hear too.

Senator ANANDA-RAJAH: Die hard!

Senator TYRRELL: I know, it's terrible! Do you find, though, that having this kind of diversity in programming is important because of the different people that we have within our communities now?

Ms Palfreyman: Absolutely. Everything we do is about making all Australians feel seen and heard, so whether it's the beautiful in-language content we do, the news and information; whether it's how we do dramas and how we think about the stories we're telling and the subtle story arcs through dramas; or whether we think about our amazing reality show *Alone* and how we think about casting and make sure we use every opportunity—

Senator TYRRELL: It was filmed in Tasmania by the way.

Ms Palfreyman: It's in the arctic this year.

Senator TYRRELL: There's one in Tasmania.

Ms Palfreyman: It's going to be incredibly exciting. Our teams take a great deal of care thinking about how we tell all Australian stories to have that cross-cultural education I spoke about before—whether it's examining it through a documentary, which is a very direct way in, or through a drama, which is a more nuanced way into the topic.

Senator TYRRELL: Do you find you have better interactions from your audiences for on demand or broadcast?

Ms Palfreyman: I don't know that they're better interactions, but certainly we're really pleased with the success of SBS On Demand. We were the first to launch a full catalogue of content, if you like, in 2012. We didn't

consider it as a catch-up to our main TV service; it's a destination in its own right. I think you'll see through the breadth of content we have on that service that it's an incredibly engaging and exciting proposition for audiences. As such we see everything from people streaming *SBS World News* to watching Eurovision, to engaging in in-language content, to logging in in-language. We're really pleased with the success of that product.

Senator TYRRELL: Thank you. I appreciate your time.

CHAIR: Senator Henderson.

Senator HENDERSON: I also want to ask about Eurovision and in particular Australia's seven-person jury, which is selected by SBS. I am keen to understand how this works. As it looks on its face, zero votes were provided to Israel, and Australia's public vote also awarded zero votes to Israel. Australia ranked Israel 25th out of 25 countries in the final, and for context Israel in fact came second in the competition. So can you explain how that happened, Ms Palfreyman?

Ms Palfreyman: I don't have that in front of me, but I'm really happy to come back to you on the judging process—absolutely.

Senator HENDERSON: How's the panel selected?

Ms Palfreyman: Again, as you've mentioned, we select the panel. Again, I can come back to you on the criteria and how we go about making those decisions.

Senator HENDERSON: Is there someone else here who could address questions on how the panel works because—is the voting all run by SBS?

Ms Palfreyman: The panel is run by SBS, so the panel is voting. Obviously, Australia votes through the same mechanism as other countries—the online voting and the phone numbers et cetera.

Senator HENDERSON: Is that coordinated through SBS, though?

Ms Palfreyman: No, that's coordinated through the EBU.

Senator HENDERSON: So SBS doesn't have anything to do with the public vote?

Ms Palfreyman: No.

Senator HENDERSON: But the jury vote, which is run by SBS, and SBS selects the seven-person jury—as we've seen, Israel received zero votes. Are you aware of this?

Ms Palfreyman: I'm obviously aware of the things you've mentioned and that Israel came second. I watched Eurovision along with many Australians and saw how the votes were being cast. As you've said, we select the panel. There are some criteria there, I imagine. Musicality is part of it. But I'm definitely happy to come back to you on the specifics.

Senator HENDERSON: There isn't any comeback; it's today or on notice. Can you tell me who were the members of the panel?

Ms Palfreyman: I don't have those names in front of me, but if you bear with us we'll—

Senator HENDERSON: If you could.

Ms Palfreyman: Yes, we'll draw them out for you.

Senator HENDERSON: I can see Ms O'Neil doing some quick searching, so I'd be grateful if you could bring to the table what you can.

Ms Palfreyman: Of course.

Senator HENDERSON: How much did SBS spend on Eurovision? What's the breakdown of costs? Did you send anyone to Austria, or did anyone go to Austria from SBS for Eurovision?

Ms Palfreyman: We do send some staff to work at the event. It is a small number of staff. In terms of the payment that you referred to, we obviously have a partnership payment to the Eurovision Broadcast Union. I can't share that. That is commercial in confidence, as are a lot of our content acquisition deals. As you can appreciate, sharing them would disadvantage us in the same way buying pieces of content would. It's a highly competitive market. So, yes, we've—

Senator HENDERSON: You can take that on notice. I'm not sure about that. Many contributions by public broadcasters are on the public record, including funding provided for documentaries and the like. I don't think it's particularly controversial. Everyone knows what you paid for the rights for the soccer world cup.

Ms Palfreyman: No, that is not public information. It's part of a competitive process.

Senator HENDERSON: It has been reported in a roundabout—

Ms Palfreyman: I'm not sure it has been accurately reported. That's my understanding.

Senator HENDERSON: It has certainly been reported as to an approximate figure that you've paid. But could you take that on notice. What was the cost of sending a delegation, and what do you mean they were working at Eurovision?

Ms Palfreyman: We send a couple of staff, who assist with the coordination of the event: the publicity et cetera. I'm happy to share those numbers with you. I don't have them in front of me. It is a small cohort. I think it's in the order of two or three people, but I'm very happy to share that with you on notice.

Senator HENDERSON: How long were they in Austria for?

Ms Palfreyman: It would be a matter of days. Obviously, for the event, there's the semifinals and the finals. Again, we can share that on notice with you.

Senator HENDERSON: I'm interested in why you would be sending a delegation to work over there. Is this SBS's publicity requirements?

Ms Palfreyman: I'm not sure—a delegation might be overstating it, but it is a couple of staff. Delta is the artist that, in this instance, we have chosen, so it is an event that we are responsible for and we're proud to showcase to Australians.

Senator HENDERSON: Who did attend on behalf of SBS?

Ms Palfreyman: Again, I'm happy to take that on notice. My understanding is it was a couple of people. We usually have a publicist and someone from the content team who oversees the content obligations.

Senator HENDERSON: Ms O'Neil, are you aware of who attended and any further details?

Ms O'Neil: Not the specifics. As Ms Palfreyman said, someone from the content team who manages the EBU relationship would've been there, I suspect. But, as for the other staff, I'd have to check. I don't know off the top of my head, I'm afraid.

Senator HENDERSON: What's the process for selecting the jury?

Ms Palfreyman: Again, I think I mentioned before I'll take that on notice and come back to you. I imagine there are some criteria, so we can come back to you on notice.

Ms O'Neil: I can tell you who the jury is.

Senator HENDERSON: Yes, please. Thanks, Ms O'Neil.

Ms O'Neil: The jury was seven people. There was director, choreographer and performer Ms Kelley Abbey; singer Erica Padilla, who was a former contestant in *Eurovision: Australia Decides*; entertainer and performer Hans the German, who I think you may have seen on the *Today* show from time to time—he's a well-known Eurovision fan; singer, actress and internet personality Indiana Massara; radio presenter and host Mitch Churi; music producer and Electric Fields band member Michael Ross, who represented Australia at Eurovision in 2024; and music industry producer Millie Millgate. So, again, I'm not sure what the selection process was. We can certainly provide that on notice, but those were the seven individuals who were on the jury this year.

Senator HENDERSON: I'm having a look at your website, which says how to vote in the Eurovision Song Contest 2026. Can you take me through how people did vote, and how does SBS tabulate the voting?

Unidentified speaker: Tammy knows how to vote.

Senator TYRRELL: I didn't vote.

Ms O'Neil: I voted, Senator, so I can tell you. As we said before, SBS doesn't have anything to do with the public vote. You have to log on to the Eurovision EBU framework, and I think it is about 70c a vote. There's a limit of 10 votes per person. You can vote for many different countries, or you can give all your votes to one country. We don't get any visibility of that at all at SBS. That's all done—

Senator HENDERSON: So you're just providing a link to the public voting?

Ms O'Neil: That's right.

Senator HENDERSON: What about the jury voting? I know you've taken on notice some aspects of that, but do the jury collaborate with each other? Do you know any more details, Ms O'Neil?

Ms O'Neil: I'm not aware of it, unfortunately. I'm sorry. There is a jury show, so the jury votes are generally based on a different performance, perhaps, than the one that might be in the grand final, but I don't want to speculate. I'm not sure how the jury reaches its decision.

Senator HENDERSON: Ms Palfreyman, is it possible to explain how the jury appointed by SBS gave zero votes to Israel when Israel was ranked so highly and came second in the competition?

Ms Palfreyman: I think it comes back to the criteria of how the jury reached their votes. So I think we'll answer that when we take it on notice as to how they reached their outcomes.

Senator HENDERSON: I look forward to receiving that information. Chair, am I able to continue?

CHAIR: Yes. I would just observe that we're now running a little bit behind.

Senator HENDERSON: I understand that.

CHAIR: You are certainly free to continue, but may I have some indication about how much longer you'll be?

Senator HENDERSON: Not too long. Thanks, Chair. I wanted to turn to SBS's commissioning of Jewish-made documentaries. There has only been one documentary about antisemitism commissioned post Bondi. Is that right, Ms Palfreyman?

Ms Palfreyman: We air a range of Jewish authored content and Jewish themed content. We're currently in development with Mint Pictures on a piece of content called *Bondi*, which is examining, obviously, the worst terror attack at Bondi. We aired this past weekend a series by John Safran called *Shut Your Big Fat Mouth John Safran*. We have also recently aired the show *The Hunt for the Last Nazis*, which was fronted by award-winning Jewish Australian filmmaker Dan Goldberg. There is a range of other content—*Pita With Vegemite: An Israeli-Australian Story*. We've had a comedy drama by an Israeli filmmaker, *My Neighbour Adolf*, and *The Devil's Confession*, which is about the lost Eichmann tapes. So there's a range of content—whether it is Jewish themed or Jewish authored.

Senator HENDERSON: An article in the Australian on 15 February 2026 is entitled 'SBS rejects Jewish film over fear it could "offend wider community"'. This was concerning deep concerns by a Jewish Australian who was rejected on what he believes were improper grounds. Can you provide any further information in relation to that?

Ms Palfreyman: Yes, I can. The language used that you're referring to, and that was referred to in that article, wasn't in line with our acquisition criteria. It was regrettable. In relation to that piece of content and how it was assessed, it was assessed by our acquisitions team in line with SBS standards, and it was a decision made against our acquisition criteria.

Senator HENDERSON: I've been informed—*Bondi* is the documentary you've commissioned about—

Ms Palfreyman: Yes, it is.

Senator HENDERSON: the Bondi terrorist attack? What's the nature of that commissioning?

Ms Palfreyman: As you can appreciate, we're still in the commissioning process, but it examines the lead-up to the terror attack in Bondi.

Senator HENDERSON: Does that involve a Jewish producer?

Ms O'Neil: That's work with Mint Pictures, which is a Jewish—

Senator HENDERSON: Mink?

Ms O'Neil: Mint.

Senator HENDERSON: Mint Pictures, sorry. I've been advised that Mint Pictures was informed that if the program were to be commissioned there would be a stipulation that the director would need to be non-Jewish.

Ms Palfreyman: I'm not aware of that.

Senator HENDERSON: Could you investigate that?

Ms Palfreyman: I'm happy to investigate that.

Senator HENDERSON: That's a very unusual and concerning stipulation.

Ms O'Neil: We've certainly announced the documentary, and the Mint Pictures creative director, Dan Goldberg, was quoted together with one of our SBS commissioning team. We're very proud that we are going to be able to bring this story to Australians.

Senator HENDERSON: You don't know anything more about that?

Ms Palfreyman: No. That's very surprising, but we are happy to look into that.

Senator HENDERSON: Yes, I was very surprised, too, I have to say. I look forward to your investigation of that allegation, please. Can I ask for a quick update on your events and your costs? Last time, Ms Palfreyman, I raised concerns about your upfront events and some of the costs of these events, so can I ask you for an update on what expenditure you'll be incurring, what you have incurred this year since the last estimates and what you're

planning to spend on events and promotions? I think there's a plan also for a number of people from SBS to travel to the United States for the soccer?

Ms Palfreyman: Since we last spoke, there have been some client engagement events of small scale with 25 to 30 people attending to help our advertisers better understand the research that we've conducted around belonging and what drives belonging in Australia and helping them better understand multicultural and First Nations Australians. In terms of what is currently planned, as you've mentioned, we have the FIFA World Cup. We have a small cohort of key sponsors and advertisers attending the FIFA World Cup. It's across seven or so days in America, and it's a key part of revenue-generating activities and a part of those significant sponsorship packages.

Senator HENDERSON: Are you able to give us the costs associated with these events?

Ms Palfreyman: We're in the final stages of planning the FIFA World Cup. The trip is in a month or so, so it hasn't yet happened. But in due course that will reveal itself, I'm sure. In terms of—

Senator HENDERSON: Are you going over to the United States?

Ms Palfreyman: There are two SBS staff going—the director of media sales and I—along with clients and eight media agencies who support their clients on the event.

Senator HENDERSON: Are you funding the clients?

Ms Palfreyman: It's as part of the sponsorship and revenue-generating activities that that event will be funded.

Senator HENDERSON: And you're providing the ticketing to—can you explain when you'll be there? Are you there for the finals?

Ms Palfreyman: We're not there for the finals. The dates, off the top of my head—it's the end of June for, as I said, seven or eight days. We are attending four of the FIFA World Cup events. They are general admission seats. It is not flamboyant corporate hospitality. The opportunity is to engage them in the events, as they are key sponsors and key supporters of the FIFA World Cup.

Senator HENDERSON: On notice, if I could please have either approved expenditure or actual expenditure for all of your events, including the upfronts and promotional events?

Ms Palfreyman: I'm happy to take that on notice.

Senator HENDERSON: And are you planning any other overseas travel this year?

Ms Palfreyman: Myself? No. From time to time, our content teams attend big screening events where we acquire content. I have no overseas plans, no.

Senator HENDERSON: Okay. Can I ask you about an email that you sent? I think it was to all staff following the Bondi terrorist attack. I'm just a bit concerned about one line in particular. I'm sorry, I don't have a date, but it starts off with, 'Like all of you, I am shaken and saddened by the tragic events that unfolded at Bondi Beach yesterday.' Sorry—'yesterday'. So it was the day after.

Ms Palfreyman: Yes, Monday.

Senator HENDERSON: And you talk about how difficult it has been particularly for your journalists on the ground and reaching out to staff during a period of great trauma for the nation. But you did say in that email, 'An event of this magnitude impacts our teams all over the country and internationally, given the diversity of our people, the communities we serve and the purpose that underpins our work.' This is the line that I'm concerned about: 'We recognise that there will be many of you feeling vulnerable, anxious or perhaps fearful of retaliation or misplaced public anger.' Why would you say something like that, suggesting that there was going to be retaliation as a result of the Bondi terrorist attack?

Ms Palfreyman: As we all know, that event was shocking. It reflected some of the conversations with staff about how they were feeling—that something like that could happen on Australian soil. I think, as I said, it was shocking. It was abhorrent. We were all incredibly rattled. That email was sent to connect with staff at what was a very difficult time for all Australians. And it was done with that intent in mind—out of care and concern for our staff and how they might be feeling.

Senator HENDERSON: But why did you say that they would be fearful of retaliation? So were you suggesting that Jewish Australians somehow were going to retaliate? It just seems a very—

Ms Palfreyman: I was—

Senator HENDERSON: The inference that flows from that sentence is concerning. Then you went on to say, 'Your safety and wellbeing are of the utmost importance,' which seems to suggest that there were SBS staff whose safety and wellbeing were under threat because of legitimate fears of retaliation.

Ms Palfreyman: I think it was reflecting how staff may be feeling in light of what was such a shocking event. There were a range of emotions that staff were talking about, from sadness to anger to shock to horror. It was really about trying to connect with staff. Our responsibility is to provide a safe workplace, and we take that responsibility really seriously.

Senator HENDERSON: Yes, I totally appreciate that. The wellbeing of staff, particularly those who were covering the event or who were connected with the coverage of that terrorist attack, is paramount. But it just seems that you've extended that to those who might be fearful of retaliation. And the suggestion that perhaps Jewish Australians were going to retaliate and that it just—

Ms Palfreyman: We have an incredibly diverse workforce—we're very proud of that—and you would expect that of an organisation that serves multicultural, multilingual and First Nations communities. So when events happen—either here in Australia, of course, or around the world—we are very mindful of the range of emotions our staff might be feeling. That email was to connect with staff, to support them and to let them know of the pathways, should they be feeling any of those emotions I've listed there. It was really out of concern.

Senator HENDERSON: You're obviously addressing those who might feel vulnerable or anxious in relation to retaliation, but there's nothing that references your Jewish employees—assuming you have Jewish employees, which I know you do.

Ms Palfreyman: That note was not the only thing we were doing. We had all directors connecting with all teams, having very frequent conversations to check in on people's wellbeing to see whether they were comfortable continuing the reporting if they were in our news teams or in our audio language content team. This note was really to reflect some of the conversations, to communicate the pathways at scale to the organisation if they needed extra support. But, of course, managers, people leaders and directors were in frequent contact with our teams, as they are when issues play out around the world and here at home. That's part of what we do. We care deeply about the wellbeing of our staff.

Senator HENDERSON: In the final paragraph of this email, you go on to say, 'Causing fear or harm to anyone based on their faith, identity or cultural background is abhorrent and unacceptable and is entirely against our values as an organisation and as a community.' Did you receive representations, from employees at the SBS, that people were feeling fearful of retaliation?

Ms Palfreyman: I think staff were feeling a whole range of emotions depending on their lived experience and depending on, as you noted, whether they were covering the event or, indeed, watching the event at home with their children. So, of course, in line with our code and in line with our purpose around safeguarding social cohesion, we do stand against those actions and those values, and we seek to counter them at every turn.

Senator HENDERSON: I'm just about to finish up, but I'll just ask you a question in relation to the IHRA definition—I omitted to ask you this before. Have you been contacted by any groups expressing their views about the IHRA definition, such as APAN or the Jewish Council of Australia?

Ms Palfreyman: Ms Wicks might elaborate. We get a range of feedback through our audience relations team every day. Some of that feedback is about what, how and when we report on matters. And then some of those obviously go up to our ombudsman because they're code complaints. Those specific references—not to my knowledge. But, again, Ms Wicks might have a—

Ms Wicks: I'm not aware of any approaches in relation to the definition, not to the newsroom, from those organisations.

Senator HENDERSON: Could you take that on notice and double-check?

Ms Wicks: Yes.

Ms Palfreyman: Of course.

Senator HENDERSON: Can I also ask you to provide and de-identify any internal staff complaints raised by Jewish staff.

Ms Palfreyman: Internal staff complaints?

Ms Wicks: In relation to?

Senator HENDERSON: In relation to their treatment.

Ms Palfreyman: We're happy to consider what we can provide there. As you know, with privacy and legal obligations, we can take that on notice.

Senator HENDERSON: That's why I suggested it should be de-identified.

Ms Palfreyman: Yes.

Senator HENDERSON: I'm clearly not suggesting that anyone should be identified, but could you investigate whether any Jewish staff members raised concerns about how they were being treated, particularly following Bondi. That has certainly been an issue with some Jewish staff at the ABC. But, if you could do so in relation to your Jewish staff, I'd be most grateful.

Ms Palfreyman: We can come back to you on notice.

Senator HENDERSON: Thank you.

Ms O'Neil: If I may, just to check the record and make sure it's correct, the Australian jury actually gave last place to the United Kingdom for their LOOK MUM NO COMPUTER song. The United Kingdom is often much-maligned as a Eurovision entrant. So Israel was not last, but they were certainly down the order. And we'll come back to you with the—

Senator HENDERSON: So where was Israel?

Ms O'Neil: 22.

Senator HENDERSON: 22 out of 24? And what was their score? Was it—

Ms O'Neil: I don't have the scores in front of me. I've just got the rankings of the jury vote.

Senator HENDERSON: Are there any attached comments as to why Israel was 22 out of 24?

Ms O'Neil: I don't have that information, I'm afraid. I've just got the data.

Senator HENDERSON: It just seems very strange that the Australian jury was so at odds with what the rest of the world thought.

Ms Palfreyman: As I said, we'll come back to you on the criteria and how the jury formed that voting.

Senator HENDERSON: I'd be most grateful. Thank you very much to you all.

CHAIR: Thank you, officers of the SBS, for your appearance here today, your work, undoubtedly, preparing for it and the evidence you've provided to us. You're excused with the committee's thanks. I call officers from the department in relation to outcome 6, Participation in, and access to, Australia's arts and culture through developing and supporting cultural expression—including officers from the Office of the Arts.

Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

[15:06]

Senator HENDERSON: I want to see if I question on an issue we were talking about yesterday morning, which was the department's plan in relation to addressing your funding agreements in the context of funding people who have been facilitating antisemitism. Could I ask you to provide more detail in relation to that work?

Mr Betts: Yes, certainly. I'm casting my mind back to what we talked about yesterday. I think I had run through the engagement that I had had with the special envoy and the special envoy's chief of staff. Some of that was one on one or in small groups, in other cases, in contexts like the meeting that Minister Burke convened in April in Sydney, which I also attended. That included the special envoy. There is also the presentation that she gave to the board of secretaries a few months ago.

The special envoy has shared with me, as I explained yesterday, not just her original report from, I think, August last year but also some updated guidance she provided to government at the beginning of the year. We are working with her team to explore options, which will form an input to that advice to give to the minister. A number of aspects of her recommendations, including the adoption of codes of conduct to ensure that staff within artistic organisations and cultural organisations at the Commonwealth level understand their obligations fully and making sure that codes of conduct are fit for purpose. The special envoy has identified the code of conduct adopted by the Sydney Theatre Company and a number of other state based artistic organisations as being what she regards as good practice.

We are working with creative workplaces and others to look at that and examine its applicability more widely within the sector. There is the question of funding agreements, which you've touched on, and, as I explained yesterday, the task set for us is to identify whether conditions within funding agreements and within grants guidelines could be strengthened in relation to antisemitism specifically and racial vilification more broadly. As I mentioned yesterday, that has been somewhat complicated by the parliament's decision not to proceed with racial

vilification laws in the sense that we already have provisions within funding agreements which enable funding to be cancelled in the event that a Commonwealth law or a state government law is broken by the funding recipient. That would have provided a ready means for us to implement the intent of the special envoy's advice without the risk of putting relatively junior public servants, either within the department or in Creative Australia, for instance, as a funding agency, in the position of having to arbitrate quite contentious and, in some cases, quite nuanced instances where some may form the view that antisemitic views have been expressed or hatred against Jewish people has been stirred up.

The key thing is that we're engaging with the special envoy and her team. We are keen to make sure that we explore all options and that we provide advice to the minister, who operates at arm's length from individual funding decisions himself, as to how we can best give effect to the special envoy's recommendations without compromising other things that we would all want to protect, like legitimate freedom of artistic expression and a diversity of voices, recognising the overwhelming need to make sure that Jewish Australians and other Australians feel safe from racial vilification.

Senator HENDERSON: I want to draw your attention to the decision by the University of Queensland Press, which has scrapped 5,000 copies of a book written by Matt Chun. He is notorious because he wrote that essay, post Bondi, called *We Don't Mourn Fascists*. I raised this, specifically, with the CEO of Creative Australia, who, essentially, said, 'There's nothing, really, we can do about that.' But when there are blatant examples of antisemitism—like what we saw in that essay, from that particular artist who has been funded by Creative Australia—is the government looking at mechanisms such that those types of artists will no longer be funded?

Mr Betts: We are looking at what our options are, yes. As we have explained previously, our capacity to direct Creative Australia is that we don't have capacity to direct Creative Australia. It has been set up at arm's length from the minister and the department to make decisions around individual funding, for individual artists and so on, and that's explicitly hardwired into the legislation that the parliament has established as the guiding legislation for Creative Australia.

However, there may be ways in which working with Creative Australia—maybe policy positions that the government could adopt, which Creative Australia can be asked to have reference to. But we would need to work through, and will work through, how that might work in terms of making sure that the legislation is observed.

Senator HENDERSON: I'm just having a look at the legislation, the Creative Australia Act 2023. While the government cannot, ordinarily, direct which artists would receive grants or individual funding outcomes, artistic judgements, the government can issue broad policy expectations, determine funding envelopes through the budget, amend legislation and change regulations. Obviously, it has powers to appoint the board and the chair and impose governance requirements. So I would say that the minister, Minister Burke, has broad capacity to act right now to ensure that instances of artists who are engaging or facilitating shocking antisemitism should not be funded.

Mr Betts: You've listed some of the provisions in the legislation around board appointments and around general guidance, and I think that is the point—that those things operate at a level of generality and don't go to individual specific instances. But the potential use of general guidance to enable us to tackle antisemitism is something that we're exploring at the moment. As I've explained, I think most people would say, when they see egregious examples of antisemitism, that that is something that should not be tolerated. However, the parliament found it difficult to frame and agree racial vilification laws, more generally. I think the starting position would be that we need to arrive at an outcome which prevents public funds going to promoters of antisemitism but that that should apply to racial vilification more generally. It is challenging to arrive at those definitions, but that is the work that we are attempting to pursue with the special envoy, in the light of her advice.

Senator HENDERSON: Except, Mr Betts, in relation to antisemitism, the government has adopted the IHRA definition.

Mr Betts: It's not a question of what the definition of antisemitism is. I agree with you that the government has adopted that. It's about how it is practically applied where no law has been broken.

Senator HENDERSON: I'm talking about the ability of the minister to make policy or give broad policy expectations or directions. I'm not talking about individual artists. But surely the government is in a position right now to direct Creative Australia through a policy expectation that egregious antisemitism, artists who facilitate egregious antisemitism or however you want to describe it should not be supported through funding agreements.

Mr Betts: Yes, but I can see us back in some future version of senate estimates where we are debating whether a particular example of antisemitism was or was not 'egregious', which—

Senator HENDERSON: I take your point. Let's just refer to antisemitism.

Mr Betts: Well, it wouldn't just refer to antisemitism. In all likelihood, it would need to apply to other forms of racism and potentially other forms of vilification. Therein lies the complexity which led the parliament to conclude that there wasn't a sufficient consensus within its ranks to be able to put legislation on the statute book. And that takes us back to the problem. I'm not saying it's intractable; I'm saying it's difficult and we need to make sure that we think it through carefully so that we don't have unintended consequences for things that we all value around freedom of speech and artistic expression.

Senator HENDERSON: I take the broader policy challenge in relation to funding grant principles, but we have an antisemitism crisis in this country. We also have systemic examples in the arts, including through Creative Australia and writers festivals, where there have been many shocking examples of artists facilitating or promoting antisemitism.

Mr Betts: And the racial vilification laws would have enabled us to deal with that, but the parliament was unable to enact them, so we are now left with the vacuum that that has created in terms of attempting to deal with the very real issues that you identify. I'm not saying it's too hard or that we've given up. We are working with the antisemitism special envoy to try to find a way through this, but it is not straightforward.

Senator HENDERSON: Over the last few years and particularly since 7 October, I've cited many examples, in estimates after estimates, with Creative Australia. I've put examples of horrific conduct by artists and I'm just blown off every single time. This is such a systemic problem, which is why—

Mr Betts: which is why the government formed the view that racial vilification laws would be the way to go. But the parliament didn't take that view.

Senator HENDERSON: I'm just addressing the core issue here. That's why I've made representations to the royal commission along with the shadow attorney-general and shadow minister for the arts that there should be a dedicated block of hearings to examine publicly funded arts bodies and writers festivals in particular in relation to what has happened over the last few years. Why couldn't the government act right now to set some policy expectations?

Senator Green: Perhaps it's better for me to answer that question, because I think it's a matter for government. What Mr Betts is stepping you through is the work that we are undertaking with the special envoy. The course that the government sought to take on the advice of the special envoy was to bring antivilification laws into parliament. If those laws had been supported and passed then the standing agreements that we already have, which are very robust funding agreements with mechanisms in place to ensure funding is administered properly and include conditions that recipients comply with all laws, particularly Commonwealth anti-discrimination laws—that mechanism isn't available to us right now. That is why we are now doing further work with Creative Workplaces, the organisation headed up by Kate Jenkins, and with the special envoy on what the pathway from here would be. Mr Betts will receive advice from the department, but the pathway might be a policy directive or guideline to those independent organisations. It is really important that the process that we implement is clear because, as Mr Betts indicates, we don't want to have a situation where the application of that policy is quite subjective. This is why we are now working through the prism of how we can implement these protections.

It would have been a lot easier—Mr Betts can't say this, but I will—if the coalition had supported our vilification laws. We would have had a very clear pathway to preventing people who breached those anti-vilification laws from being funded by the Australian government.

Senator HENDERSON: I'm not sure that that's correct, and I'm not sure that I accept that.

Senator Green: It's a matter of public record.

Senator HENDERSON: No, no—

Senator Green: You didn't want to support the anti-vilification laws.

Senator HENDERSON: If you just let me finish my point, Minister—

Senator Green: That's why they didn't even go to the parliament.

Senator HENDERSON: Sorry, Minister; if I could just not be interrupted.

Senator Green: Well, it's true.

Senator HENDERSON: When I raised serious concerns with Creative Australia, such that both Mr Leeson and I were calling for Adrian Collette to stand down as the CEO of Creative Australia after he saw no reason to act in relation to the Matt Chun essay, Minister Burke was absent. I've never seen Minister Burke once raise specific concerns about Creative Australia's funding, and it's systemic. So I think this is incredibly urgent work. I have been pleased, Mr Betts, to hear how things are progressing, as you informed me and the committee yesterday morning and now in your further evidence. Antisemitism takes on very many forms, Minister—

Senator Green: I agree.

Senator HENDERSON: I would put to you one particular artist was running a public petition calling for Israeli artists to be banned from an arts event and he's been prominently funded by the Australian government. This sort of unbridled hatred towards Jewish Australians that we are seeing through these arts organisations, prosecuted by various artists, is shocking. Again, Mr Betts, can I ask you: what is the timeline to complete this work?

Mr Betts: We're engaging with the special envoy. I can't give you a specific timeline, and in any case it would require consideration by the minister and go to deliberations of government, so that is ultimately a matter for the government to decide. But we also understand the urgency of this, and that's not lost on us. As I said to you yesterday, I have many Jewish staff who feel this directly. I have many Jewish friends, as many of us do. And we have a royal commission which is playing out right now, and that is reinforcing to all of us just how important this is. So it's not lost on us.

We have to find solutions which will stick. There is no debate about the problem. The more difficult task is to find solutions which will hold water legally and be clear, so that we are not making highly subjective judgements which you or I might not agree with but which will be capable of withstanding legal challenge.

Senator HENDERSON: The special envoy also made recommendations in her report that the government should re-establish a Jewish arts and cultural council to advise the Minister for the Arts on cultural vibrancy initiatives. Has there been any discussion or progression of that recommendation?

Mr Betts: Yes, there has. That is one of the other things that we're discussing with the special envoy. That is one idea. There are other ways in which we could achieve the underlying objective. I don't want to speak for the special envoy, but there is, as you are aware, Senator, a sense of exclusion for many Jewish creatives in this country right now. The meeting that Minister Burke had in April, which I attended, involved many of those creatives and many prominent, influential and well respected voices in the Jewish community. There wasn't a unanimity of view on every single issue in that room, but one of the points that Minister Burke made in wrapping up that discussion was to point to the fact that we are now embarked on the next national cultural policy; that social cohesion and the elimination of racism, including antisemitism, will feature prominently in the work that the government undertakes as part of that; and that, to the extent that the role of an advisory board from Jewish creatives or more generally could play a role, that would be considered in the context of the national cultural policy.

Senator HENDERSON: Minister, I've been raising these issues since 7 October 2023 and I can tell you they have fallen on deaf ears.

Senator Green: That's not true. That's not the evidence that you've been given.

Senator HENDERSON: I'm telling you about my experience raising these issues, particularly with Creative Australia but not just in this portfolio: in the Education portfolio, when I was the shadow minister for education, and—

Mr Betts: I can't speak to the Education portfolio, but it's not—

Senator HENDERSON: I know you can't, and I'm not asking you to.

Mr Betts: My counterpart in the education portfolio spends a lot of time engaging with senior people like David Gonski and the Jewish community to try and give effect to—

Senator HENDERSON: To be fair, Mr Betts, I'm not asking you to. I'm saying to the minister there has been a systemic refusal of the government to address these issues where funding agreements are being used to support those who are prosecuting antisemitic views, facilitating antisemitic activity, running horrendous protests against Jewish Australians and blackballing Jewish artists. And Minister Burke, up until very recently, has said very little about this. It has been deep and systemic and distressing. I again put on the record, as I have been doing for a very long period of time, that Jewish Australians deserve better. They should be treated like any other Australian, whether they're musicians, artists or writers. I am making some commentary; I realise that. Minister, are you able to advise the committee when this work will be finished so that these funding agreements will no longer support artists who prosecute or facilitate antisemitism across this country?

Mr Betts: Or any other form of racism.

Senator HENDERSON: Of course.

Mr Betts: Given that Jewish Australians should be treated the same as others.

Senator Green: I'm going to respond to that, because there was a lot in that commentary. First of all, I agree with you that that type of conduct is not okay and that there is absolutely no place in Australia for any type of

antisemitism or racism. The minister has been working with the special envoy and has met, as recently as 21 April, with Jewish creatives and with the special envoy. I say to you again, Senator, if we had the anti-vilification laws in place which you and your party chose not to support in this parliament, we would have an avenue right now to take action where there had been a breach of those laws. Without those laws in place, we need to put a policy forward that deals with conduct that is not unlawful but is immoral. We are seeking to do that in a complex environment. This is absolutely a priority for the government, and we will continue to do this difficult and complex work hand in hand with the Jewish community. You have raised these issues many times—

Senator HENDERSON: I have.

Senator Green: and we will continue to work on it.

Senator HENDERSON: To be really frank, yes, the government is now moving, but before the Bondi terrorist attack I was pulling my hair out. I've been citing example after example where antisemitic artists are being funded. There are networks. They all support each other. They peer review each other's work. They bolster each other. We have asked for very detailed information about Creative Australia's peer review process. Creative Australia has declined to provide that. But there is a very sophisticated network which underpins the way these grants are procured and provided, and it is facilitating anti-Israel, anti-Jewish sentiment and division in our community, and it's just got to stop. All I can say is I'm pleased this work is being undertaken but we need to see robust policies which ensure that antisemites no longer receive Australian government funding, including in the arts.

CHAIR: That's a convenient place and time for us to take a short break.

Proceedings suspended from 15:29 to 15:46

CHAIR: We'll recommence with outcome 6 and the department. Before I hand over to senators for questioning, I am now in the position to release the officials from the National Gallery of Australia and the National Archives of Australia. You go with the committee's thanks, and I thank my colleagues for their assistance in this matter. Senator Shoebridge.

Senator SHOEBRIDGE: I don't know if this is to you, Secretary. Who's in charge of the national cultural policy reforms?

Mr Betts: It's not me. I think—

Dr Arnott: Yes.

Senator SHOEBRIDGE: Dr Arnott—is that right?

Dr Arnott: Yes.

Senator SHOEBRIDGE: Dr Arnott, you'll be aware that submissions to the national cultural policy closed, I think, on 24 May, and artists and creators were encouraged to make submissions. Are you aware of that?

Dr Arnott: That's correct.

Senator SHOEBRIDGE: A live issue for much of the creative community is that AI models are trained on their stolen work and that Australian creators have had their works taken and fed into those models without payment or consideration or consent. Are you aware of that?

Dr Arnott: I am aware of that issue, yes.

Senator SHOEBRIDGE: Given that, were you aware that, when you go onto your website for the making of those submissions to the national cultural policy, you told people submitting that AI would be used for assessing their submissions—for summarising, identifying themes and issues. Were you aware that AI was being used to assess?

Dr Arnott: No, that's not correct.

Senator SHOEBRIDGE: Well, summarising and identifying themes and issues.

Dr Arnott: That is not assessing though; that is simple summarising. What I would say to you is that we only use AI to introduce efficiency into processes. It does not replace any human scrutiny of submissions or summaries of those submissions.

Senator SHOEBRIDGE: If AI is being used for summarising and identifying themes and issues, I'm assuming you're doing it for a purpose. It's not just an abstract experiment. It's got a purpose in your review of the submissions. Is that right?

Dr Arnott: It's got a purpose, yes.

Senator SHOEBRIDGE: What's its purpose?

Dr Arnott: Its purpose is to aid us in analysing and summarising submissions, but the humans do the analysis.

Senator SHOEBRIDGE: Well—

Mr Betts: Can I just set this within the framework that governments do use AI. You've identified some legitimate, real harms associated with AI for people in the creative sector which are being reported to us not least in the context of the consultation around the national cultural policy. But the way to deal with those harms is not for government entirely to turn its back on the use of artificial intelligence, which is a part of every contemporary workplace in Australia right now. We use Microsoft Copilot, and we operate within guidelines and guardrails which were established on a whole-of-government basis. There are acceptable and unacceptable uses of AI within government, and we remain within the tramlines of what are considered to be acceptable use cases.

Senator SHOEBRIDGE: This is one of the areas where I see significant discomfort—at least for me, and this has come to me from people inside the creative industry too. If the creative industry is putting in submissions of which a significant number—and I haven't seen them all, but I assume it's a significant number—are deeply anxious about the encroachment of AI and AI taking and using their work, it seems at least ironic and perhaps deeply disrespectful to then say, 'Well, those submissions critical of AI are going to be summarised and have themes identified using AI.' That seems, at a minimum, disrespectful, given the nature of the inquiry.

Mr Betts: No. AI is a tool which, if used prudently and within appropriate guardrails for risk, is harmless and can in fact create significant benefits by improving the efficiency with which government can do business. If you step outside of those guardrails then that may well be disrespectful, but we haven't.

Senator SHOEBRIDGE: Asking AI to identify themes critical of AI—you don't see a potential problem in that?

Mr Betts: AI isn't a person; it's a computer system, a piece of software which enables you to perform routine tasks more efficiently.

Senator SHOEBRIDGE: There was no option, was there, for creatives to opt out of having their material put through an AI?

Dr Arnott: Certainly they could communicate with us if they wished to, but we haven't received any such communication.

Senator SHOEBRIDGE: When the material is fed into the AI, what protections are there for that material?

Dr Arnott: It's fed into a closed AI system that is not accessible from outside our protected network.

Senator SHOEBRIDGE: Microsoft Copilot, did you say, is the system you are using?

Mr Betts: Yes, within a protected system within a government department.

Senator SHOEBRIDGE: Have you had any feedback from anybody making submissions or seeking to make submissions about this intent to use AI?

Ms Gunnell: Not that I'm aware of, in terms of particular submissions. No, Senator.

Senator SHOEBRIDGE: Secretary or Dr Arnott, if there are guardrails that have been used and there are specific measures put in place that limit, constrain or regulate how AI will be used in this process, can you give—and I think you've given some general idea of them now—any more detail now and perhaps provide the documentation on notice?

Mr Betts: As we've talked about in other sessions of this committee, there is a whole-of-government AI plan. But there are also a series of frameworks, overseen, I think, by the finance department or by the Digital Transformation Agency reporting to the finance department, which govern the use of AI by government departments, not least in the context of considerations around privacy and considerations arising from the robodebt royal commission, including in relation to automated decision-making. There are whole-of-government frameworks within which we operate. I can take it on notice and give you materials particularly relevant to our department, but they are entirely consistent with what other departments are routinely pursuing themselves.

Our department was a relative latecomer to the use of AI, largely because its investment in IT systems has only recently caught up, but we don't allow staff to use Microsoft 365 and Microsoft Copilot without their having appropriate training so that they understand the integrity obligations associated with the use of AI and what appropriate and inappropriate use looks like. If they haven't undertaken that mandatory training, they don't get to use Copilot and they don't get to use any other AI application within the protected environment of our systems.

Senator SHOEBRIDGE: Well, I appreciate that, and I think the concept of mandatory training is obviously an incredibly useful element. But, again, for the national cultural policy, could we have the guidelines, the policy and how AI is being used in summarising, theme identification or whichever other way.

Mr Betts: I give you the assurance, Senator, that we are operating within whole-of-government guidelines in this context. If the creatives that you talk to, none of whom have raised concerns with us, have raised concerns with you please talk to us, and we can give them the assurance that they're looking for.

Senator SHOEBRIDGE: Alright. Thanks, Mr Betts and Dr Arnott.

CHAIR: Senator Ananda-Rajah?

Senator ANANDA-RAJAH: I have some questions in relation to the location offset. I have been seeing a little bit more Australian content on our streaming platforms, which is great. I won't name which one we use in our house, but I was keen to find out a little bit more about the location offset and how this is tracking. For the benefit of people watching, could you explain what the location offset is.

Mr Fatnowna: The objective of the location offset is to encourage large-scale screen productions to film in Australia, and it's aimed at providing greater economic, employment and skill development opportunities. Under Revive, the national cultural policy, there were changes made to the location offset. The rebate rate was increased from \$15 million to \$20 million for—

Dr Arnott: No. The rebate was—

Mr Fatnowna: Sorry. For the minimum qualifying Australian production expenditure. Excuse me.

Senator ANANDA-RAJAH: Do you want to re-read that last part just to clarify?

Mr Fatnowna: Yes, thank you. Apologies.

Senator ANANDA-RAJAH: That's alright.

Mr Fatnowna: The legislation was passed on 4 July 2024, and it increased the location offset rebate rate from 16.5 per cent to 30 per cent for eligible productions commencing principal photography on or after 1 July 2023.

Senator ANANDA-RAJAH: What are the benefits of this location offset economically, culturally and workforce wise?

Mr Fatnowna: I can run through some statistics we have. As at 26 May 2026, we've received 11 applications for final certification under the location offset at the increased rebate rate of 30 per cent. We generally receive those applications six to 18 months after all production activity has ceased in Australia. Through these 11 applications, there's been approximately \$660 million injected into the Australian economy, and three of those applications are still undergoing assessment to verify their final expenditure as well. From those 11 applications, approximately 6,500 Australian cast and crew job opportunities have been provided, and 93 per cent of individuals employed on those productions are Australian.

Senator ANANDA-RAJAH: Outstanding. Do you have any information with regard to the workforce and how many are new to the industry—for example, young people or recent graduates.

Mr Fatnowna: I don't have numbers on newcomers, but I do have information on training opportunities that are required to be provided under the location offset. Since the changes, approximately \$2.9 million has been invested into training Australian screen workers. Training activities have taken place across all aspects of production activity, including on-set formal training courses and post-production activities as well. The practitioners benefiting from that training range from entry-level trainees working on their first production through to mid-career personnel seeking to reskill in another area of the sector or to progress to senior levels.

Senator ANANDA-RAJAH: Are these metrics that you've captured and read out part of obligatory reporting by the companies and the platforms?

Mr Fatnowna: That's correct. The companies are required to provide detail of the impacts of their projects for the sector.

Senator ANANDA-RAJAH: This is really good. Do they supply you with any qualitative data from their workers—particularly the new entrants, graduates, newcomers to the industry, young people—and what their experience is?

Mr Fatnowna: There is some qualitative data provided.

Senator ANANDA-RAJAH: Would you like to supply that on notice to the committee?

Mr Fatnowna: Of course.

Senator ANANDA-RAJAH: That would be fantastic. I think we've covered it all off. That is a really exciting initiative, and it has absolutely, within two years, yielded real benefits. Thank you so much.

Mr Fatnowna: Thank you.

CHAIR: Senator Henderson?

Senator HENDERSON: Mr Betts, I want to ask about the travel expenses for the Office for the Arts in the last 12 months. Are you able to give us a run-down as to the costs of travel and the purpose of travel, particularly for international travel?

Mr Betts: I'm looking at Mr Smith, here. Normally I would say that was a matter to cover off in corporate, but, if we have that information to hand, we'll share it with you.

Mr Smith: I've got some high-level figures that I can provide, and we can take the details on notice. For the 2025-26 financial year, overseas travel was \$110,400, and that would cover a range of different things, including representation at OECD, G20, international commitments and repatriation trips.

Senator HENDERSON: If you could, provide the details on notice. How many separate overseas trips have people taken?

Mr Smith: That is probably five or six, but I would take that detail on notice.

Senator HENDERSON: Has the minister travelled with officials on any of those trips?

Mr Smith: Not on any of the trips that we took. We would happily take that on notice about the minister's travel, but it's more a matter for the government.

Senator HENDERSON: If you could. You're not aware of—the answer's no?

Senator Green: I think it is, but we'll take it, just for completeness.

Senator HENDERSON: Thank you. If you could, just give us a breakdown of the purpose of each trip, the cost of flights and accommodation, any other costs and how many officials travelled per trip and their classification as well.

Mr Smith: Yes, we certainly can.

Senator HENDERSON: Thank you. Has there been any funding of any other artists, or has the department provided any other funding for travel or for any other purposes for artists themselves?

Mr Smith: For travel or international travel?

Senator HENDERSON: Yes, for travel, attendance at events or any other support that the department—

Mr Smith: The answer would be yes, we do. I don't have those details in front of me, but we could certainly take that on notice and come back to you.

Senator HENDERSON: Could you just describe the nature of that support.

Mr Smith: That support could be attendance. It could be an artist travelling overseas representing an Australian delegation. We might have funded things like that. Under our various programs, we do do that from time to time.

Senator HENDERSON: What about the Venice Biennale? Have officials gone over to the Venice Biennale?

Dr Arnott: No officials from the Office for the Arts attended the Venice Biennale.

Senator HENDERSON: Did officials from any other government department attend?

Dr Arnott: Not as far as I'm aware—possibly the department of foreign affairs. But you'd need to ask them directly.

Senator HENDERSON: What about support for artists travelling to the biennale?

Dr Arnott: I'll have to check that for you. We haven't provided support, I don't believe, for travel costs for artists going to the biennale.

Senator HENDERSON: No support?

Dr Arnott: For travel.

Senator HENDERSON: For travel?

Dr Arnott: I don't believe so.

Senator HENDERSON: Is there any other financial support that you've provided?

Dr Arnott: Yes. There was a grant provided to Creative Australia to support, let's say, the installation or the costs associated with the exhibition at part of the Venice Biennale.

Senator HENDERSON: What were those costs, please?

Dr Arnott: I'd have to take that on notice. I don't have the details of that in front of me. It's to support the presentation of work in the main exhibition of the Venice Biennale.

Senator HENDERSON: Can you just explain how that works? Was that a special grant that Creative Australia sought from the Office for the Arts?

Dr Arnott: I'd have to check who requested that—whether it came from the artistic team or from Creative Australia?

Senator HENDERSON: When you say it was a grant, it wasn't through a competitive grant process; it was just an allocation of funding to Creative Australia?

Dr Arnott: We have a program that is specifically designed to support international arts activity, and there are guidelines for that program that are available. We receive periodic ad hoc requests for access to that funding.

Senator HENDERSON: What's the name of that program?

Dr Arnott: It's called the International Cultural Diplomacy Arts Fund.

Senator HENDERSON: How much is in that grant program in total?

Dr Arnott: I might ask Ms Todd.

Ms Todd: For the ICDAF program—that's the acronym that we use for this fund—in 2025-26 the total allocation is \$1.224 million, and it is an ongoing program.

Senator HENDERSON: How much has been allocated for this financial year—meaning 2026-27?

Ms Todd: I think, at this point, it is fully committed this financial year, but I will have to take it on notice to check that. But the figure that I have—I believe the commitment for this financial year has been fully committed.

Senator HENDERSON: Yes, that's 2025-26—the \$1.224 million.

Ms Todd: Yes.

Senator HENDERSON: I was asking about the next financial year, 2026-27.

Ms Todd: Sorry, Senator. The commitment, the available budget, is \$1.176 million for next financial year, but I'm not sure that I have a figure at hand about how much of that is already committed. I'd have to take that on notice.

Senator HENDERSON: How do artists apply for that funding? How do you access that funding?

Ms Todd: We have guidelines that are publicly available on GrantConnect, which is the place that applicants can go to access all government funding and have a look at grant opportunities. Those guidelines are published there. We also have information available about that program, on our website, and we often provide advice to potential applicants for that program.

Senator HENDERSON: In relation to the 2025-26 allocation of \$1.224 million, how was that disbursed? Can you give me a breakdown?

Ms Todd: I could go through some of the grants that have been awarded.

Senator HENDERSON: Yes, please.

Ms Todd: As far as the figures that I have in front of me, to date there have been 15 grant recipients this financial year to 20 April 2026: \$21,950 to support Papunya Tula Artists to participate in public programming for First Nations arts exhibitions in the United States; \$40,000 to Chunky Move to support performances of *U>N>I>T>E>D* in Singapore, Taiwan, Hong Kong and India; \$60,000 to support Performing Arts Connections Australia to deliver the Australian Performing Arts Market in Perth, which is an international gathering; \$200,000 to Creative Australia to support the project that Dr Arnott referred to earlier, for participation at the main exhibition at the biennale; and \$250,000 to support ATLED Enterprises, which was for supporting Australia's representation at Eurovision this year.

Senator HENDERSON: Can you give me all of the grants?

Ms Todd: That's the list that I have in front of me.

Senator HENDERSON: I thought you said there were 15.

Ms Todd: Sorry, this list that I have is the highlights.

Senator HENDERSON: Oh, that's the highlights. Well, it depends on your perspective, I suppose!

Ms Todd: The full list is made available and published on the GrantConnect website in accordance with our obligations to publish all grants. A full list is available—

Senator HENDERSON: Maybe that link could be provided to the secretariat so we could have a look at that. I know that sometimes, on the GrantConnect website, it's quite difficult to search individual grants.

Ms Todd: Yes. We may also publish that list on our website. The minister does issue media releases about successful recipients under that program as well.

Senator HENDERSON: In relation to the \$200,000 to Creative Australia for the Venice Biennale, why was it necessary for Creative Australia to seek that funding? They're obviously not an artist, but they're seeking funding for the purposes of the installation?

Dr Arnott: I think it's fair to say that, because Creative Australia manages Australia's participation in the Venice Biennale, it made sense to provide the funding to them to support the activity at the Venice Biennale.

Senator HENDERSON: Do you have an acquittal process in relation to that funding?

Dr Arnott: Yes, Senator.

Senator HENDERSON: What was that money used for? Do you have a breakdown? I mean, that's quite a lot of money.

Dr Arnott: We will have, but I don't have that at the table. I can provide that to you.

Senator HENDERSON: Is there any way of bringing that to the table if someone has it?

Dr Arnott: I don't believe—

Senator HENDERSON: Because that's a lot of money. How many artists are involved in the Biennale? Just the one?

Dr Arnott: Yes, I believe that's correct.

Ms Todd: Well, for this purpose there are hundreds of artists involved in the biennale. This grant was to support Australia's representation at the main exhibition. So that is an invitation-only opportunity. It's not part of the Australian pavilion, which is a planned exhibition of Australia's representation. This was a prestigious invitation that was received by the artist to also present at the same time in the main exhibition.

Senator HENDERSON: Are we talking about Mr Sabsabi?

Ms Todd: That's correct.

Senator HENDERSON: Okay. Sorry, I'm not quite clear. This is a separate event, is it?

Ms Todd: It is an exhibition that is run by the biennale itself. My understanding is that for each biennale there is an artistic director that curates an exhibition on behalf of the host, and the participants or the artists that present at that are part of a curated program that is developed by that artistic director. To participate in that, you have to receive an invitation.

Senator HENDERSON: Why do you need \$200,000 to participate in that?

Ms Todd: Well, there are costs associated with freight and with installation. Again, I don't have the detail here of what you've asked, but there are a range of costs in installing, presenting and transporting material that would then be part of that exhibition.

Senator HENDERSON: So this wasn't flights or accommodation, because that was already paid for separately.

Ms Todd: I'm not sure. That's what I would have to take on notice.

Senator HENDERSON: What's the total Australian government funding for the biennale?

Dr Arnott: That's best directed towards Creative Australia because they manage that funding. They'll have the answer to that question. I think they're appearing next.

Senator HENDERSON: Alright. As I understand it, Mr Sabsabi was attending the biennale to participate in the Australian exhibition—a separate exhibition which is the Australian pavilion, is it?

Ms Todd: Yes. The Australian pavilion and participation is managed by Creative Australia. But Mr Sabsabi also received this prestigious invitation. My understanding is it's the first Australian that's ever been invited to present as part of the main exhibition at the biennale.

Senator HENDERSON: But it did cost \$200,000.

Ms Todd: The grant that was provided under the ICDAF program was \$200,000.

Senator HENDERSON: Could you please provide on notice the details of how that grant was acquitted and spent. Has it all been expended?

Ms Todd: No, the exhibition is ongoing, so we wouldn't expect an acquittal yet.

Senator HENDERSON: How much has been paid out to date?

Ms Todd: I would also have to take that on notice.

Senator HENDERSON: So this is not part of the official Australian pavilion. As I understand it, Mr Sabsabi was conducting a fundraiser to participate in this invitation-only exhibition. Do you know how much he raised through fundraising activities?

Ms Todd: No, I'm not aware of that.

Senator HENDERSON: I hope there was no double dipping.

Ms Todd: That's why we have funding agreements and acquittals put in place around our grants. As part of acquittals, evidence is required from any grant recipient to make sure the funding that's been provided has been spent in accordance with the terms of the funding agreement and the grant.

Senator HENDERSON: Was this \$200,000 for anything other than the cost of freight taking the installation over? Do you know what the installation was? Did it fund any other personnel going over or flights?

Ms Todd: As I've already said, and as Dr Arnott indicated, I'd need to take on notice the detail.

Senator HENDERSON: I'm curious. This is not part of the official Australian pavilion, so why are Australian taxpayers funding this separate invitation to some sideline event?

Ms Todd: This is not the sideline event. This is actually the main exhibition at the Venice Biennale.

Senator HENDERSON: That might have been the wrong description that I used. It's regarded as a prestigious—

Ms Todd: Extremely prestigious.

Senator HENDERSON: separate event, but it's not the Australian government's pavilion.

Ms Todd: This exhibition is not in the Australian pavilion. It is happening concurrently and is organised by the hosts.

Senator HENDERSON: So why is it in the taxpayers' interest to be paying for those costs?

Ms Todd: The Venice Biennale attracts visitors in numbers of at least 700,000. I think they're the numbers from last year. The opportunity to be seen by a large number of international visitors at that exhibition, which is a highly prestigious international exhibition, and have Australia represented there is, I think, a good thing.

Senator HENDERSON: Do you know who else was represented at this exhibition?

Ms Todd: Who else was invited? I don't have that information.

Senator HENDERSON: What's the name of this particular exhibition? Can I google it—

Ms Todd: You can google it, yes, absolutely.

Senator HENDERSON: and find out more information?

Ms Todd: Yes, you can.

Senator HENDERSON: What's it called?

Ms Todd: It's the main exhibition. It's called the 61st International Art Exhibition, La Biennale.

Senator HENDERSON: If there's any possibility of bringing back further information before we finish today, I'd be really grateful because it does relate to Creative Australia's involvement with, and its funding of, the Biennale. We will have some other questions, but I think we'll put them on notice because we are running a bit short for time. Thank you very much to you all.

CHAIR: On that note, I'm happy to release officials from the department in relation to outcome 6. Thank you for your evidence here today and, in fact, all week.

Senator HENDERSON: Sorry, Chair; I really apologise. I'm happy for you to take this on notice, but I just want to ask one last thing. There was an internal review about Mr Sabsabi when he was reinstated. Is it possible to have a copy of that internal review on notice, please.

Mr Betts: Creative Australia, who are on next, may be able to answer that for you.

Senator HENDERSON: Yes, they might be, but you've got a copy of it too, Mr Betts. If we could have a copy of that internal review, I'd be grateful. Thank you.

Mr Betts: We'll take it on notice.

Creative Australia

[16:20]

CHAIR: Welcome, Mr Blackwell and your team. Would you like to make an opening statement?

Mr Blackwell: Yes, I would, just a brief one. Thank you very much. I'd like to begin by acknowledging the traditional owners of the land, the Ngunnawal and Ngambri peoples, and pay respects to elders past and present. I'm appearing here today as the acting CEO, joined by our Head of Public Affairs, Nicola Grayson. I send apologies on behalf of our Chief Executive Officer, Adrian Collette, and thank the committee for excusing him from today's hearing.

In becoming Creative Australia, we have experienced the biggest growth period in the history of the organisation. We are investing in more artists and more organisations to deliver more public value than ever before. Across the last two financial years—2023-24 and 2024-25—Creative Australia have invested \$63.5 million of the national cultural policy, Revive, moneys and, as we come to the end of the 2025-26 financial year, we've invested our total appropriation in a wide range of programs, from multiyear funding for organisations to literature translation grants to supporting international music export development opportunities, to name but a few.

Our expanded remit has enabled us to enhance public and private investment in the sector, build partnerships, explore innovative business models, invest in ambitious creative practice to reach more Australian audiences and build a robust evidence base for government, the sector and the public around the value of arts and culture. For example, recent research led by Music Australia published on 19 May shows that the music industry generated an estimated \$10.76 billion in revenue in 2024-25. Music exports contributed an estimated \$1.08 billion, about 10 per cent of the total music industry revenue.

Next Wednesday, we will release the next iteration of our triennial survey, the National Arts Participation Survey. This survey explores Australians' attitudes towards and engagement with the arts. Without pre-empting the release of the report, I can share that the insights from surveying 9,000 Australians shows that there is strong and increasing recognition of the public value of the arts, and there is a strong sense that the arts contribute to and reflect Australian society and drive social connection and wellbeing. The upcoming *State of Australian culture report* will also be a valuable resource as Creative Australia works with the Australian government to provide evidence and inform the next national cultural policy, providing important insights and data for government and the sector into the future.

We know Australians recognise the cultural and community value of the arts, and more people are connecting with their community and culture through the arts. Arts and creativity in culture have the power to benefit us all in a creatively connected nation. Creativity is entrenched across communities, industries and government as a resource that powers our social, social, cultural and economic success. Thank you. I look forward to your questions.

CHAIR: Thank you. Senator Henderson.

Senator HENDERSON: Mr Blackwell, to you and your team, thank you very much for your attendance today. I do regret that Mr Collette is not here today. I understand it's for personal reasons. Are you acting chief executive just while he's on leave?

Mr Blackwell: Indeed, I am.

Senator HENDERSON: Okay. I wanted to start by asking you about some questions that I raised at the last estimates with Mr Collette about Mr John Menadue. He runs the website Pearls and Irritations. He's a former Qantas CEO and a Labor candidate, just to be transparent. Your organisation has supported him getting access to taxpayer financial support through the Australian Cultural Fund. Just to reflect on the concerns I previously raised, I raised concerns that on 12 December there was an article on his website which explicitly blamed Israel for antisemitic attacks on Jews around the world, and it ended with the disturbing threat that a reckoning is coming and it won't be pleasant. Then, of course, two days later, we had the Bondi terrorist attack. Have you had cause to review your support for Pearls and Irritations, with respect to its access to tax deductible donations via the Australian Cultural Fund?

Mr Blackwell: We contacted Pearls and Irritations, the organisation, and confirmed to them that the ACF, the Australian Cultural Fund, platform can only be used to raise funds for the promotion and presentations of arts and cultural activities and asked them to confirm their intentions. They confirmed that the funds would only be going towards their arts and cultural coverage and reduced the fundraising target they had originally submitted, and they agreed to change the description of the project so it would be displayed properly on the ACF fundraising platform to make this clear.

Senator HENDERSON: Were you aware that Mr Menadue had previously been refused at least one request for DGR status?

Mr Blackwell: I wasn't aware of that, no.

Senator HENDERSON: Did Creative Australia or the Australian Cultural Fund receive any representations in support of Pearls and Irritations accessing DGR status under ACF's umbrella?

Mr Blackwell: I would refer you to my earlier answer—that we contacted them. The ACF has certain criteria in terms of what it can fund, and those need to be arts and cultural activities. And so—

Senator HENDERSON: I will come to that. I don't think there's a real issue, in that respect, but I will come to that. I've been made aware of material released, under FOI, in relation to Mr Menadue accessing this tax-deductible donations avenue through the Australian Cultural Fund. It's the case that Mr Menadue has held three separate fundraising campaigns, raising a total of \$670,000.

Mr Blackwell: I don't have that information in front of me, but I can obviously check that and provide that information.

Senator HENDERSON: I want to go to the first fundraising campaign, and I want to refer to an email exchange between the ACF team and Ms Jayne Lovelock at Creative Australia on 5 July 2024. At 1.53 pm, the ACF team emails Ms Lovelock with the Pearls and Irritations project for approval. Seven minutes later, at 2 pm, Ms Lovelock replies, 'Thank you. Happy to approve this one.' Is it usual for these sorts of applications to be approved within seven minutes?

Mr Blackwell: It does seem like a fairly quick turnaround time. I would imagine it was because the content of it was previously known and discussed, so people were properly informed before that confirmation was made, but I haven't seen the email correspondence that you refer to.

Senator HENDERSON: If there was previous discussion, what sort of representations were made in support of John Menadue and the Pearls and Irritations' access to tax-deductible donations? Is that something that you can enlighten me on?

Mr Blackwell: The conditions of the fundraising campaigns on the ACF platform are that the funds are only permitted to be used for the promotion and presentation of arts and cultural activities.

Senator HENDERSON: Were there any representations received in relation to this?

Mr Blackwell: I don't have that information with me, but I'm happy to look into that and get back to you.

Senator HENDERSON: Ms Grayson, do you have any information about that?

Mrs Grayson: The only thing I was going to add to your comment about the seven-minute turnaround was that Ms Lovelock is the director of that team. Obviously, there are conversations that team may have had, and, therefore, she was merely confirming in writing the go-ahead with that fund. It doesn't necessarily correlate that it was only a seven-minute turnaround.

Senator HENDERSON: Okay. We'll go to another email. It's from the day before, 4 July, and it was from the ACF team to Mr Menadue. It says: 'The project is sounding all fine to have on the ACF. Before we can upload the project, we just require a balanced budget. So I've formulated the below budget based on the fundraising target.' How usual is it for the Australian Cultural Fund to back up the applicant's budget—to craft the applicant's budget?

Mr Blackwell: I don't know the background to that. I would not think that we would do that.

Senator HENDERSON: No, but it's here in black and white in the FOI.

Mr Blackwell: Again, I don't know the detail of that. I'm very happy to go away and look into that.

Senator HENDERSON: It looks very unusual—slightly improper perhaps—that you've got an application with no budget, and suddenly the Australian Cultural Fund are saying: 'Oh look, don't worry; we'll fix it up for you. We'll write the budget for you.'

Mr Blackwell: I can't answer that question without going and actually looking at the facts. It would be unfair for me to do that. But I know that the changes to the campaign—the actual platform access—are done by our staff. But they aren't to substance; they're just administrative procedure.

Senator HENDERSON: Yes. I'll go to the second fundraising campaign. There was an email from the ACF team to Mr Menadue on 19 March 2025. It was sent at 11.42 am and it begins with: 'Hi John, thank you for submitting your artist project fundraising for *Pearls and Irritations*. This is currently going through the approvals process. However, we have hit a roadblock.' What was this roadblock? And, 'Do you know that funds must be used exclusively for arts and cultural activities as defined by the Income Tax Assessment Act?'

Mr Blackwell: That's a condition of the fund, yes.

Mrs Grayson: Yes.

Senator HENDERSON: It was identified that it didn't comply and that the funds must be used exclusively for arts and cultural activities. How could activities that don't relate exclusively to arts and cultural purposes meet the required definitions such that Mr Menadue could access these tax-deductible donations?

Mr Blackwell: Is this for the project dated 2025?

Senator HENDERSON: That's right.

Mr Blackwell: Yes. There was correspondence, as I understand it, between the ACF team and *Pearls and Irritations* to clarify and confirm that the funds would only be going towards arts and cultural activities and in accordance with the criteria and guidelines of the ACF.

Senator HENDERSON: So, rather than reject the fundraising activity and the endorsement which allowed Mr Menadue to access tax-deductible donations, the suggestion was made by the ACF team, 'Look, we'll just need to update the copy on the project as arts and culture are currently not mentioned, and they would need to be the focus of the fundraising.'

Mr Blackwell: Well, I can't—

Senator HENDERSON: So arts and culture were not even mentioned! It didn't qualify, and yet ACF, which is obviously part of Creative Australia, was trying to do a fix-up job because the website didn't comply. It didn't even mention arts and culture.

Mrs Grayson: The *Pearls and Irritations* website does contain arts and cultural content, and that's well known. Therefore, the team were just clarifying with them, in accordance with the criteria, that the fundraising they would be doing would be in relation to arts and culture.

Senator HENDERSON: This is the issue though, and this is verified by the FOI documents, which say, 'Thank you for submitting your artist's project fundraising for Pearls and Irritations. This is currently going through the approval process. However, we have hit a bit of a roadblock, and it's identified that, in relation to this project, it does not mention arts and culture.' Arts and culture are currently not mentioned; therefore, why then was it eligible?

Mr Blackwell: Again, I'll have to look at that and come back to you because I don't have that information in front of me.

Senator HENDERSON: From his project description, it seems Mr Menadue wanted to spend this money on social media, introducing reader comments, podcasts and videos and to reduce his and his wife's workloads. There were no artistic or cultural references there. I'm just worried about the integrity of this process.

Mr Blackwell: If I could take that on notice then I'll go and have a look at that information. I just don't have that in front of me.

Senator HENDERSON: FOI documents also contain a meeting agenda for approval of the Pearls and Irritations project dated 7 April 2025. It looks like Mr Menadue was effectively coached in how to fix his application so that it came within the criteria rather than have his application rejected. We're talking about a lot of money here. There were three papers attached to the agenda: a briefing review, an executive paper on the ACF criteria review and correspondence from someone whose name has been redacted. Is it usual for applicants to have their projects adjudicated, in this case, by eight attendees? It just seems quite odd.

Mrs Grayson: It's important to note that the ACF operates in a way to encourage fundraising activities, and it provides support to artists and organisations to help them in their fundraising journey, so it is not necessarily unusual to have a situation where someone comes to us and says, 'We want to do a fundraising campaign,' or, for example, 'I'd like to fundraise so that we can buy some fabric.' Now, on the face of it, that doesn't sound like an arts project, so the team might say, 'Well, why do you want to buy fabric?' 'Well, we want to buy fabric so that we can make costumes for a play on the stage.' That's arts and cultural content, so obviously it then becomes eligible. So a conversation can happen between the person who's seeking to fundraise and the team to help make sure that we understand the aims and objectives of what they're trying to fundraise for and to assist them along that path. If, clearly, the ACF campaign they're hoping to raise for has no connection with arts and culture then obviously it would be ineligible.

Senator HENDERSON: Here it looks like Mr Menadue was coached on how to fix his application because clearly, and the determination has been made, it doesn't meet the criteria because the project doesn't relate. In fact, arts and culture was not even mentioned, was not the focus of the fundraising and did not meet the requirements.

Mrs Grayson: Well, as Mr Blackwell read out previously—and I apologise; we may be confusing timelines a little bit—as we confirmed, they were approached to clarify whether they were going to be doing some work in the area of arts and culture, and they did confirm that and they adjusted their fundraising target appropriately.

Senator HENDERSON: So does that mean that the first round of funding in 2024 was not compliant?

Mrs Grayson: Well, that's the point we'd have to follow up on, just to get that clarity for you.

Senator HENDERSON: It's not clear on the documents I have through FOI whether there were concerns addressed in relation to the first fundraising project, but the defects with the application were only identified in the second application. The second fundraising campaign was subsequently signed off by Mr Collette. This is the second fundraising campaign that was not compliant, so I'm asking, in terms of trying to understand with precision what's happened here, could we please have these unredacted emails and documents, if I can ask for those on notice.

Mrs Grayson: We would have to take advice on that.

Senator HENDERSON: Mr Collette said he was fine with this when it was subsequently signed off, saying, 'The acquittal information available under FOI contains no real evidence that the money raised has been used for artistic purposes.' So going back to the total amount of money raised in three fundraising campaigns, can you confirm whether it has been used for artistic purposes? I'm trying to understand what is the arts related work on which Pearls and Irritations has spent its total of \$670,000 worth of various grants.

Mr Blackwell: I will take that on notice and we can come back to you.

Senator HENDERSON: On the ACF website, for its first round of fundraising, Pearls and Irritations said: Our mission is to counter the obsessive focus that our failing mainstream media (MSM) has on 'news' and views from the UK and the US. ... We aim particularly to influence ministers, government officials, journalists and other opinion makers. So how was that an arts and cultural activity?

Mrs Grayson: They also produce book reviews, which is arts and cultural activity.

Senator HENDERSON: Can I just ask again: in terms of the that first fundraising round, where Pearls and Irritations described its mission, it does not appear on its face that the activities on this organisation or website are related to arts and culture at all. In fact, it's been sort of recalibrated to try and fit in with the criteria to access this funding, by the looks of it.

Mr Blackwell: As I've said before, I don't have the information to hand, but I will undertake to look into this matter, and then we can come back to you on notice. I think that would be the best way for me to properly deal with this.

Senator HENDERSON: I do note that in the amended project description, Mr Menadue said, 'We do carry book reviews and articles relating to arts and cultural activities.' But is Creative Australia aware that the Pearls and Irritations website currently lists 157 items under 'arts' versus 1,600 items under 'Israel', 'Palestine', and almost every arts post on the blog is a political essay attacking Israel and the US or celebrating the achievements of China? Of the six items that are tagged as purely arts or reviews, four are published from the Conversation—I don't know whether that's been done with permission—and only two are reviews that have not been published elsewhere first, their movie reviews for *Blue Moon* and *Song Sung Blue*. So wouldn't that make this the most expensive commissioned movie reviews in world history?

Mrs Grayson: It's a fundraising campaign. People donate to the fund. We are not providing that. It's not a grant that we are providing. It doesn't come from our appropriation. They fundraise, and it's members of the public who then decide if they want to donate to that campaign or not, and obviously a number of them have.

Senator HENDERSON: But the fundraising is not compliant unless it meets the definition of arts and cultural purposes, so can you explain to me how these sorts of activities possibly meet that test? Because unless you meet that test under the Income Tax Assessment Act, tax-deductible donations are not permitted. This doesn't look very kosher.

Mr Blackwell: We need the opportunity to go, look and do the appropriate investigation to be able to come back to you on that because I don't have all this information in front of me to be able to answer your question properly in this forum.

Senator HENDERSON: I'll just go on. Mr Menadue, after being prompted, has pledged that the money fundraised through the ACF would go to a weekly feature of book reviews, the development of a young writers' handbook and scholarships for young writers. I think this has all been crafted post the event to try and fit in and be compliant. Has Creative Australia or the ACF cited any of these outcomes promised by Mr Menadue?

Mr Blackwell: Again, I'll have to take that on notice.

Senator HENDERSON: You need to do those basic checks though, Mr Blackwell, because, if you don't, you're authorising Mr Menadue to raise funds under the Income Tax Assessment Act—accessing tax-deductible

donations on improper grounds. We're talking about a very substantial amount of money. The website that's being run by Mr Menadue is principally a very concerning anti-Zionist website, and it has very little arts content. Somehow he's managed to raise \$670,000 in donations that he says goes 100 per cent to artists.

What's concerning about this, Mr Blackwell—I raised this with Mr Collette. I raised these concerns at the last estimates. Has anything happened since February in relation to examining the integrity of Mr Menadue's activities and whether they comply?

Mr Blackwell: I'm not aware of any specific review into those specific campaigns.

Senator HENDERSON: I'm just going to tell you how bad this is. Are you aware that Mr Menadue has edited an entire book which contains horrendous anti-Israel sentiment? It's entitled *Israel: Palestine pushed beyond endurance*, published by Pearls and Irritations in 2025. It contains numerous references to the so-called Hannibal Directive, a trope that a fair number of the Israelis killed on 8 October were slaughtered by their own side, which is horrendous to suggest such a thing. Are you aware of that material?

Mr Blackwell: I'm not aware of that material.

Senator HENDERSON: Ms Grayson?

Mrs Grayson: No.

Senator HENDERSON: Are you aware that Mr Menadue posted the following on Pearls and Irritations on its X account: 'Australian MSN repeats Israeli propaganda—beheaded babies, systemic rape, eyes gouged, breasts and fingers cut off. No mention of Israeli deaths as a result of the role of two dozen Israeli attack helicopters in the Hamas raid on 7 October.' None of this is Israeli propaganda, Mr Blackwell?

Mr Blackwell: I'm not aware of that, so I just can't comment.

Senator HENDERSON: Is the ACF aware that in 2023 Pearls and Irritations published an opinion piece by Scott Ritter, a twice convicted child sex offender and frequent contributor to Russian state media outlets like *RT* and *Sputnik*? It describes Mr Ritter as having 'impeccable credentials'. Mr Ritter's article describes 7 October as 'the most successful military raid of this century'. It says:

The Israeli government ... has provided no credible evidence that Hamas was involved in the rape or sexual assault of a single Israeli female. Eyewitness accounts describe the Hamas fighters as disciplined, determined, and deadly in the attack, and yet courteous and gentle when dealing with civilian captives.

Mr Blackwell: I'm not aware of that.

Senator HENDERSON: Is the ACF aware of an August 2025 Pearls and Irritations article by Mr Menadue in which he bemoans the ABC's shameful performance on Gaza? He argues:

... the words of Benjamin Netanyahu and the propaganda machine of the IDF are credible despite all the evidence to the contrary. It's like reporting the bubonic plague and giving equal coverage to the rats.

Mr Blackwell: I'm not aware of that. This is horrendous, antisemitic content. This is a front. This man should not be entitled to access tax-deductible donations within the very strict definitions that apply. What's really concerning about this, Mr Blackwell, is that I raised these issues back in February. It sounds like nothing has happened.

Mr Blackwell: We will your questions away and we'll come back on notice.

Senator HENDERSON: Does what I've raised with you today concern you, Mr Blackwell?

Mr Blackwell: I think that we absolutely need to look into this.

Senator HENDERSON: Based on the information that I've provided, which I've put to you should have been known by Creative Australia, what actions would you consider taking? Can you reverse these fundraising approvals? It just seems like Creative Australia and the ACF have been a front for raising a very substantial amount of money on improper grounds.

Mr Blackwell: We'll have to do that investigation, and then we can determine what the appropriate action is after that.

Senator HENDERSON: I've got more questions, Chair, but I'm happy to share the call around.

CHAIR: Senator Roberts.

Senator ROBERTS: Thank you for appearing today. I want to start by making the observation that your grants are important to what most Australians would consider culture—symphony orchestras through to local brass bands, regional and city theatres, museums and art galleries—genuine arts. We recognise the importance and that people think they're important. These need support. My questions go to what appears to be the strong appearance of DEI in recent years, which suggests you either have too much money or have lost contact with

community expectations. My question is: looking at the last three years of grants, eight of your top 20 grants by value are to Aboriginal organisations for a total of \$13 million out of \$37 million. That's more than one-third. Why are Aboriginal projects prioritised over the wider community? Our Aboriginal community is not one-third of the Australian community.

Mr Blackwell: I think that by far our biggest funding agreement is with Opera Australia, and there are 39, I think, organisations in the National Performing Arts Partnership Framework, which account for approximately \$140 million of the investment that we had last year, which was \$285.8 million overall. The total value of investments to First Nations, as reported in our annual report last year, was \$32.1 million out of that \$285.8 million.

Senator ROBERTS: So it's a bit over 10 per cent.

Mr Blackwell: It was a bit over 10 per cent.

Senator ROBERTS: What about your top 20 grants—\$13 million out of \$37 million of the top 20 grants?

Mr Blackwell: What program are you referring to? If we look at grants, we've got grants in multiyear funding agreements, we've got project grants and suchlike. If I were to look at the top 20 multiyear grants within Creative Australia, then they will all be in the National Performing Arts Partnership Framework. There are three First Nations organisations in the National Performing Arts Partnership Framework: Bangarra, Marrugeku and Ilbijerri. I think they would rank at about \$3 million to \$4 million for Bangarra, and about just over a million for the other two. They are obviously, by far, a lot smaller than the top grants within that category. I'm not sure where that information is coming from.

Senator ROBERTS: Could you check, then, that eight of your top 20 grants by value are to Aboriginal organisations.

Mr Blackwell: I don't think that's correct.

Senator ROBERTS: Can you check?

Mr Blackwell: I can check, sure. I don't know those figures.

Senator ROBERTS: Just take it on notice. I haven't got any more figures other than the global figures. Eight of your top 20 grants by value—

Mr Blackwell: Can I ask about the source of the information? That will actually help me answer your question.

Senator ROBERTS: My staff are very diligent. I'm assuming it came from your figures.

Mr Blackwell: Our figures would have been through, say, our annual report. If they came from our annual report, they are the figures that I've given you, which would be \$32 million on a total investment of \$285 million.

Senator ROBERTS: So that's more than 10 per cent?

Mr Blackwell: That would be just more than 10 per cent, yes.

Senator ROBERTS: About 11 or maybe even 12 per cent?

Mr Blackwell: Yes.

Senator ROBERTS: That's about three times the proportion of Aboriginals in our Australian community.

Mr Blackwell: We have—

Senator ROBERTS: It's out of proportion. That is what I'm getting at. It doesn't matter whose figures we use; these figures which would have come from you—

Senator Green: The parliament passed a law in 2023 that established the current Creative Australia as we know it—

Senator ROBERTS: 2023?

Senator Green: 2023. And one of the functions of Creative Australia is to—well, there are lots of functions in the act. There's the promotion of art. Safe workplaces is one of them. And the promotion of Aboriginal and Torres Strait Islander art is one of the functions of Creative Australia.

Senator ROBERTS: Out of proportion to other—

Senator Green: No, it's not about proportion. The law doesn't say that it should be proportional; it says that it is their job to promote Aboriginal and Torres Strait Islander art.

Senator ROBERTS: More so than others.

Senator Green: That's what the parliament agreed to.

Senator ROBERTS: Thank you, Minister.

Senator Green: You're welcome.

Senator ROBERTS: You gave \$1.692 million to Diversity Arts Australia, DARTS, which is the national voice for ethnocultural and migrant racial equity in the arts, cultural and creative industries. Their primary focus is 'advocacy, research and brokering connections for women and DEI related purposes'. Why are taxpayers funding advocacy groups to influence government policy? Where's the arts funding here? This is advocacy, research and brokering connections. Why are taxpayers funding advocacy?

Mr Blackwell: One of the functions of Creative Australia is to support Australian arts practice that reflects the diversity of Australia. I'm not sure about the amount of funding over what period you're referring to, but that may well be activities that allow us to perform this function.

Senator ROBERTS: Minister, why are we funding this? The primary focus is 'advocacy, research and brokering connections'. Why are we funding advocacy? Basically, advocacy is funding advocacy groups to influence government policy. Where's the art?

Senator Green: I'm not familiar with that project, so we'd have to take it on notice. I don't know if the officials from Creative Australia have more information for you about what that project or that organisation is doing. Obviously, some organisations are funded for a particular project, so they might have some more explanation for you.

Mr Blackwell: We do, actually. Thank you, Minister. Diversity Arts Australia are a delivery partner to service the organisations under the community, arts and cultural development stream of our funding. Those organisations that we classify as delivery partners provide services to the arts sector. They strengthen the arts sector, and they allow the arts sector to leverage more value through that connection. That is the connection through to the arts sector and how we would then fulfil that function to support Australian arts practice that reflects the diversity of Australia.

Senator ROBERTS: You used some nice buzzwords in there—delivery, diversity, leverage. But you didn't tell me why you're funding advocacy. Advocacy is not art.

Mr Blackwell: No, but it's advocacy for the arts. It's not lobbying; it's advocacy for the arts.

Senator ROBERTS: Why are you funding that?

Mr Blackwell: Because that's part of our remit.

Senator ROBERTS: Thank you. Does your system for accountability for grants include the concept of a responsible person, RP? Can you give a quick explanation of that, please?

Mr Blackwell: Sorry; could you repeat the question?

Senator ROBERTS: Does your system for accountability for grants include the concept of a responsible person, and could you give a quick explanation if it is?

Mr Blackwell: I would say that we have a responsible process for issuing our grants from start to finish.

Senator ROBERTS: Does that incorporate a responsible person for each grant?

Mr Blackwell: Could you define 'responsible person' for me?

Senator ROBERTS: I'm asking you if it includes that. It doesn't sound like it does.

Senator Green: Perhaps you need to provide the context of what you're referring to—the agreement or the consideration of the application. You may have to give us a guide on what you're referring to.

Senator ROBERTS: Perhaps it'll come out in the more detailed questions.

Senator Green: Yes.

Senator ROBERTS: You gave \$197,500 to a recipient called Click Ink Inc. for the Bankstown Poetry Slam. They describe themselves:

We actively work to dismantle barriers of access, power, and representation. We prioritise the voices of those most affected by, and disaffected with, systemic oppression.

They say: 'We fight for anti-imperialism, solidarity with Aboriginal sovereignty and our Muslim, Arab and migrant communities.' That's the end of the quote. Events include 'They call me the good Muslim', 'I am Palestinian' and related pro-Palestinian events. My question is simple. Why are taxpayer dollars funding propaganda? This isn't art; it's politics.

Mr Blackwell: I would say that it is art. I'd have to disagree with you. I would say that it is art. Poetry slams are a common and popular form of artistic expression in this country.

Senator ROBERTS: I'll go through the quote again:

We actively work to dismantle barriers of access, power and representation. We prioritise the voices of those most affected by and disaffected with systemic oppression.

They say: 'We fight for anti-imperialism and solidarity with Aboriginal sovereignty and our Muslim, Arab and migrant communities.' This sounds like it's very divisive and pushing an ideology, not art. It doesn't bother you?

Senator Green: Art can be political or non-political. You might not like that type of art, but it might be what other people choose to express. It might be a form of expression for them, or there might be an audience for that type of art. I think it's wrong to say that art can't be political or shouldn't be political in some sort of way. Otherwise, we might have a lot of pictures of fields but we wouldn't have any generation of debate or discussion through the use of art. Are you suggesting that there should be no politics in any songs, music, plays or artistic expression?

Senator ROBERTS: You're saying it's okay for your government to push ideological issues as politics.

Senator Green: No, that's not what's happening here.

Senator ROBERTS: That is what's happening.

Senator Green: No. This is funding for artistic expression projects. I thought One Nation was the party of freedom of expression, so I'm a little confused about why you would want to stifle people's views even if you don't agree with them and even if you don't agree with the art. You might not want to go to the poetry slam, but it doesn't mean that art can't be political in some way.

Senator ROBERTS: We are not in favour of government funding government propaganda and government ideology.

Senator Green: But you are in favour of freedom of expression, aren't you?

Senator ROBERTS: Correct, but not funded by government necessarily.

Senator Green: Only when it suits you.

Senator ROBERTS: Not funded by government.

Senator Green: Only the freedom of expression that you—

Senator ROBERTS: You're defending propaganda from your own government.

Senator Green: No, it's not propaganda. The views of the artists might not support our government, but we don't think that that is a reason why particular art shouldn't be supported. To make my final point for your next question, the law that was passed in 2023 made it very clear that the government has no role in the funding decisions so that any type of government that might be in power can't influence the independent funding decisions to alleviate the particular issues that you're talking about.

Senator ROBERTS: That's where I'm heading—accountability. Here's an example. The registered person for this organisation—presumably, it's registered with you. I don't know who it's registered with. The registered person for this organisation is Bilal Hafda, who said on social media that 'any Australian who fails to support Palestinians who attacked Israel is a white supremacist'. Another registered person is Sara Saleh, who celebrated the Hamas terrorist aerial attack on Israel on her social media. Is there any rule in your grant guide that precludes grants from being used for political purposes?

Mr Blackwell: In our funding agreements, we have conditions. If you give me a moment, I'll find it. Our funding agreements have a condition that says that 'it is a condition of your funding that you comply with all applicable state, territory and Commonwealth work, health and safety and antidiscrimination laws'.

Senator ROBERTS: That's it?

Mr Blackwell: And we refer them to Safe Work Australia and the Australian Human Rights Commission for more information on those applicable laws. So that is—

Senator ROBERTS: So celebrating terrorists is okay?

Mr Blackwell: I—

Senator ROBERTS: I'll go on. Ali Al Haj Hussein, who is also known as the Poetic Ninja, has won multiple awards at the Bankstown Poetry Slam. He has praised Hezbollah—declared terrorists—as 'men of God', praised the 7 October murders as 'just the beginning', promised to 'drag the Israeli people to the deepest pits of hell' and used an implicit threat of violence in a poem at the Sydney Writers Festival, where he called for the downfall of the western empire and all its debauchery, including in a general context the same 2SLGBTQIPAA community

your grants are advancing. Does this sound to you like a great day out for the family to listen to poetry? This isn't art or free expression. It's an incitement to violence against the Australian community. Why are you funding it?

Mr Blackwell: I can tell you, in terms of the funding, the grant was \$98,000—

Senator ROBERTS: Nearly a hundred thousand dollars.

Mr Blackwell: and the project summary, which was funded, was monthly themed poetry slam events; the grand slam championship, Real Talk; high-school poetry programs; the National Youth Poetry Slam; and the development of the Brave New Word Youth Poetry Festival at the Powerhouse Museum. That's what we funded.

Senator ROBERTS: You are funding multiple awards for someone praising a terrorist group and wanting to drag the Israeli people to the deepest pits of hell—an implicit threat of violence.

Mr Blackwell: I'm not aware of that quotation.

Senator ROBERTS: Well, you are now. Moving on to the artist Kait James and her *Red Flags* exhibition, this was partly funded by Creative Australia with a grant of \$48,000 on 28 November 2023. As the title suggests, this exhibition decided certain people and events were red flags to the Aboriginal community and proceeded to insult these people and events using a series of pennants and tea towels. One Nation leader, Pauline Hanson, was mocked, and Captain Cook had his eyes crossed out and was called a c-u-n-t. This is kindergarten art. You talk about not being political, Minister. Why does everything you or Creative Australia fund which could be considered political aim to promote radical causes, including radical Islam, and attack conservatives and everyday Australians? Where's the balance? This is divisive, and it's pushing a Marxist ideology. Why are you funding only one side?

Mr Blackwell: In regard to Kait James's *Red Flags*, we funded it for \$48,000 under an arts project grant for the development of the artwork. We weren't involved in putting on that exhibition. The grant has been acquitted. Within that, there is content which we would say falls into freedom of artistic expression. It may offend some people, Senator, but not necessarily all people. There may be satire in it. All of these things form part of artistic expression.

Senator ROBERTS: Minister, the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts contributed \$318,000 to the Red Flags exhibition, the same one I just raised. Was the criticism of a political rival the quid pro quo for making such a large grant, and what pot of taxpayer money did that grant come from? Where did the money come from?

Senator Green: First of all, to make it clear, the funding was provided through Creative Australia. It's not a decision of government; it's a decision of Creative Australia. But I take your point. The art is not to my taste, but people are entitled to express their views in different ways. I note that viewers of the exhibition were provided a warning about the fact that the art depicted themes and images related to historical and ongoing systematic racism and discrimination and included critique of the artist's perspectives and strong language. Viewer discretion was advised, so certainly people who wanted to view that art were given fair warning. As I said, it's not something that I necessarily would consider. I wouldn't have done it myself, and it probably isn't something I would go to see, but people are entitled to respect the views of individuals and to present their views in different ways.

Senator ROBERTS: Coming back to your answer, Creative Australia gave a grant of \$48,000, which Mr Blackwell confirmed.

Senator Green: Yes.

Senator ROBERTS: I'm advised that the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts contributed \$318,000 to the Red Flags exhibition. That would seem to me to be outside the Creative Australia funds. So where did that money come from? What pot of gold in the department did that money come from?

Senator Green: You are correct. Sorry; I thought you were talking about the grant from Creative Australia for the development of the exhibition.

Senator ROBERTS: No—the \$318,000.

Senator Green: There was funding under the Office for the Arts, who were with us a bit earlier. Apologies; those officials have left. You won't be able to ask them about the funding.

Senator ROBERTS: I can ask you, though.

Senator Green: Yes, but I'm not an official, so I will have to take it on notice if I don't have enough information for you.

Senator ROBERTS: Thank you. When you come back with your answer on notice, could you tell us whether or not this was political quid pro quo for a political rival.

Senator Green: Definitely not. I don't need to take that on notice. I can tell you with 100 per cent confidence that we don't fund art because we want to attack One Nation. We can do that if we just walk up to the press gallery.

Senator ROBERTS: For ministers, it's much cheaper to walk up to the press gallery, hey?

Senator Green: You should go up to the press gallery! They can ask you some questions.

Senator ROBERTS: I'm used to it. Minister, everyday Australians are sick of taxpayers' money being spent on insider projects and social engineering. We had embarrassment from your government yesterday on this. When will your government listen to them?

Senator Green: We do listen to Australians. We've just finished consultation on the most recent cultural policy. It'll be the first time Australia's ever had two national cultural policies in a row. You will remember the release of the *Revive* cultural policy. So we do give Australians an opportunity to give us feedback on what our cultural policy should be. We're making sure that that development of that policy takes into consideration all of those views.

Senator ROBERTS: Why do you push ideologically driven, divisive policies that split the Australian community?

Senator Green: I think that's what you and One Nation do, Senator—respectfully—and unfortunately we're seeing that more and more from the Liberal and National parties as they try to join you in that fight.

Senator ROBERTS: Thanks, Minister. Thanks, Mr Blackwell.

CHAIR: Senator Henderson.

Senator HENDERSON: Mr Blackwell, I was asking the Office for the Arts officials about the \$200,000 for Mr Sabsabi's installation at the Venice Biennale. Are you able to provide me with a breakdown of how that money is being spent?

Mr Blackwell: The exhibition is still in progress. The exhibition runs from May. It opens in May and it runs through to November. Then subsequently it's de-installed. Creative Australia is the commissioner for the work that is presented in the pavilion in the Giardini. The Giardini is one of the two main sites at the Venice Biennale. There are 29 national pavilions. The Australian government was awarded the penultimate site in 1988, and Creative Australia, or its predecessor, the Australia Council for the Arts, has been the commissioner for that exhibition.

There were two works that were put on in this biennale by Khaled Sabsabi. One was *conference of oneself*, which was in the pavilion in the Giardini for which Creative Australia was the commissioner. There's a separate national exhibition, which is the responsibility of and is run by La Biennale, which is the Venice authorising authority. They run the second big site in the Arsenale, which is the old shipyards in Venice—beautiful buildings. They have a separate program with an artistic director who selects work to go into that exhibition. There are other countries that exhibit in the Arsenale as well, but it is part of the national exhibition. That's the responsibility of La Biennale. It was obviously an honour for Australia and Australian artists to be awarded, not for the first time. I think it's only the third time in history that an artist has been exhibited in the Giardini, in a national pavilion and also in the Arsenale. The work was entitled *khalil*, which was in the Arsenale. It was actually, I think, right at the entrance to the Arsenale, so every visitor that walked through—

Senator HENDERSON: What's the art called?

Mr Blackwell: *khalil*

Senator HENDERSON: And it's at the entrance of—

Mr Blackwell: The Arsenale. There are two big sites. One is the Giardini, which has the national pavilions in it. Then there's the Arsenale, which has got the national exhibition, and also some countries which don't have national pavilions in the Arsenale rent space there, and they put their exhibitions on. So that's the sort of distinction between the two works.

Senator HENDERSON: So Mr Sabsabi's exhibition is called *khalil*.

Mr Blackwell: In the Arsenale, in the national exhibition it's called *khalil*.

Senator HENDERSON: Why was \$200,000 provided for that exhibition, and what is that money being used for?

Mr Blackwell: That money would be used for the production of the work, the creation of the work. It would be used for getting that work to Venice, installing that work and paying any of the operating costs. We don't manage that piece of work. And then there would be a de-installation process when the exhibition closes in November. That was a contribution by the Office of the Arts for that work, recognising the very prestigious event that, for the first time, an Australian artist has been so exhibited.

Senator HENDERSON: Can you give me a breakdown of that expenditure? There must be a budget for it.

Mr Blackwell: On notice I can.

Senator HENDERSON: Are you able to access a budget for how it's going to be spent, and how much has been expended already?

Mr Blackwell: I can provide that on notice. I don't have that information right in front of me in terms of a detailed budget for that. Also, they would be estimated costs anyway because the exhibition is still on course.

Senator HENDERSON: So it could be more than \$200,000.

Mr Blackwell: Well they did raise separate money as well, outside of that.

Senator HENDERSON: How much money did they raise?

Mr Blackwell: I do not know. I'm not party to those fundraising events. They're outside of our purview.

Senator HENDERSON: Isn't that relevant though to how much money is provided to Mr Sabsabi?

Mr Blackwell: Not necessarily for us, because there are certain tasks which we undertook as part of getting that work to the national exhibition—for example, freight. We freighted both works at the same time, and then we got them to Venice, and then they went to their locations. That would be a good example of a cost which was directly incurred by Creative Australia for that exhibition, and that grant funding would obviously be used to make those disbursements. So that's an example of it.

Senator HENDERSON: What's the total commitment of the Australian government to the Venice Biennale?

Mr Blackwell: In terms of Creative Australia, we have estimated net costs of about \$1.7 million.

Senator HENDERSON: How are those costs being spent?

Mr Blackwell: They would be across production, fees for the artist and curator, and events. There's obviously a big marketing and PR program that goes with it because it is the, if you like, Olympic Games for contemporary visual arts. There would be PR production, marketing and publications associated with it. There are significant undertakings, so we would have a lot of project management costs.

The exhibition is open for six months, and we use that as an opportunity for Australians to come and experience that as, if you like, career development. They can come and be the invigilators and manage the pavilion during that six months of exhibition. There are a number of different components of that cost that build up to that amount.

Senator HENDERSON: Do you have a breakdown of those costs, please?

Mr Blackwell: I do.

Senator HENDERSON: Could we have that breakdown tabled?

Mr Blackwell: I can't table this, but I can certainly provide it on notice.

Senator HENDERSON: Can you just run through a brief breakdown of what those costs are.

Mr Blackwell: These are estimated costs.

Senator HENDERSON: Sure, I understand that.

Mr Blackwell: We've got gross and net costs. Production would be about \$977,000. Artists and curator costs, including their travel, would be about \$413,000.

Senator HENDERSON: The artist is Mr Sabsabi?

Mr Blackwell: And the curator.

Senator HENDERSON: Their costs are—

Mr Blackwell: I've got \$413,000 here. But, again, estimates—right?

Senator HENDERSON: And that's flights?

Mr Blackwell: That would be the commissioning fee; they're provided with the fellowship to do this. Then there would be additional stuff, like three trips to Venice, because there are certain events that we put on during

the course of the exhibition. There's an installation. There's the opening week, which is obviously the big reveal, if you like, and then there would be a program that we run in September.

Senator HENDERSON: That involves three separate trips to Venice and accommodation during the time—

Mr Blackwell: That's correct.

Senator HENDERSON: for Mr Sabsabi. Who's the curator?

Mr Blackwell: Michael Dagostino.

Senator HENDERSON: And what's the breakdown of the commissioning fee? Is it just Mr Sabsabi who's receiving a commissioning fee?

Mr Blackwell: No, the curator gets one as well. Within that \$400,000 there's \$200,000 for the artist and \$100,000 for the curator.

Senator HENDERSON: With the balance being about \$113,000 or so for travel and accommodation—

Mr Blackwell: That sort of stuff—yes.

Senator HENDERSON: We're talking about a very significant amount of money, clearly.

Mr Blackwell: I agree, but it is a big exhibition. It is on the world stage. It is a showcase for Australian artists, and it is pretty much, in terms of what Creative Australia do, the only big direct exhibition that we put on, and we put it on because we are the commissioner of the Australian pavilion.

Senator HENDERSON: Can you just take me through the other costs? So production was \$977,000, and for the artists it was \$413,000.

Mr Blackwell: We've got events and such like at \$180,000. Marketing and PR publications—

Senator HENDERSON: Sorry—events?

Mr Blackwell: Yes.

Senator HENDERSON: That's \$180,000?

Mr Blackwell: They'd be opening events and such like. The week of Venice is obviously a big media event.

Senator HENDERSON: That's a lot of champagne, Mr Blackwell!

Mr Blackwell: I don't think we have a lot of champagne, Senator. Then we've got marketing, PR and publications. We employ agencies to come and do that—and international agencies for the international media. That's about \$400,000. Project management would be about \$200,000, and the invigilation and all that sort of stuff would be about \$290,000 or something; it's \$300,000 during the course of that. But, against that—I think this is also relevant—we've raised third-party money through donations and partnerships, an estimated \$841,000. Again, I must stress 'estimated'.

Senator HENDERSON: How did you do that? How did you raise that money?

Mr Blackwell: Simon Mordant was the global ambassador for this exhibition, and he, amongst others, raised a significant amount of money from donations.

Senator HENDERSON: What is that money being used for?

Mr Blackwell: That offsets the cost of the exhibition.

Senator HENDERSON: Oh, I see. That comes back to Creative Australia, does it?

Mr Blackwell: That comes back to Creative Australia through the Australia Council donations fund.

Senator HENDERSON: Is there any offsetting of costs by reason that Mr Sabsabi is receiving, obviously, a substantial commissioning fee?

Mr Blackwell: There are substantial amounts of work.

Senator HENDERSON: Yes. He's also got the separate exhibition and the other \$200,000. I think Mr Dagostino has received some grant funding as well, based on GrantConnect, of about \$60,000. But I can see Mr Sabsabi has received \$205,500 in three separate grants, two grants being \$100,000. They were the VACDPF individual grants—

Mr Blackwell: That's a separate program altogether. That's not related to Venice.

Senator HENDERSON: That's not related?

Mr Blackwell: No, that's not related to Venice. That is a program that we run on behalf of government which is called the Visual Art, Craft and Design Partnership Framework. This is funding to the Samstag museum in Adelaide, I believe, and that will be for presentation of some of the works in Venice so they can be viewed by

Australian audiences who can't get to Venice. That's amongst other things, but I certainly think that's an element of that exhibition. That's a matter, really, for Samstag.

Senator HENDERSON: Can I ask how many Creative Australia staff and others are involved in travelling to the pavilion and what the costs are for that.

Mr Blackwell: Yes. The people that went to Venice are these. For the opening, Chair Wesley Enoch went, and he went instead of the chief executive officer, Adrian Collette, who couldn't attend for the same reason that he can't attend this hearing today. Michael Brand, who is on the Creative Australia board, went. You probably know Michael as a former director of the art gallery of New South Wales and, obviously, a visual arts expert of some renown.

Then we had seven staff that travelled. That include the executive director of First Nations arts and culture, who, again, is a visual arts expert and had a specific role at the opening; the head of visual arts; and the director of partnerships, who was instrumental in assisting Mr Mordant to raise substantial amounts of money for this exhibition. We had at Venice, for that opening week, many donors who had made significant contributions, so the director of partnerships was there to ensure that that all went smoothly and to service those very kind donors. Our director international also attended. Then, on the ground—this would have been before the opening week—we had our production manager, our operations manager and a communications manager there. I'd stress again—

Senator HENDERSON: What is the total cost?

Mr Blackwell: The total cost of airfares for those people was about \$72,000.

Senator HENDERSON: That's on top of the \$1.7 million?

Mr Blackwell: No, that's included.

That's for air fares.

Senator HENDERSON: What about accommodation?

Mr Blackwell: I think accommodation was about \$54,000.

Senator HENDERSON: In terms of the tranche of \$200,000 paid to Mr Sabsabi through the Office for the Arts grant.

Mr Blackwell: No, that wasn't paid to Mr Sabsabi. The grant from the Office for the Arts did not go to Khaled Sabsabi.

Senator HENDERSON: Didn't it?

Mr Blackwell: No, no. That was for the second work, as I said before—the production of the work, the freighting of that work and the installation of that work. It was also for use—

Senator HENDERSON: Oh, sorry; it was costs associated with it?

Mr Blackwell: Yes. It was actually to get that exhibition put on, that second work put on—

Senator HENDERSON: So they were costs to support Mr Sabsabi's exhibition?

Mr Blackwell: The work, yes, for sure—as commissioned by La Biennale, not Creative Australia.

Senator HENDERSON: There were no additional costs, such as flights, accommodation, any other—

Mr Blackwell: No.

Senator HENDERSON: So that was all for freight and for the work. Did that include a commissioning fee?

Mr Blackwell: No, because that commissioning fee—if he received a commissioning fee, and I do not know that—would have been payable by La Biennale, not by Creative Australia, because it was the national exhibition, not the exhibition that Creative Australia commission.

Senator HENDERSON: Isn't it relevant that you know how much he's received for the commissioning of that work?

Mr Blackwell: I'm sorry, I missed the question.

Senator HENDERSON: Isn't it relevant that you know how much he's received for the commissioning of that work?

Mr Blackwell: I do not know, no.

Senator HENDERSON: But, say, if he's received half a million dollars, then perhaps there's no justification for taxpayers' money to be spent.

Mr Blackwell: I don't know, so I would be speculating. It would be hypothetical.

Senator HENDERSON: I did ask the Office for the Arts, and they suggested that I ask you. There was an internal investigation when Mr Sabsabi was stood down as Australia's representative at the Venice Biennale. He was stood down over a controversy about some elements of his art, including that his art idealised terrorism, including the video that he made where the World Trade Center towers were collapsing. I think that was called *Thank you*. There was an internal investigation. Have you got a copy of that internal investigation, or can you talk to me about that?

Mr Blackwell: It was actually an external investigation. It was done by an organisation called Blackhall & Pearl, which are a risk management and governance organisation. You will find a copy of that report in its entirety on our website.

Senator HENDERSON: Could you provide information on what basis Mr Sabsabi was reinstated? I know this is going back in some time, but I want to understand the perspective.

Mr Blackwell: We took the findings of the Blackhall & Pearl review, and we looked at all of the background and the risk management and such like of it, and the board made a decision to reinstate.

Senator HENDERSON: What's very controversial about Mr Sabsabi's artwork is that—I referred to the video installation where he was effectively celebrating terrorism, which was called *Thank you very much*.

Mr Blackwell: I can't speak for the artist. I absolutely can't speak for the artist.

Senator HENDERSON: I'm not asking you to.

Mr Blackwell: That may be your interpretation of it, but it may not be his interpretation of it at all. But I'm not here to speak for him in terms of the interpretation of that work.

Senator HENDERSON: The video depicted the planes flying into the Twin Towers on 9/11, and that particular installation was called *Thank you very much*. There was another piece of artwork which lionised and celebrated the leader of the banned terror group Hezbollah. I guess my concerns are that this particular artist has been reinstated under circumstances where his art, his so-called art, has caused a storm of controversy. Do you hold any concerns at all in relation to the fact that he was reinstated?

Mr Blackwell: My colleague has a couple of things they will want to say here, and then I think we could actually focus on the work that was created and presented in Venice.

Mrs Grayson: Indeed. Just to clarify, that is a slight mischaracterisation of that video. The video installation, yes, was of planes going into the Twin Towers, which of course many people remember well and with horror.

Senator HENDERSON: Yes. It was one of the worst terrorist attacks we've ever seen.

Senator Green: Senator, just let the official finish their answer.

Mrs Grayson: Thank you, Minister, but the video ended with George W Bush, the president at the time, saying, 'Thank you very much.' So that's an important correction to the way you've presented this debate.

Senator HENDERSON: I think the meaning of the video is very clear, Mrs Grayson.

Mrs Grayson: Well, it's open to interpretation.

Senator HENDERSON: I think it left many Australians feeling a sense of absolute horror that anyone would create a video of the planes flying into the Twin Towers—the most shocking and heinous terrorist attack—and call that video *Thank you very much*.

Mrs Grayson: Again, the title repeats the words used by the President of the United States at the time.

Senator HENDERSON: That's just a convenient way of covering the fact that—it wasn't a video celebrating the President of the United States.

Mrs Grayson: No, it was making a point about the President of the United States, but we will leave it there.

Senator HENDERSON: So Mr Sabsabi has obviously been reinstated. Does he have any future or ongoing commitments with Creative Australia?

Mr Blackwell: There are two that I am aware of. One will be to complete the exhibition, because obviously the funding, the commissioning grant that has gone to the artist and the curator, needs to be acquitted under the normal acquittal processes of Creative Australia. That will occur after the completion of the exhibition, which will be de-installed in December. I'm not sure what the exact end date is for that acquittal; it is probably in January. The other one is the commission that we talked about before, under the visual arts, craft and design framework for the exhibition in the Samstag Museum of Art in Adelaide. They are the two that I am aware of.

Senator HENDERSON: I want to check on the costs. You indicated there was around \$113,000 allocated for travel. Did that include travel for Mr Sabsabi and Mr—

Mr Blackwell: No, that's not right. You asked for our staff, the Creative Australia staff—

Senator HENDERSON: No, this was earlier. This was part of the \$413,000 allocated.

Mr Blackwell: Yes, that's right.

Senator HENDERSON: Did that include travel for the families of Mr Sabsabi and Mr Dagostino?

Mr Blackwell: For the artist and for the curator. That was part of that. We don't pay for airfares for the families.

Senator HENDERSON: Okay, so they were not paid using taxpayer funds.

Mr Blackwell: The airfares were not paid by the taxpayer. Senator, I said earlier that we could focus on the work that is in Venice by this artist. For those two works—this is in our media release, so I draw your attention to that—we said they 'offer counterpoints to the disorder and uncertainty engulfing the contemporary moment, demonstrating what could be possible when cultural, linguistic and spiritual differences are honoured within individual and collective experiences'.

I'd go on to say:

The installation also reflects the multicultural and multi-faith character of contemporary Australia. Drawing on spiritual traditions spanning cultural and religious contexts, Sabsabi creates a space where viewers from diverse backgrounds can encounter one another through shared reflection.

I think that goes to social cohesion, and that was the message in this work. That is in our press release, which was done in May.

Senator HENDERSON: I want to go to the Special Envoy to Combat Antisemitism's work, including in the arts. We've had some discussion with the Office for the Arts about the work being done to look at how funding agreements can be improved. Have you made any suggestions in relation to these matters? Do you accept that your funding agreements have been deficient in that they have funded—

Mr Blackwell: I think, answering your question—

Senator HENDERSON: the facilitation of—

Mr Blackwell: Sorry.

Senator HENDERSON: If I can just finish that part—could you update me on the work that you're doing on funding agreements, and do you accept that Creative Australia funding agreements have been used to further, facilitate or promote antisemitism?

Mr Blackwell: In terms of funding agreements themselves, I can go back to what I said earlier, when, I think, we were responding to a question from Senator Roberts. Our funding agreements require compliance with all applicable laws for workplaces and for discrimination, which would obviously include antisemitism. I would also refer back to Secretary Betts's testimony here before. If interpretation is required, we will obviously work with the Office for the Arts to ensure that there's consistency in funding agreements between Creative Australia and more widely across the Australian government.

To further answer your question, in the response to the special envoy's report Creative Workplaces was, obviously, mentioned, and the work of Creative—it was part of responding to recommendation No. 7. So I thought it would be relevant to give you some information about what Creative Workplaces are doing, because it's obviously instrumental—on behalf the Australian government—in terms of how we're doing that. When I say 'we', I mean Creative Workplaces. We are committed to helping the sector through Creative Workplaces, and we welcome our role in the government's response to the special envoy's plan. In its first two years of operation, Creative Workplaces launched its website and a world-leading survey, which engaged nationally and internationally with organisations addressing similar workplace issues in the creative industries.

Importantly, the Creative Workplaces survey, which was launched on 19 January and closed on 23 February—as part of that process, Jewish artists were invited to take part in the user testing before the survey went live. The Creative Workplaces Survey is a world first, and it will gather completely new insights into the issues of pay, safety and respect across the entire creative sector. The special envoy's office, the Australian Centre for Jewish Civilisation and the Centre of Jewish Artists were briefed about the relevant questions when that was in draft. Insights from the survey will inform future policies, resources, training and advocacy, all aimed at building fairer, safer and more respectful creative workplaces. We have received just under 2,450 completed responses, and the report is due to be published in the second half of this year.

We've had regular meetings and engagement with the Centre of Jewish Artists and the Australian Centre for Jewish Civilisation since July 2025. Representatives of both organisations attended the February 2026 Creative

Workplaces Council meeting to engage with the council about issues impacting Jewish creatives. We have attended Centre of Jewish Artists gatherings in Melbourne and in Sydney this year and engaged with Jewish artists about Creative Workplaces, Creative Australia and the workplace survey.

In February 2026, this year, we expanded the information on the Creative Workplaces discrimination website page. We met with the special envoy about the impact of antisemitism in October 2024 and again in July 2025, focusing on the work of the Monash Initiative for Rapid Research into Antisemitism, MIRRA, and their report into antisemitism in the cultural and creative industries, and the Creative Workplaces Survey. So Creative Workplaces have met—

Senator HENDERSON: You might want to—

Mr Blackwell: I've got two more points, if I may?

Senator HENDERSON: Okay.

Mr Blackwell: Our staff met with the staff of the office of the special envoy three times this year for the purposes of information and resource sharing to give updates on the survey progress. And we met with MIRRA report researchers three times and briefed them about the findings of their report recommendations to identify areas of collaboration for resources to combat antisemitism. We're working with the Office for the Arts to ensure that we've got that consistent approach.

Senator HENDERSON: What's going to change? Clearly, as Mr Betts has advised, work is being undertaken to examine how funding agreements can be improved. This is urgent. Creative Australia funding has been used as a very significant revenue source by some people to prosecute antisemitic sentiments and themes. This is deeply embedded through Creative Australia, through the lack of transparency and through peer assessors and the like. I've been raising these issues for a number of years. I found it shocking that Mr Collette could not denounce the artist or the writer, Matt Chun, when he wrote that essay 'We don't mourn fascists' after the Bondi terrorist attack. What is going to change? You must operate within a moral compass.

Mr Blackwell: I'd note in this hearing that the definition of antisemitism that has been adopted by the government is also, obviously, adopted and accepted by Creative Australia. As I think Secretary Betts said earlier, the practical implementation of that is complex and difficult, and work needs to be done with that. As Secretary Betts said, there may well be policy development within government which would then inform that. As an agency of the Commonwealth government, Creative Australia complies with government policies. When those policies are ready to come and such like, we will obviously be implementing them.

Senator HENDERSON: I raise that very point—that the minister has the opportunity and the power to ask and direct Creative Australia to operate within certain policy parameters. The minister has not done that. I think Creative Australia has a terrible track record of funding antisemitism, by way of some artists who facilitate or promote antisemitism. I know you fund many artists. Do you have a list of artists that you will no longer fund because of their promotion of antisemitism?

Mr Blackwell: We do not keep a list of individuals who are prohibited from applying for funding to Creative Australia based on their political views or any other matter.

Senator HENDERSON: Could you could provide your list of peer assessors? This was declined when I previously asked Creative Australia. We are seeking a list of peer assessors. I think that one of the reasons artists who are deeply anti-Jewish and deeply anti-Israel in their inclinations are being funded is that there's a pretty ugly circle of peer assessors supporting artists. They all support each other to secure these grants.

Mr Blackwell: I'm sorry, I'm going to have to refute that. I do not hold that view at all. I'm quite happy to speak today on the—

Senator HENDERSON: I'm not saying it happens in all cases, of course.

Mrs Grayson: I think you did.

Senator HENDERSON: I'm just saying that it is happening. That's why I don't think there's any need to debate this. I'm simply asking for the list of peer assessors.

Mrs Grayson: That's a very straightforward answer which, I believe, we have provided on notice before. It is actually available on our website. All that information is on our website.

Senator HENDERSON: Every single peer assessor?

Mrs Grayson: Yes.

Mr Blackwell: They're assessed grants, so we put them on our website. We also have a pool of 645 peers that are approved. I could take a couple of minutes to explain—

Senator HENDERSON: Is that on your website as well?

Mr Blackwell: No, that's not on our website.

Senator HENDERSON: Could we have that list on notice as well.

Mr Blackwell: We'll take that under advisement.

Senator HENDERSON: What we want to understand is who is assessing each grant program.

Mr Blackwell: That information is absolutely on our website.

Senator HENDERSON: I stand corrected. If you could provide further information, including those 645 people who've been approved to be peer assessors, I would be most grateful.

Mr Blackwell: I'll take that under advisement. Would you like me to spend any time in this hearing in terms of actually going through the assessment process, given your concerns?

Senator HENDERSON: No, not at this point in time. If we could just have a full list of the—

Mr Blackwell: I think it's important because you don't have any confidence in it.

Senator HENDERSON: I don't have any confidence in the way that some grants have been assessed, that's correct. History has shown that some grants have gone to people who have facilitated and promoted antisemitism. I want to go back to the Australian installation at the Venice Biennale, because someone's just sent me some photographs of the installation. It's in some sort of Koranic or Islamic script. There's no translation. Do you know what that translates to?

Mrs Grayson: It's not words. It's actually Sufi symbolism, so there is no translation that you could get in the English language, for example, because it's not words.

Senator HENDERSON: What does the symbolism mean?

Mrs Grayson: It's spiritual symbolism—Sufi symbolism—that factors around particular meanings, such as the number 8, which has deep spiritual meaning in Sufism. It's an exploration of that in a very, very beautifully presented form.

Senator HENDERSON: I've just seen the photographs, and I didn't know what those words or symbols meant. They don't have any meaning? It's not language?

Mrs Grayson: That's right. It's not language.

Senator HENDERSON: There are different symbols. Are there any other symbols that you can describe?

Mrs Grayson: There's obviously the installation itself, which is beautifully layered paintings that move with the light. It's a projection which gives the viewer a sense of peace and contemplation. But, yes, there's no script, if you like.

Senator HENDERSON: I think there were some Islamic singers or performers who participated in the opening. Were they performers or musicians?

Mrs Grayson: Yes.

Senator HENDERSON: Were they funded by Creative Australia?

Mr Blackwell: Yes, they were.

Senator HENDERSON: What was the cost of bringing those musicians over?

Mr Blackwell: I think there were 10 of them. That was approximately, with accommodation and such like—I'm giving you an estimate—\$90,000 to \$100,000 for that.

Senator HENDERSON: What was the reason—

Mr Blackwell: It was an integral part of the artwork itself. You can't look at it as a separate thing; it's actually an integral part of the artwork.

Senator HENDERSON: How was it integral to the artwork?

Mr Blackwell: That is difficult for me to explain because I'm not an artist. I believe it's actually singing the work in. I shouldn't answer this; really, the artist should answer this—or somebody much more skilled than me. All I know is it's an integral part of the artwork, and the feedback that I got from people who attended Venice out of our staff said it was an absolute highlight. It was brilliantly received by the audiences that were there, so I think that's an affirmation of its value.

Senator HENDERSON: They were singers?

Mr Blackwell: Singers, yes. I'm pretty sure they were singers.

Senator HENDERSON: Whereabouts were they from?

Mr Blackwell: I don't know, but I think mainly from Western Sydney.

Senator HENDERSON: Chair, I've got a few other questions as well.

CHAIR: Keep going.

Senator Green: We're going to a break at six, aren't we?

Senator HENDERSON: We've got a break at six, alright. Can I go to the number of ASL Creative Australia has. Can you just talk me through the increase in staff since Creative Australia was established in 2023.

Mr Blackwell: Absolutely. At 30 June 2023, we had 108. When we absorbed Creative Partnerships Australia, which was done, effectively, on 1 July 2023, there were 18 roles that came over. As part of the national cultural policy, Revive, there were 35 roles that were added for Music Australia, Writing Australia, First Nations art, Creative Workplaces and some to support the back office of operations, given the increased scale of the organisation. If you add those three together, I think you'll get to 161. Then we added one more role for the Arts and Disability Associated Plan, and we added one more for taking on the production role of the architecture biennale in Venice, which is done in the alternate years to the art biennale. It's commissioned by the Australian Institute of Architects, but we provide production support for that. If you add all that up, you'll get 163, I think, and that is the number that's in our portfolio budget statement and in the systems down in Canberra. I hope that answers your question.

Senator HENDERSON: So that's an increase in staffing overall of about 50 per cent over four years, bearing in mind that there've been those additional components to Creative Australia.

Mr Blackwell: It's about a 50 per cent increase in staff, yes, but those staff came because of all those additional activities.

Senator HENDERSON: Again, I ask this because of the many issues I've raised about antisemitism. There are a number of different committee members and board members associated with the advisers to Creative Australia. Do you know how many of them are Jewish?

Mr Blackwell: I do not know

Senator HENDERSON: Do you have Jewish people employed at Creative Australia?

Mr Blackwell: Yes, we do.

Senator HENDERSON: Could you take that on notice.

Mr Blackwell: Well, I can't provide the personal details of people. I'm not going to do that.

Senator HENDERSON: No, I'm not asking for personal details. The concern is: is there sufficient representation at Creative Australia?

Mr Blackwell: Well, that will only be if those people are willing to share those details, and I'm not going to survey them—

Senator HENDERSON: I appreciate that.

Mr Blackwell: to provide me with that information.

Senator HENDERSON: It goes back to the concerns Ms Segal has raised. Ms Segal has made very specific recommendations about the need for arts bodies to be engaging with the Jewish community. I raise it within that context in particular.

I'm conscious we're just about to hit the dinner break. Mr Blackwell, in relation to the peer assessors, we've got the full extract of assessors, which is on your website, and I erred in what I said before. But what I'm seeking is which peer assessors have assessed specific individuals or organisations receiving grants—for artist X, the peer assessors who assessed that particular grant decision.

Mr Blackwell: We have grant rounds and panels and we publish the information associated with that.

Senator HENDERSON: But we don't know whether a particular assessor has recused himself or herself, so what I'm seeking is this: for each grant recipient—certainly, I'll ask, since 1 July 2024—could I have the peer assessors who assessed that grant for that individual or organisation.

Mrs Grayson: Sorry, you're asking us to provide that for every artist we've funded in that time?

Senator HENDERSON: Yes.

Mrs Grayson: Every single artist.

Senator HENDERSON: Yes, I am, Mrs Grayson.

Mr Blackwell: We'll have to take that on notice and under advisement.

Senator HENDERSON: Thank you very much. I would really appreciate that.

CHAIR: We've hit six o'clock—

Senator HENDERSON: Yes, Chair, I probably—

CHAIR: Are we in a position to release—

Senator HENDERSON: I'm not in that position; I'm sorry.

CHAIR: That's okay.

Senator Green: That's okay. Mr Blackwell can stay 'til after the break. We do need to go to a break.

CHAIR: Yes, we are going to break now.

Proceedings suspended from 18:00 to 19:02

CHAIR: We resume with Creative Australia. Senator Henderson.

Senator HENDERSON: I just want to go back to the question that I asked on notice in relation to your peer assessment panels for each grant recipient. You'll be pleased to know that I'd like to narrow that request.

Senator Green: How gracious of you, Senator!

Senator HENDERSON: Yes, I know! It's that time of night.

Senator Green: Not that they wouldn't have complied, but I think that's a wise decision.

Senator HENDERSON: That's right. I just want to make things a bit easier, because I know we're talking about a lot of grants. So could we have, for each peer assessment panel, the panel membership for each individual grant—individual or organisation—but only limited to the visual arts and to literature. If we exclude dance, circus, music and theatre, I think that just leaves literature and visual arts. Is that right?

Mr Blackwell: Yes, literature and visual arts.

Senator HENDERSON: Could we have that from 1 July 2024 until now, or whenever you submit your response to the QON—maybe pretty much close to the end of this financial year. In that list for each grant recipient, could we just have anyone who has recused themselves. I just want to understand the recusals as well. I'm trying to look at your period as acting chief executive.

Mr Blackwell: And that's assessed by peers, Senator?

Senator HENDERSON: Sorry?

Mr Blackwell: That's grants that are assessed by peers?

Senator HENDERSON: Yes. For every grant awarded, I would just like the list of the peer assessors for that grant. I know you've got the peer assessors on your website, but we don't know who assessed whom, so I just want to—

Mr Blackwell: I think you could actually match them because we would give the outcomes of the particular rounds by panel.

Senator HENDERSON: You can't actually directly match them because, while there is some linkage, it doesn't show which peer assessors assessed which particular grant recipient.

Mr Blackwell: Let us take your request and see what we can do.

Senator HENDERSON: And, of course, we don't know whether there were recusals because of any conflicts or absences or any other reason, so that would be really very much—

Mr Blackwell: Just to confirm, that's visual arts and literature.

Senator HENDERSON: One thing's been troubling me over the dinner break. Obviously taxpayer dollars are very precious. So you walk through the substantial amount of funding, which, as you say, has been partially offset by donations for the Venice Biennale. But on top of that was this \$200,000 amount attributed to the freight and other costs for La Biennale for Mr Sabsabi's separate exhibition. If you don't know what his commissioning fee was, then that does concern me because his commissioning fee may well have been half a million dollars. It could have been \$1 million.

Mr Blackwell: It may be nothing as well, Senator.

Senator HENDERSON: But isn't it incumbent on Creative Australia to make that inquiry?

Mr Blackwell: We got a grant to fund certain costs. I'd have to go back and look—

Senator HENDERSON: But those costs may have been picked up through the commissioning process.

Mr Blackwell: We actually paid the suppliers for those costs. We directly paid those suppliers for those costs. We didn't give them money. We did not give the money to the artist.

Senator HENDERSON: So you paid those suppliers directly. But what I'm still saying is that the commissioning amount that Mr Sabsabi received may have included or accounted for other costs. That's a private commissioning fee. I understand that. But I'm just worried about the case which concerns the safeguarding of every precious taxpayer dollar. Has there been any double-up in terms of—

Mr Blackwell: I do not think there has been at all.

Senator HENDERSON: Would you be able to seek that information from Mr Sabsabi?

Mr Blackwell: I can ask the question, absolutely. But is a separate private relationship between him and La Biennale.

Senator HENDERSON: I know, but can I put it to you that it's appropriate that you probably should have asked that question before he received a \$200,000 grant for those costs.

Mr Blackwell: But he wasn't given a \$200,000 grant. That grant came to Creative Australia, and there was an important decision.

Senator HENDERSON: I realise what you're saying. The payment went to his suppliers, or suppliers for the freight, bringing the installation to Venice and the like. But if his commissioning fee accommodated those sorts of costs as well, I think it would have been incumbent on Creative Australia to make those inquiries before those costs were paid by Creative Australia.

Mr Blackwell: What I can do is I can take it on notice and I can make those inquiries to see what information I can get. Oh, hang on a minute, we're getting information. There is no commissioning fee paid to artists participating in La Biennale's main exhibition.

Senator HENDERSON: No commissioning fee?

Mr Blackwell: No commissioning fee.

Senator HENDERSON: Where did you get that advice from?

Mrs Grayson: That has been confirmed. That's been written up in a number of publications about how the payment works for La Biennale and the main exhibition.

Senator HENDERSON: You've just received a message, obviously, on your phone. Who conveyed that message to you?

Mrs Grayson: One of our staff members.

Senator HENDERSON: Right. It's just that you gave evidence earlier, Mr Blackwell, that there'd been a commissioning fee paid to Mr Sabsabi.

Mr Blackwell: That commissioning grant was for the exhibition in the Australian pavilion in the Giardini, for which Creative Australia is the commissioner.

Senator HENDERSON: No. I'm talking about the La Biennale commissioning fee—the private commissioning fee.

Mr Blackwell: I don't know whether one had been paid or not.

Mrs Grayson: Yes—

Senator HENDERSON: Sorry, just to clear this up, earlier, in your evidence before dinner, you said that he was paid a commissioning fee, but you didn't know what it was, and that's what I was asking you about. But, Mrs Grayson, you've now confirmed that no commissioning fee was paid.

Mrs Grayson: I think we'd have to check the record, but I do believe Mr Blackwell qualified that, saying he wasn't sure if there was a fee; he would need to check that. Then that led to your questioning around the fee.

Senator HENDERSON: I think you said you weren't sure what amount was paid; I didn't get the impression that you didn't know whether the fee was paid or not. But we can always check the *Hansard*. Anyway, I just want to clear up the situation in relation to those various payments. So, in terms of the direct supplier payments, who were those payments made to and for how much?

Mr Blackwell: A whole variety of suppliers. There are many different components that go to making work, transporting work, installing work and such like.

Senator HENDERSON: So carriers, freight companies—

Mr Blackwell: Materials.

Senator HENDERSON: materials—

Mr Blackwell: Fabrication, installation costs, riggers—

Senator HENDERSON: And they were all—

Mr Blackwell: video artists. It was the video workers, I think you can say, if you look at—

Senator Green: Techs.

Mr Blackwell: Techs. Thank you, Minister.

Senator Green: That's the industry term for it, I'm told.

Senator HENDERSON: They're all third-party payments. Did Mr Sabsabi have an interest in any of those other payments. Say it was a video production company. Did he have an interest in the video production company? Have you checked any of—

Mr Blackwell: Not to my knowledge, no.

Senator HENDERSON: Would you be able to verify that?

Mr Blackwell: Not right now.

Senator HENDERSON: No, I meant on notice. I'm always fighting for the taxpayer, Mr Blackwell. The other thing that I've been mulling over dinner is that I've been quite taken aback by the \$1.7 million cost. You have detailed those costs, but if I could ask you, on notice, to provide details as to all expenditure for that \$1.7 million, I'd be really grateful.

Mr Blackwell: Okay. We'll take that on notice.

Senator HENDERSON: Yes. Please take it on notice. Are any other big blocks of expenditure coming up for a Creative Australia?

Mr Blackwell: Absolutely. We—

Senator HENDERSON: You say that with a great deal of pride.

Mr Blackwell: If I can point you to where our expenditure goes—

Senator HENDERSON: Yes, please.

Mr Blackwell: you can see that it's actually significant. In 2024-25, last financial year, the total investment in the sector, directly and indirectly, was \$285.8 million. That represented 90 per cent of the appropriation that we received. People costs associated with that were seven per cent. So that's 90 per cent and seven per cent—that's your 97 per cent—and the overhead and depreciation amount was three per cent. Within those—

Senator HENDERSON: I'm just on—

Mr Blackwell: Let me just round that out for you, if I could.

Senator HENDERSON: Yes, sure.

Mr Blackwell: Out of that seven per cent for the people cost, the program delivery team was five per cent of that and the supporting activities team—like finance and IT and those sorts of, if you like, back-office operations—was two per cent. So, if you look at the total people costs and overhead and depreciation, five per cent of the total income that Creative Australia had last year was for overhead, and 90 per cent of it went out to the sector, which I think demonstrates a good use of taxpayers' money.

Senator HENDERSON: I'm just—

Mr Blackwell: Would you like a further breakdown?

Senator HENDERSON: Yes, I would. Maybe if you could do that on notice.

Mr Blackwell: Well, it's actually in our annual report in that investment overview. You can see that the bulk of it, as I think I said to Senator Roberts earlier, goes through multigovernment frameworks, which would be the national performing arts partnership frameworks and the visual arts and craft and design framework. That would save \$145 million of that total, which is by far the biggest.

Senator HENDERSON: Alright. I was on your website trying to navigate to your annual report. I keep going around in circles, but maybe it's just because it's getting a bit late.

Mr Blackwell: Sure.

Senator HENDERSON: That's okay. What are your big goals for the coming 12 months?

Mr Blackwell: That will be set out in our corporate plan. A lot of the activities for Creative Australia will be similar to last year because a lot of this funding is either multigovernment frameworks, which have formal

frameworks for state and territory and federal governments, and also for multiyear investment. A lot of those funds are already committed as we go through. We've then got various different activities. So we've got what I would call direct investment, which is through multiyear funded agreements, project grants, initiatives. And we have indirect investment, which will be work for capability building programs, like education for arts workers in the arts sector so they can go back to their organisations and help those organisations perform better. We've got a whole range of activities, which you will see obviously in our corporate plan when it comes out in August.

Senator HENDERSON: Fantastic. Well, on that note, I wish you all the very best for the coming year or the rest of the year, the new financial year. Thank you very much for your time and attendance this evening.

CHAIR: Thank you very much for your attendance and for your evidence here this evening. You go with the committee's thanks.

Screen Australia

[19:18]

CHAIR: I now welcome officers of Screen Australia. Do you wish to make an opening statement?

Ms Brunson: Thank you for inviting us. We appreciate the opportunity to join the committee today. Our CEO, Deirdre Brennan, sends her apologies for her absence due to personal circumstances. Joining me today is our chief financial officer, Mark Reid.

Screen Australia remains focused on delivering its core funding programs supporting Australian stories across all platforms from film and television to online and direct-to-audience formats, and digital games development. We continue to prioritise the growth of a vibrant and viable screen industry that reflects the depth and diversity of Australian stories. Our work is guided by our strategic framework, grounded in five pillars that align with the government's national cultural policy Revive. We continue to align with government priorities and welcome the consultation process on the development of the new national cultural policy to shape the future direction of the creative and cultural sectors, including screen and games production. Screen Australia is actively engaging with this consultation process and is contributing a written submission. We also acknowledge the appointment of our CEO, Deirdre Brennan, to the policy advisory group, who will help represent the perspectives of the screen and game sector.

Screen Australia's research programs are building a comprehensive evidence base on the sector's impact, gaps, and emerging priorities and opportunities. This includes *Screen Currency 2026* to be released in July this year, the most significant research conducted by our agency in a decade. This landmark national research project measures the economic, social and cultural value of Australia's screen and games industries. It will be an essential tool to help the entire industry navigate today's challenges and seize the opportunities of tomorrow. The research will also help government to understand and track the public benefit from investment in screen and games, and will feed into other outputs such as Creative Australia's state of culture report.

Without diving into the detail, we wish to take this opportunity to highlight some of the key themes coming out of the research. The first is that, despite access to more global options than ever, Australians place great value on local screen content and Australians value authentic stories that allow us to see ourselves and each other. Another theme is that local content drives social impact and action beyond viewing, positioning screen and games not merely as cultural products but as levers of social change and community cohesion. And finally, Australia's screen and games content is a proven cultural export with significant soft power value. We encourage government and industry stakeholders to take a look at the full findings when *Screen Currency 2026* is released in July. For additional insight, the production, infrastructure and capacity analysis, which we commissioned from Olsberg SPI and released in April as part of our research program suite, is another valuable resource.

Screen Australia looks forward to continuing to work closely with partners across government, industry and the broader creative ecosystem to maximise the impact of public investment and strengthen the overall sustainability of the local sector. Thank you.

Senator HENDERSON: Good evening to you all. Apologies—we've kept you waiting a little bit of time. I want to firstly go to the documentary film *Sentient*. This is the film where Sarah Ferguson, the host of the ABC's 7.30 program, is the executive producer. The reason I'm asking about this is because this was a matter that was not disclosed to the ABC until fairly recently. You might have heard evidence earlier in the day. I note with interest that this was disclosed. It's part of your 2023-24 annual report when you were obviously reporting on documentary commissioned programs. That lists *Sentient* as a 1 x 90-minute documentary by Sentient Pictures, with Ms Ferguson as the EP and an amount of \$200,000. Was that the earliest publication of Ms Ferguson's role as EP?

Ms Brunson: I would have to check that because it may have been released in a media release prior to the annual report being published, but I need to take that on notice.

Senator HENDERSON: If you could take that on notice, please, and also any correspondence from Sentient Pictures or Mr Jones or Ms Ferguson in relation to Ms Ferguson's role as EP.

Ms Brunson: I will take that on notice as well and see what we can get.

Senator HENDERSON: Thank you. I do appreciate that. In terms of your investment in that film, what are the funding terms of your agreement?

Ms Brunson: It was production funding of a \$200,000 contribution to the overall production budget, which is then obviously made up with other financiers and contributions from other parties. The documentary had a budget of over \$3 million, so \$200,000 was a contribution to that overall budget, and it was to produce the project.

Senator HENDERSON: It's been screened at Sundance. Do you know what the arrangements are for Australia? Is that part of your agreement?

Ms Brunson: No, it's not part of our agreement. The pathway to audience, which is what we call it, is how they are going to get in front of an Australian audience. That would be part of their plan, and it certainly would have been part of their application. It would have been assessed on that. The festival would have been an aspiration at the time, because it wouldn't have been selected until the film was finished and viewed by the festival. I'll take on notice what the plans were and what they may be for the Australian release.

Senator HENDERSON: The distribution would be set out in your agreements, wouldn't it?

Ms Brunson: At the time of application, it may not have been clear yet. When they come in through the producer program, applicants don't need to have everything locked. They get a certain amount of time from our commitment of funds. If they can then lock the finance and lock their market partners for distribution, we then move to contracting to release that funding. At the time of application, it may not have been clear.

Senator HENDERSON: I'm talking about in the contract itself.

Ms Brunson: Yes, that absolutely would have been part of the contract. There is a local distributor attached to it.

Senator HENDERSON: Contingent on Australian government funding through Screen Australia, is there a requirement to broadcast the film in Australia?

Ms Brunson: It's not necessarily to broadcast it, because it could be a theatrical release. It doesn't need to go to a commissioner, but it does need to be shown to an Australian audience.

Senator HENDERSON: What are your minimum requirements? If it's a theatrical release, does it have to be shown for a minimum amount of time? I imagine it would be more than a couple of showings.

Ms Brunson: We don't have a minimum. That's really run by the market. Everybody's going to want to get the maximum they can in a cinema, and that will depend on the cinemas and on the distributor and what they're able to achieve for an individual project.

Senator HENDERSON: You don't know what the arrangements are in relation to—

Ms Brunson: No, I'm not sure.

Senator HENDERSON: If you could take that on notice and provide us with those details, I would be most grateful. I want to turn to your application process. How many new applicants who received funding in 2022-23 also received funding in 2025-26? In other words, how many repeat applicants were there?

Ms Brunson: I'd need to take that on notice.

Senator HENDERSON: Does that happen a lot? Will you have applicants who will be coming back to you every few years seeking more funding?

Ms Brunson: Yes, because we fund by project, not by company. People would have one project get up, whether it's a feature film or a TV series, and then in later rounds they would apply for other funding.

Senator HENDERSON: In the 2025-26 financial year, how many—you could perhaps take it on notice—

Ms Brunson: We'd need to take that on notice.

Senator HENDERSON: are new applicants, either individuals or companies, as I assume most are?

Ms Brunson: Production companies, generally. We have very few sole traders that would be eligible to apply for funding. Is that across everything, Senator?

Senator HENDERSON: Just in the 2025-26 year, how many of those are new applicants?

Ms Brunsdon: In terms of just documentary production?

Senator HENDERSON: Across all sectors, please.

Ms Brunsdon: All areas, okay.

Senator HENDERSON: What KPIs are attached to funding to ensure diverse and unrepresented or minimally represented communities benefit from Screen Australia's grant and development pipelines?

Ms Brunsdon: It's part of our corporate plan. Our purpose is about reflecting the diversity of Australian stories and Australian storytellers. That's a very important aspect of our funding and how we deliver things. We have a number of targeted programs, like Digital Originals, an initiative that we run with SBS TV, which is specifically aimed at underrepresented voices and supports a number of teams to develop six 10-minute shows that then screen on SBS TV. They very often get an international premiere as well and then go on to SBS On Demand. We have other projects like Skip Ahead, which is for people with YouTube channels of 25,000 or more subscribers. This, again, targets underrepresented voices. We have a number of projects in games. We have our Emerging Gamemakers Fund, which, again, very much targets new game makers and new game companies. In representing those underrepresented voices and parts of the community more broadly, we have funding programs and conditions that require there to be authentic storytelling, whether that's in the development of a story or in the production, and that goes right across. And obviously we have our First Nations department that is specifically tailored for working with First Nations creatives and production companies on the telling of those stories.

Senator HENDERSON: Is there any way that you quantify the economic impact of the producer offset and the location offset on domestic workforce retention and also physical infrastructure capacity?

Ms Brunsdon: We released last month the production infrastructure and capacity analysis, which goes a long way to doing exactly that. It doesn't correlate the producer offset to retention in the workforce, but it does outline what the capacity of the workforce in Australia is across all the states and what future workforce may be required. It also details the studio facilities that are available across the country and what studio facilities may be required should the pipeline continue in the way it is and grow.

Senator HENDERSON: Does that report detail all of the economic impacts of the producer offset and the location offset?

Ms Brunsdon: There is the producer offset. We don't manage the location offset. That's a matter for the department or for Office for the Arts. In terms of the producer offset, I can tell you how much was claimed on that one last year. The producer offset in the 2024-25 financial year was just over \$713 million, a significant increase from \$412 million in the financial year 2023-24. That was for 213 final certificates. so 213 projects claimed that money.

Senator HENDERSON: And how much of that was Australian versus international?

Ms Brunsdon: That's all domestic. The producer offset is only for Australian content.

Senator HENDERSON: So there are no international components at all?

Ms Brunsdon: There's likely to be international finance in some of those because it's very difficult to finance anything in Australia domestically. There are often international distribution partners, international finance partners, co-commissioning or presales to international territories that form part of the financing of the production.

Senator HENDERSON: Alright. If you could provide me with some more information on notice, I'd be really grateful. I want to ask you about the average time frame between an application being submitted and the final funding decision as it's published on the Screen Australia funding approvals portal.

Ms Brunsdon: Is that for producer offset or for production?

Senator HENDERSON: I mean all applications.

Ms Brunsdon: It will vary depending on the funding round, but I could provide that to you on notice.

Senator HENDERSON: Yes. Just the average time frame would be—

Ms Brunsdon: And, in order to manage expectations for people, we do publish those timeframes on the website.

Senator HENDERSON: Fantastic. Thank you very much.

CHAIR: Senator Roberts.

Senator ROBERTS: Thank you for appearing again. My questions go to the DEI agenda of Screen Australia. A producer that used a polite Facebook post to raise the gender imbalance in favour of women in your approved productions and in your management was blocked. These questions are apparently not allowed. Happily, you can't block me, so we'll ask some questions. From your corporate plan 2023-27:

Screen Australia's funding guidelines include an Inclusive Storytelling Statement that highlights our commitment to diversity equity and inclusion. The agency has developed a series of programs to provide skills development opportunities for diverse practitioners traditionally under-represented in the Australian screen industry ... Screen Australia also has a long-standing commitment to gender equity through its Gender Matters program and KPI.

Can you show me where in your enabling legislation this DEI requirement was mandated, or is this a decision taken by the management, the board, the government, the minister, KPIs?

Ms Brunson: The screen sector in Australia and globally has traditionally been very white and male. The population in Australia is slightly more than 50 per cent women. That's not the case in terms of the representation in the screen sector. There are generally equal numbers of men and women in film schools who finish those studies, but they're then not represented and their stories don't get told, and stories from a female perspective are not always told. Stories from culturally diverse parts of the country are not always told. Our research tells us that Australian audiences value authentic representation of Australian stories, and that goes right across the community. A lot of the research we've done on seeing ourselves, which goes into the representation of parts of the community on screen and behind the screen, tells us that there are parts of the community that are very severely underrepresented, including people with disability, where one in five people in the community identify as having a disability but we don't see that on screen.

We do have programs, like most of the state screen agencies, to develop new stories from different parts of the community. They're stories that travel. They're stories that get audiences in Australia and internationally, and that's one of the reasons that we do that. People like to see themselves, their experiences and their lives reflected in the stories they watch on screen, whether that's on TV or whether it's in cinema.

The Gender Matters taskforce has been disbanded. The corporate plan that you mentioned has been updated, and we released a new corporate plan last year in April. Our purpose is about supporting a vibrant and viable screen industry that reflects the diversity of stories and the depth of stories from across Australia. So we're just working with and trying to reflect the community of Australia in the stories that get supported and that get shown.

Senator ROBERTS: Thank you. I didn't ask you to justify your following of DEI. I just wanted to know if your enabling legislation requires DEI—if it was mandated—or if it's a decision taken by the management, the board, the minister or the government? Who set your KPIs on this, you or the government?

Ms Brunson: We set the KPIs.

Senator ROBERTS: So who set the DEI requirement? Was it mandated?

Ms Brunson: There isn't a DEI requirement mandated, but the functions of Screen Australia under the Screen Australia Act are to support and promote the development of a highly creative, innovative and commercially sustainable Australian screen production industry and support the development, production, promotion and distribution of Australian programs and the provision of access to Australian programs to support the development of screen culture in Australia and undertake any other function conferred on it by the law of the Commonwealth. There are a number of ways that we do that. We're also required to place an emphasis on documentaries and programs of interest or relevance to children and programs with a high level of artistic and cultural merit, promote the open market as the primary means of support for projects with commercial potential, promote the development of commercially focused screen production businesses and promote the effective, efficient and ethical use of public resources. There's no DEI component in there. We interpret reflecting these stories to ensure that there is a diversity of stories on screen.

Senator ROBERTS: Could you give me, on notice, your evidence from your research that says DEI improves your capability in all those areas?

Ms Brunson: I'll take that on notice.

Senator ROBERTS: Thank you—and any peer reviewed scientific studies would be appreciated as well. It seems that you're setting them. In looking at your KPIs, the first KPI for 2016-19, at least 50 per cent of production funded projects are to have women in more than 50 per cent of key creative roles. This was achieved at 56 per cent. Is your KPI really 'at least' 50 per cent? Surely anything above 50 per cent means less meritorious women are being favoured over more meritorious men. Surely the merit ratio is 50 to 50—or, in your universe, are women better than men?

Ms Brunsdon: Are women better than men? It's a KPI that we measure over three years, so it's not that every project has to have women in key creative roles. It's over the breadth of the projects that we support that we are aiming for that target. And it's a target; it's not a rule. It's something that moves depending on the projects that come in and depending on the creatives already attached to those projects. It's a target that's harder to achieve in feature films because they often come with a writer-director from their origination. A lot of TV series that come to us don't necessarily have all their directors attached, so there's room for things to move at those times. So it really depends on everything. The population isn't quite fifty-fifty.

Senator ROBERTS: Slightly more females.

Ms Brunsdon: Slightly more females. That target is about the representation of women relevant to the population and to the community.

Senator ROBERTS: Have you done any work on why that used to be lower? There are some amazing female producers, directors, actresses—or actors, whatever you want to call them these days. In the past, surely for commercial interest, people would have wanted to jump on to make sure that women were involved. They provide a more varied and diverse approach. So why were they underrepresented?

Ms Brunsdon: For a variety of reasons—in the same way that they're underrepresented in many parts of the economy and many parts of the sector and, indeed, leadership positions more broadly. A lot of women take time out to have children or have other caring responsibilities. It can be more difficult to get back into the sector if you've taken time out for those caring responsibilities. That's certainly one thing. There are a number of research papers that detail this. People find it more difficult to get jobs when they have children because of the hours that this industry takes when you've got a project in production. So there are a number of barriers there for people to do that. We've recently done some research looking at different methodologies for production—that might be a nine-day fortnight or shorter working hours or eight-hour days and that kind of thing—to try and encourage better working hours for everybody. It's not just for women or people with caring responsibilities but actually for the whole workforce.

Senator ROBERTS: I think most people would agree from their own experience—it's not just me—that women are generally better carers. Most families make the decision that their children will be cared for by one of the partners if they can afford it, and that's increasingly unlikely, sadly, these days, but generally that's the woman because women are better carers.

Ms Brunsdon: I couldn't comment.

Senator ROBERTS: I wasn't fishing. The second KPI from 2019 to 2023 was 'more than or equal to 50 per cent of key creative roles across development and production held by women'. That was achieved at 55 per cent. Again, tough luck men, because this is all about the women, right?

Ms Brunsdon: Well, the KPI is about female representation, yes.

Senator ROBERTS: Yes. Having achieved the earlier targets, rather than holding them there and looking for projects with merit, you increased the targets. For 2023 to 2026, the KPI requires the female mandate to be expanded to include non-binary, gender-diverse people for a target of more than 50 per cent of key roles of writer, producer or director across funded projects for a three-year average. Is women at 50 per cent a hard floor? Is bringing in transgenders, men living as women, taking jobs off women, or is 'transgender' a new protected class to add on top of the 50 per cent reserved for women?

Ms Brunsdon: No, it's not. The 50 per cent is for women and/or non-binary or gender-diverse people. So it's an inclusive target of 50 per cent.

Senator ROBERTS: So it should be 50 per cent or more?

Ms Brunsdon: Yes.

Senator ROBERTS: You must be treating it as additional because the latest data shows that female and trans et cetera producers are now at 62 per cent, writers are up to 55 per cent and directors are still down at 49 per cent—almost 50. Apparently, that's not close to being equal. Overall, it is 56 per cent across all KPIs. Are you going to stop now and start approving projects on merit again?

Ms Brunsdon: We do approve projects on merit. That's absolutely the very first thing. The target is about tracking the projects in terms of who the key creatives are and making sure that we've got that information as we're going through the year. The results of the target also change every year depending on the projects that come to us. Because we don't commission projects, we can only respond to the applications that we receive.

Senator ROBERTS: 'Merit', do you say? Well, it's not really, is it? Because there's a line item in your account for 'recoupment of equity investment', REI, which is taxpayers getting a return on our money. If your investment

decisions were being made on merit, your commercial returns would show that. I note your returns over the last six years on recoupment of equity investment have ranged from 12 to 32 per cent. Some variation may occur as costs are in one year and returns are in another, so we understand that. Your numbers may be more accurate. Why did the projects you fund fail commercially so frequently? Even when you've had a hit, the best year was only 32 per cent of your money back.

Ms Brunsdon: It really depends on the projects, and they're subject, obviously, to global headwinds and the contraction in the global marketplace for screen content. It depends on the box office, if they're theatrical feature films in Australia, and it depends how well they sell internationally. Over the last couple of years, it's become much more difficult for projects to sell, certainly into the US, which used to be a much more stable market, certainly for Australian content. It can't be relied on because of the contraction of some of the big media players there. It's very much subject to market conditions, and the market has changed significantly and continues to move fluidly, and that's not something we have any control over. Some projects do incredibly well. The feature film *Talk to Me*, which was released a couple of years ago, has recouped many times over what its budget was.

Senator ROBERTS: It was a very good one.

Ms Brunsdon: A very good one. We want more like that. And there are things that perhaps are less commercially focused but still play very well with audiences. There's a real range of projects that we support and a real range of returns, because the return on investment is not just about the commercial financial return; it's also a cultural return and an influence return, in terms of whether it is something that's going to influence people to change their behaviour. There are different reasons that we watch the shows that we watch, that we go to see films that we see, and our reactions to them and our behaviour is a result of that.

Senator ROBERTS: I understand systems change behaviour and language changes behaviour. Could you tell me the behaviours you're seeking on behalf of the Australian taxpayer?

Ms Brunsdon: We're not seeking—

Senator ROBERTS: You're basically changing behaviours, which I understand. So what behaviours are you trying to change?

Ms Brunsdon: We're not trying to change behaviours. It will depend on the show. There may be documentaries that seek to give people a better understanding of a certain issue or group of people, and to have more empathy around things or just understand their community better.

Senator ROBERTS: Is changing behaviour one of the criteria or one of the KPIs for selecting investment grants?

Ms Brunsdon: No, it's not.

Senator ROBERTS: How do you do that, then? How do you make sure they change behaviour?

Ms Brunsdon: That's not something that we can do. We don't distribute the shows, we don't market shows and we don't commission shows.

Senator ROBERTS: Okay. A common measure of a hit screen production is one that returns 2.5 times its production cost. Two times breaks even, including distribution, and the 0.5 on top of two is profit. By that measure, your last hit movie was the movie *Talk to Me* in 2022, which cost \$4 million and returned a whopping \$140 million. A great result, but it was unexpected for a small horror film. Nonetheless, it was a good result. It made your results for 2023-24 look good. The next previous hits we can see in your returns are: *Lion* way back in 2016; *The Sapphires* in 2012; and *Red Dog* in 2011, which must have been a very big hit. That was a long time ago. Is this move to DEI in more recent years creating projects that people don't want to watch?

Ms Brunsdon: No.

Senator ROBERTS: In 2024-25, your total audience was 101.8 million; let's say 102 million. That's up from last year, but it's down on 2020-21, and on 2021-22, which was 140 million. So you're way down—that's almost one quarter down. I acknowledge that the platforms are changing from theatre to streaming, and now to TikTok. Can you provide an accurate figure for your audience each year over the last five years, broken into screen, television, streaming and social media, please.

Ms Brunsdon: I'll have to take that on notice.

Senator ROBERTS: Your 2026-27 budget is \$113 million, with \$86 million from the taxpayers. What is your projection for grants and for recoupable investments in 2026-27?

Mr Reid: Our budget for 2026-27 is the total expenditure for 2026-27 on page 526 of the Portfolio Budget Statement.

Senator ROBERTS: How much?

Mr Reid: It is \$95.9 million in total expenses, and our recoupment budget for 2026-27 is \$3.8 million.

Senator ROBERTS: How much from taxpayers?

Mr Reid: From taxpayers, we receive revenue from government of \$86 million.

Senator ROBERTS: So that's the same.

Mr Reid: Yes.

Senator ROBERTS: We've got figures of grants of \$34 million and recoupment of equity investment of \$59 million.

Mr Reid: You'd have to point to where you're—we do do grants and equity investments. For 2026-27 we're projecting \$34 million in grants and \$33.6 million in what we call the write-down in impairment of assets. That's the equity component that we provide to recipients.

Senator ROBERTS: The first figure, we agree on. What was the second figure?

Mr Reid: It's \$34 million and \$33.6 million in investments.

Senator ROBERTS: If your primary objective is to fund Australian content, then the figure in your budgets for grants and REIs, inflation adjusted, would go up each year, but it doesn't. Wages go up every year, but money going back into the industry is down from a high in 2020-21 of \$99 million, which is \$118 million in today's dollars, to \$86 million this year. Taxpayers are paying more and getting less out of Screen Australia. Why is that?

Mr Reid: I'm not sure that I agree with the premise of your question, but taxpayers are paying less and we are delivering a lot for the Australian public.

Senator ROBERTS: Can you convince me that taxpayers are not paying more and getting less?

Mr Reid: Your own figures were that, in 2021, we were paying out \$90 million and now we're paying out less. But Australian stories are being produced and watched at a very high rate.

Senator ROBERTS: But the figures don't reflect that—the profit figures and the returns.

Mr Reid: As my colleague mentioned, Screen Australia does not make all of its decisions based on commercial return.

Senator ROBERTS: Thank you.

CHAIR: If there are no further questions for Screen Australia, you go with the committee's thanks for your evidence here today.

Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts
[19:56]

CHAIR: I now call officers of the department in relation to outcome 7, Contribute to healthy, active communities and a sustainable sport system through policy development, coordination and targeted support; program 7.1, Sport and physical activity. Senator McKenzie.

Senator McKENZIE: I have some questions about the Play Well strategy. On page 36 it states: Our ambition is to create sporting communities where everyone feels welcomed and embraced ... adaptable, safe and fun ... And it has the narrative:

We will ensure everyone ... has equitable access to sport.

You would be aware of the ongoing debate in communities and at the international level about ensuring that women and girls have safe spaces to participate in sport, to compete and to develop confidence to go on and enjoy participating in sport in whatever capacity they can. How do you reconcile the equitable access piece in the Play Well strategy with safe spaces for biological females?

Ms Rauter: Play Well is a program delivered by the Australian Sports Commission. They might be better placed in their session to answer that question.

Senator McKENZIE: Well, they've got a heads-up on what my question is. Has the department changed policy or practice in response to the International Olympic Committee's recent decision to support biological females-only sport competition, whether in the pathways for elite athletes or in our investment and policy settings around increasing community sport participation?

Ms Rauter: At the moment we continue to abide by existing legislation, and Australian law has not changed. I know that the Sports Commission are having a look at those issues as they relate to high-performance sport, but,

at the moment, we apply, and all of our grant programs require, consistency with Australian legislation, which doesn't allow discrimination.

Senator McKENZIE: Sorry, not allowing discrimination in order to buy a coffee or employ someone is very different to providing protection and safe spaces for young girls in female sports participation. They're not necessarily mutually exclusive situations.

Mr Haslam: I note your question, and I'm not trying to be difficult here, but the Australian Sports Commission is leading that work with the sport sector. They're considering the IOC's ruling and also working with the Australian Human Rights Commission and sporting organisations in relation to sport. I might refer that question to the commission.

Senator McKENZIE: In terms of the government's policy settings around sport, that is all farmed out and outsourced to the AIS?

Mr Haslam: I wouldn't characterise the government's policy as being outsourced to the AIS.

Senator McKENZIE: You're the Office for Sport. What do you do?

Mr Haslam: We do a lot of things—

Senator McKENZIE: Right now the grants are being delivered by the AIS. They're also doing a body of work in response to international changes in sport regulation. I ask a policy question, which is about all that's left outside of politics, which is the minister's space. What do you guys and girls do?

Ms Rauter: At the moment the policy has not changed. The policy is to be consistent with the legislation. There are obviously grant programs around retaining women in sport, women's change rooms et cetera, but I do accept your point that there are women and people who identify as female and the issues that come with that. The policies have not changed yet, but I know that there is work underway to consider the implications of the IOC's position.

Senator McKENZIE: So my question for the department is: is that work sitting with the AIS, or is any work going on within the department?

Mr Haslam: That work is led by the Australian Sports Commission given the Playwell participation strategy, which they lead working with national sporting organisations and other sporting bodies, and likewise, from a performance perspective, the Win Well strategy as well. They will be better placed in terms of their engagement at the grassroots level. The department doesn't deliver those programs directly with sporting organisations. In terms of what we do, the department does deliver the \$200 million Play Our Way grant program for women and girls.

Senator McKENZIE: And that's the change room program?

Mr Haslam: It's infrastructure as well as programs.

Senator McKENZIE: Is there anything within that program that highlights the need for women and girls to have safe spaces to play sport?

Mr Haslam: The entire program is built around ensuring greater participation by women and girls, both from an infrastructure perspective and from a participation and equipment perspective. It's focused on ensuring greater access given disadvantage, from a regional perspective, from a financial perspective and from an access perspective. There are 290 grants that are being delivered through that program nationally.

Senator McKENZIE: Thank you. I might have some questions on notice about that. I hadn't checked that grant program out. Is there a timeframe that the government's given the AIS to finish their work within?

Ms Rauter: No, there's no specific timeframe.

Senator McKENZIE: Is it up to them to decide? Has the minister requested this be finished in—

Ms Rauter: No. There's been no specific timeframe put on it.

Mr Haslam: If it's helpful, I think there's significant work to be done given the IOC has made a statement, and the implications around implementation and all of those issues are still being worked through. To my understanding, there hasn't been a timeframe set but it's being looked at.

Senator McKENZIE: Thank you.

CHAIR: Senator Henderson.

Senator HENDERSON: I want to pick up on Senator McKenzie's questions about single-sex sport and the funding of single-sex sporting infrastructure. You say that you're operating according to the legislation; the legislation is fairly vexed at the moment. We've had the Tickle v Giggle decision handed down, and that is likely

to go to appeal to the High Court. We've also had a different interpretation of the legislation, arguably, in relation to the action by the Lesbian Action Group. And, of course, there are circumstances where sporting organisations can quite lawfully maintain exemptions in relation to single-sex sporting facilities. So, when you say you are complying with the legislation, I'm seeking clarity. What are you actually complying with?

Ms Rauter: When we provide grants to organisations, whether they be sporting organisations or community groups, under the Play Our Way program, which is our program to create more sporting opportunities for women, they are required to comply with the law, which includes the Sex Discrimination Act, which means you can't discriminate on the basis, obviously, of sex, gender identity, intersex status and so on. That includes clubs and administration of Commonwealth programs. That's as far as we can require them to go at the moment. Those laws can be questioned in the court, and the courts can apply an interpretation.

Senator HENDERSON: Are we able to have a copy of your guidelines? How are these guidelines embodied?

Ms Rauter: They're online.

Mr Haslam: Yes. The grant program was published—the guidelines, the outcomes of applications in terms of the successful applications, and the details in terms of the criteria applied.

Senator HENDERSON: The Sex Discrimination Act contains exemptions which allow biological sex to be recognised in single-sex playing or sporting facilities where competitive sporting advantage or safety issues arise. Could you expand on the Commonwealth's position when you are funding sports which fit into that category.

Mr Haslam: The Play Our Way program is largely a participation based program rather than a high-performance program. Noting the information you've just provided, I believe, going back to earlier comments, the commission would be in a better position to advise in relation to high-performance sport and that environment.

Senator HENDERSON: But the exemption doesn't just relate to high-performance sport; it relates to—

Senator Green: Competitive sport.

Senator HENDERSON: Competitive sport. Let's use an example. If you are funding women's change rooms for a local footy club, is there any issue if the club determines that they will reserve those change rooms for girls, meaning the biological sex definition of girls?

Ms Rauter: We would not govern that. That would be a decision of that club, and I don't think that would disqualify them for our grants if they were doing that on a safety basis consistent with the law.

Senator HENDERSON: So you would require the club to operate consistent with the law, even though the law is very uncertain. Have you got any guidelines where you provide those to sporting organisations—to clubs?

Ms Rauter: Only the guidelines that are associated with the grant. There are not additional guidelines.

Senator McKENZIE: I've got a copy of the guidelines. My poor team will be bringing up the guidelines for stream 1; I've left them on my desk. Obviously, the guidelines for Play Our Way stream 1 refer to providing safe, inclusive, quality and sustainable facilities. When you are defining what 'inclusive' is, does 'inclusive' allow biological males, transgender women, into female change rooms at a community level?

Mr Haslam: If I may, my colleague Mr Perrett has located the guidelines. One of the key things we'd point to in terms of the actual grant agreement is the National Principles for Child Safe Organisations and the Commonwealth Child Safe Framework. In terms of your question, around meeting those specifically, those are published as part of it to describe the environment that's required.

Senator McKENZIE: That still doesn't answer my question. When you are assessing inclusivity under your guidelines, does that assume that biological males, transgender women, are able to enter female change rooms?

Mr Haslam: The hypothetical that you're putting to me wasn't part of the assessment of a grant guideline, and it's not something that I've assessed.

Senator McKENZIE: Well, it's not a hypothetical out there. In community land, outside of Canberra, it's not a hypothetical at all. We want sport to be inclusive of all, but we also need it to be allowing for safe spaces for females. Has the department consulted women's sporting organisations, parents, female athletes, or safeguarding experts regarding concerns about biological males accessing girl's and women's changerooms in the community?

Mr Haslam: The department has not. The department did consult in relation to the development of the Play Our Way program specifically. But in terms of your question, I took that as a general request.

Senator McKENZIE: It was very specific.

Mr Haslam: In terms of the Play Our Way, there was absolutely consultation with leading women and girls, as an example, about what works from an inclusion perspective. We took advice, as an example, from a number

of leading female athletes, as well as worked closely with the commission and a range of other government bodies in developing those guidelines.

Senator McKENZIE: Parents?

Mr Haslam: I don't recall whether their parents were consulted.

Senator McKENZIE: Under Play Our Way guidelines, women and girls are identified as the main or exclusive focus of funded activities, which is fantastic. How does the department ensure those facilities continue to provide safe and private spaces, specifically for biological women and girls? One of the criteria we built into a previous grant program was that you actually had to show an increased participation over and above—not just headcount, but movement—to actually try and improve community participation, and have a plan for how you are going to do that. How are you assuring the community groups and the taxpayer that these facilities will be safe spaces for women and girls after they're built? Is there something in the contract?

Mr Haslam: Yes, there is.

Senator McKENZIE: Because we've all seen them built, and then the boys come in and take over.

Mr Haslam: That was a key consideration.

Senator McKENZIE: Or we can only use them on a Tuesday night.

Mr Haslam: It was certainly part of the consideration in developing the program, again, working with leading female athletes and a wide range of sources around what needed to change to make sure that type of scenario didn't continue to occur, such as a facility being built, but women only getting access to them at the worst training times every time.

Senator McKENZIE: That's right—never on a Saturday.

Mr Haslam: That was a key consideration in building the grant criteria, and grant awarding was informed by policies, procedures and strategies about that fair and equitable access; for example, how they would develop fair and equitable access to training and competition times. There was a big focus on safety in terms of elements of that and opening up new opportunities. One of the things that we've done as a part of this grant program for the facilities stream—following the completion of it, even outside, once the grant has been finished—there's a three-year period where we can still require information from them, to follow up to make sure it's been maintained.

Senator McKENZIE: Good.

Mr Haslam: Because that was clearly a core issue.

Senator McKENZIE: A flying changeroom squad, I like it. Check your changerooms. I think this is really good work. I do think it's important, because selling Mars bars to build gets very frustrating and expensive. Has the department provided any advice to national or state sporting associations regarding how to balance having inclusive policies for transgender athletes and participants, with the privacy and dignity rights of women and girls?

Mr Haslam: The department hasn't. I'd refer back to the broader role of the commission in terms of that advice.

Senator McKENZIE: Are sporting organisations at risk of losing Commonwealth funding or grant eligibility if they choose to maintain female-only changerooms based on biological sex? Mr Perrett, you're the expert in this area I would assume, looking after the grant program.

Mr Perrett: Yes, I looked after Play Our Way. I think the closest we get to your answer is that a lot of the evidence that informed whether grants were successful or not was evidence of community need. So your question about surveying local-level parents, that sort of thing, came through in applications with evidence from consulting local communities, and what was important in those local communities in terms of things like safety and any barriers to the participation of women and girls in sport. So the grants that were successful were often the ones that had evidence of that consultation. The other thing is that, to address the issue you were raising before, we've insisted on things like equitable access policies being published, so there's a self-regulation aspect to it. What communities themselves see as important is what the clubs and organisations then make themselves accountable for. It means that the communities themselves drive what the most important issue is for them in terms of breaking down those barriers.

Senator McKENZIE: So there's no box to tick, there's no 'I confirm this complies'. Do they have to state—

Mr Perrett: There are in terms of—

Senator McKENZIE: that they're open to all? I'm assuming, given what I understand of your guidelines and the program and this discussion—that it's based on law—that a club won't be able to say, 'This is single-sex—for biological females only,' and still retain their funding.

Mr Perrett: There's nothing specifically about Play Our Way one way or the other. The precision of the law that you're talking about is beyond Play Our Way. I don't have any comment.

Senator McKENZIE: I get it. Okay. Interesting.

Senator HENDERSON: This is where the law is vexed, because, under sections 23 and 37 of the Sex Discrimination Act, providers of these change rooms—women's change rooms—can, in some circumstances, lawfully provide separate facilities based on sex, particularly where privacy, decency or special measures are relevant. So it depends on the circumstances. The law is not definitive. Ms Rauter, I just want to ask you: has the Commonwealth intervened at any point in time in relation to the provision of single-sex facilities for biological women and girls only?

Ms Rauter: Not that I'm aware of within the bounds of the work of the Office for Sport, no.

Senator HENDERSON: Have any organisations sought guidelines from you—

Ms Rauter: Not from us.

Senator HENDERSON: as to whether the funding is contingent on opening up, say, women- and girls-only facilities to people who are transgender?

Ms Rauter: Not from the Office for Sport, no.

Senator HENDERSON: So you don't have a policy which requires single-sex change rooms to include transgender people as well?

Ms Rauter: No. We don't have a policy on that.

Senator HENDERSON: When you say you comply with the law—the law depends on the circumstances. It's very vexed—

Ms Rauter: I completely understand that.

Senator HENDERSON: I think the law needs to change. But, putting that to one side, it's very hard if your guidelines say you've got to comply with the law. Well, the law is just not clear, and the law can operate differently depending on the circumstances of the particular issue at hand.

Ms Rauter: I completely understand that it's a very complicated area. Our grant programs are designed for a specific objective, which was to increase, as Mr Haslam said, women's participation in sport and to increase the number and the retention of women in sport. I don't think we, at the time of designing that program, went down to specify that level of detail.

Senator McKENZIE: Can I ask how many? As I recall, these are incredibly oversubscribed, by a factor of 13, and you wish you could fund them all. How many applications did you get for stream 1?

Mr Haslam: I have the total number across both. That was 1,600. I don't have the breakdown in front of me of stream 1 versus stream 2.

Senator McKENZIE: If I could get that on notice.

Ms Rauter: We can take that on notice.

Mr Haslam: We're happy to.

Senator McKENZIE: For all those playing along at home, stream 1 was about facilities and stream 2 was about participation and equipment. I did find the answer—this is why it pays to actually read the docs. We had 1,600 applications. How many were awarded?

Mr Haslam: Two hundred and ninety-two. I would note, in relation to the number of applications in relation to stream 1—again, about infrastructure—there was a two-phase process. We were following guidance in grant good practice, given the amount of work that goes into an infrastructure-type grant application. The first phase was to apply against the criteria, and then those formed a second group that were invited to apply again to make sure that, given there is—

Senator McKENZIE: It's kind of an expression of interest, 'This is the vibe,' and it passes the pub test and away we go with a more detailed application.

Mr Haslam: It's slightly more direct than that, but yes.

Senator McKENZIE: Let's just truncate the discussion. There is a very small amount of applicants who were actually successful. How did you prioritise, out of the 1,600 applicants, the successful grant recipients?

Mr Haslam: I might refer to Mr Perrett, but I would note that part of the process I identified before in relation to demonstrating how their policies and procedures would give that fair and equitable access—that commitment to equity, such as including training times, access et cetera as well as, clearly, the criteria that was provided as part of the program—was inbuilt from the start.

Senator McKENZIE: A total of just 18 per cent of applicants were successful. Were the 82 per cent of applicants who weren't successful not projects worthy of funding?

Mr Haslam: I wouldn't necessarily say that there weren't projects that were worthy, but I'm not sure if there are too many grant programs that ever aren't oversubscribed, especially in a sporting context. That's part of the reason why, from an infrastructure perspective, there were two phases to make sure that it wasn't onerous on individuals if they didn't have, for example, all of the support that they needed, including partnerships with their local community or able to look at cofunding streams or other priorities as well.

Senator McKENZIE: Did the minister seek additional funding, given the demand out there?

Mr Haslam: I think at the time the minister acknowledged that it was both the largest specific program for women and girls ever delivered and also that there were always going to be additional demands on a program that—

Senator McKENZIE: So what a minister does, when you have this sort of situation, is go knocking on the door of the Treasurer's office, saying, 'Buddy, I need some more money for this. There is clearly a demand out there that's being unmet,' and my question wasn't as you answered, it was: 'Did your minister go and seek some additional funding to meet the unmet demand?'

Mr Haslam: I can't answer on behalf of the minister if she sought the funding.

Senator McKENZIE: Minister, do you know if the sports minister sought additional funding around this extremely popular program?

Senator Green: It was an extremely popular program. It's the biggest in men's and women's sports—

Senator McKENZIE: Yes, that talking point has already been delivered.

Senator Green: That's why we're delivering it. Seriously, Senator McKenzie, we're not going to take lectures from you about how to administer sports programs. This was a—

Senator McKENZIE: Well, I went and asked for more money from my treasurer and my prime minister.

Senator Green: And then you used a colour coded spreadsheet—

Senator McKENZIE: Yes.

Senator Green: You did use a colour coded spreadsheet.

Senator McKENZIE: That's a fact. At least mine had colours on it.

Senator Green: That's not how we deliver funding here—

Senator McKENZIE: I'm not here to have a fight—

Senator Green: I'm not either, but we're not going to take lectures from you about to deliver sports funding.

Senator McKENZIE: Chair, I'm not coming to Senate estimates to be abused by government ministers.

CHAIR: Alright—

Senator McKENZIE: I've asked a question, and I would like it answered instead of coping personal abuse.

CHAIR: Okay, hold on a minute. This works both ways. I appreciate the point you're making, but, equally, when I'm speaking, please don't interrupt me either. What we're going to do from here is a phrase I've used, I think, close to a hundred times in the last four days, which is 'question and answer'. Let's keep it that format. We'll go back to that. Minister, are you aware of the question Senator McKenzie asked? If not, will you please repeat it?

Senator McKENZIE: I'm going to dispute that because I think that's a reflection on me—

CHAIR: No, it wasn't a reflection on you.

Senator McKENZIE: Minister, did Minister Wells seek additional funding to support this highly successful program in this budget?

Senator Green: This is the biggest investment in women's sports participation, and that's why we're delivering this funding.

Senator McKENZIE: You can just say no or yes, and she was unsuccessful.

CHAIR: Senator McKenzie, this does also work both ways, so please let the minister answer.

Senator Green: I'm also not going to—

Senator McKENZIE: It's the same talking point I've heard three times.

Senator Green: I'm not going to go into budget deliberations—

CHAIR: We've just done this once before. I'm going to say it once more. Please. When I'm speaking, my job here is to maintain order, so please don't talk over the top of me. When we are doing this, we will go back and forth. When the minister is giving her answer—she hadn't gone very long—she's entitled to give that answer, and then you're entitled to ask the next question.

Senator Green: If it's helpful, Senator McKenzie, there's no additional funding for this program in this budget, but we're continuing to roll out the projects that we have funded.

Senator McKENZIE: Thank you, Minister. That's very, very helpful. We were going to how these 18 per cent that got funded were prioritised.

Mr Perrett: The starting point is evidence that the proposal being put forward is going to break down barriers for women and girls. That's the starting point of the logic. There were some structural distribution things put in there. There was a priority on regional and remote communities, a priority on women and girls with a disability, First Nations—several priority cohorts.

Senator McKENZIE: Did you give a weighting to those?

Mr Perrett: We did, yes.

Senator McKENZIE: Could you just walk me through the weightings. I've got them here: First Nations, culturally and linguistically diverse, disability, rural and regional Australia, low-socioeconomic area—tick, tick, tick—identifying as belonging to the LGBTIQ+ community. I would like the weightings. As I see it, they're the assessment criteria prioritisation.

Mr Perrett: They're part of it. I misunderstood your question. They didn't have a specific mechanical weighting. However, there was a scoring process as a first pass. We had a large assessment team assessing every grant, and moderation over the top. At that point, basically, all else being equal, if a grant was for a regional area, it would have scored higher than a grant for a city proposal, for example. Then, when it came to the committee, we did structure our decision-making to make sure that we were aware of those priority cohorts, and we did several checkpoints. Now, as it turned out, the committee didn't need to adjust its decision-making much at all. This is written up in some detailed assessment reports that the committee reports at the end. But the point was the scoring did the job, so when we looked at the distribution of the highest scoring grants at the end, it met those requirements, so we were happy with how it shook out.

I probably should also add that a key part of this was it turned out that the program must have been promoted well. We got applications from all over Australia, and we got a good diversity of applications, so that made our job as a committee much easier. We didn't need to go looking for good examples of proposals within each of those cohorts.

Senator McKENZIE: Your guidelines—there's a 6,000-character limit for assessment criteria 1 et cetera, and you go through there. I'm interested in the weighting for your assessment criteria, and I'm also interested in the weighting for these priority populations. Because that suggests that, if it's not in these priority populations, we won't even bother going through the assessment criteria of 1,600 applications. So if these are your priority populations, is that kind of the first sift?

Mr Perrett: No, the first sift is, 'Does this look like a proposal that's actually going to make a difference based on evidence of community need?'

Senator McKENZIE: Do you have the maths? I want the maths. I want assessment criteria 1, 20 per cent weighting; assessment criteria 2, 15—

Mr Perrett: There will be some elements of that. They'll be complicated. I think the document we're going to have to dig up to answer your question—

Senator McKENZIE: I studied maths at university. I'm sure I would be able to understand it.

Mr Perrett: All I mean is I can't remember the steps off the top of my head.

Senator McKENZIE: You don't have it there?

Mr Perrett: I think what we have to dig up are the detailed instructions for the assessors, because that will show the decision-making process that they went through and that produced—

Senator McKENZIE: I'm interested in the weighting and I'm interested in what weighting the priority populations had.

Mr Perrett: We'll have to take that on notice. Within that document I'm talking about there'll be a—

Senator McKENZIE: Take it on notice. That's fine.

CHAIR: Senator Henderson.

Senator HENDERSON: I am seeking some clarity in relation to these vexed issues. I'm happy for the minister to address the questions if that's appropriate. Does the government support female-only change rooms in sporting facilities based on biological sex?

Ms Rauter: We don't have a written policy on that issue as far as I'm aware. So I would have to either take it on notice or refer to the minister as to the government's policy position. We don't have a stated policy on that as such.

Senator HENDERSON: Do you have a policy which explicitly protects female-only sporting spaces? I'm talking about biological-female-only sporting spaces.

Mr Haslam: There is not a specific policy as you've articulated. What there is, as I referred to earlier, is a range of safeguarding principles. There's work that the commission does in terms of sport itself and working with national sporting organisations. There is the ongoing engagement around safeguarding and discrimination that is done by Sport Integrity Australia and the Australian Sports Commission. There is also our implementation of government policy in relation to these broader programs that we've talked about. There's no policy in relation to the specificity of what you're saying, to my awareness.

Senator HENDERSON: Has the government issued guidance, or has there been any recent correspondence in relation to protecting female-only change rooms and amenities?

Mr Haslam: I'm not aware of any recent correspondence. I'd have to take that on notice.

Senator HENDERSON: If you could, take it on notice, please. Does the government accept that many women and girls are uncomfortable sharing change rooms with biological males?

Ms Rauter: We're certainly aware of the issues that have been raised in various mediums.

Senator HENDERSON: Has the government assessed the impact of gender identity policies on women's privacy and safety in sport? Has there been any consideration of these matters by the department?

Mr Haslam: Not by the Office for Sport.

Senator HENDERSON: Does the office believe biological sex remains relevant in access to intimate sporting spaces? I'm talking about bathrooms and change rooms.

Mr Haslam: I don't think that's a policy position by the Office for Sport. The government has broader policy, as I indicated in my previous answer.

Senator HENDERSON: The International Olympic Committee has recognised the importance of biological sex in elite sport. Why won't the government specifically recognise the importance of biological sex in sport?

Ms Rauter: I can't answer that question on behalf of government. All I can do is refer to the answers that Mr Haslam gave before, which is where the Australian Sports Commission is working with the Human Rights Commission and others to develop a position on these issues following the IOC's position.

Senator HENDERSON: So the IOC's position is significant and influential?

Ms Rauter: Yes.

Senator HENDERSON: The issue is: how can women and girls thrive in community sport, which may lead to elite sport, if they're forced to compete against biological boys or men?

Mr Haslam: I'm not being difficult, but I'd go back to our answer at the start. In the IOC process, they made a statement. We acknowledge that. The Australian Sports Commission is working through the complexity of that issue. In terms of your questions, they'd be better placed to advise on that work because we're not conducting that work ourselves.

Senator HENDERSON: I appreciate that, and we will be pursuing those questions. The IOC has made more than just a statement. They have made a very significant policy decision that biological men are not permitted to compete against women and girls.

Senator Green: I don't think that's dissimilar from the Sex Discrimination Act as it stands. There's an exemption there for competitive sport, which we took you through earlier.

Senator McKENZIE: It's about community sport.

Senator Green: The senator was talking about the IOC decision.

Senator HENDERSON: The IOC, up until very recently, actually allowed biological men to compete at the Olympics.

Senator Green: That's why the ASC is looking at the decision.

Senator HENDERSON: And that's been a matter of great controversy. My concern is, if girls cannot compete against girls in community sport and in state based sport, how can they successfully progress to elite sport? There are many instances where girls are denied the opportunity. There was one young girl in Melbourne who was denied the opportunity to compete in a regional athletics competition because she was beaten by a biological boy who identified as a girl.

Ms Rauter: I hear your issues. I think it's a bigger long-term issue that needs to be worked through. It's not something that we can answer tonight.

Senator HENDERSON: We really want, and I think most Australians would want, to see women and girls thrive in sport. Community sport plays a fundamental role not only as a pathway to elite sport but also in general health and wellbeing. Has Commonwealth funding been used for projects replacing female-only facilities with inclusive or gender neutral spaces?

Ms Rauter: Not at this point, no.

Senator McKENZIE: None of those projects?

Mr Haslam: There are 292 programs. In terms of individual design specifications for bathrooms within those, I can't comment on that. There is—

Senator McKENZIE: I would like you to take that on notice.

Mr Haslam: I'm happy to try and take that on notice based on what we have around the individual infrastructure.

Senator McKENZIE: That goes to the heart of what's happening out there.

Senator HENDERSON: Can a community sporting organisation be guaranteed that, if they make their girls-only or women's-only facilities available to biological women and girls, there won't be any repercussions under their funding agreements?

Ms Rauter: I think we answered that before. On the grounds that it is consistent with law, there would be no repercussions. I get your questions about—

Senator HENDERSON: As we also discussed before—

Ms Rauter: the interpretation of the law, but if it's on a safety basis there are exceptions in that legislation around safety; therefore, there would be no repercussions on that basis.

Senator HENDERSON: The law is vexed and very contested.

Ms Rauter: I understand that.

Senator Green: The SDA has actually had pretty long-term bipartisan support. It's had longstanding bipartisan support.

Senator HENDERSON: Minister, I would profoundly disagree with you on that.

Senator Green: That's okay. This is an explanation of how the SDA deals with sport:

... the Australian government recognises that individuals may identify and be recognised within the community as a gender other than the sex they were assigned at birth or during infancy, or as a gender which is not exclusively male or female.

In relation to competitive sporting activity, the Sex Discrimination Act provides that it is not unlawful discrimination on the grounds of sex, gender identity or intersex status to exclude a person from participating in competitive sporting activity in which the strength, stamina or physique of competitors is relevant.

That's a quote from Senator Cash when she was the Attorney-General in 2021.

Senator HENDERSON: Well, we've now had the decision in *Giggle v Tickle*.

Senator Green: I'm just saying it's had longstanding bipartisan support.

Senator HENDERSON: The interpretation of the Sex Discrimination Act, as interpreted by the full Federal Court, has now determined that the rights of women and girls have effectively been subverted.

Senator Green: I don't think that the law has changed; I think the Liberal Party has.

Senator HENDERSON: No, please don't reflect on any political parties. I can tell you, from every part of the political spectrum, Minister, this is a matter of great controversy. I sat in this parliament—

Senator Green: You said that the law is contested, and I said it has had longstanding bipartisan support.

Senator McKENZIE: The court's ruling is not—

Senator HENDERSON: What you're overlooking, Minister, is that we have just had the full Federal Court decision in the Giggie v Tickle case, which has interpreted the Sex Discrimination Act in a way that has shocked many Australians. We've made a commitment, our party, to amend the Sex Discrimination Act. We believe it should be amended to protect the rights of women and girls, based on biological sex, under certain circumstances. But, anyway, let me just finish my questions in relation to sporting facilities. Has the office obtained any legal advice in relation to preserving women- and girls-only sporting facilities for biological women and girls? Has there been any advice obtained?

Mr Haslam: No, we have not obtained legal advice.

Senator HENDERSON: Minister, I'll direct this to you. Has the government considered any amendments to clarify protections for women's single-sex spaces in sporting environments?

Senator Green: Not beyond what's already in the Sex Discrimination Act. That was amended in 2013, supported by the coalition at the time. It was actually recommended by coalition senators in a minority senators report.

Senator HENDERSON: Has the government undertaken any safeguarding or risk assessment in relation to mixed-sex change-room policies in junior sport?

Ms Rauter: We have not in the Office for Sport, no.

Senator HENDERSON: No, you haven't done that?

Senator Green: It's your policy, not ours.

Senator HENDERSON: No, I'm asking about your policy, Minister, and what the Office for Sport has undertaken. So Ms Rauter, just going back to the point that you are seeking to work with the ASC in relation to developing further policies, can I infer from that that you believe that further policy clarity is required to better protect women and girls competing in community or junior sport?

Ms Rauter: You're asking for a personal opinion, which is not something I can give you. What I'm saying is that this is an issue that is clearly prevalent across the community and something that the Australian Sports Commission is working on.

Senator HENDERSON: Alright. Thank you very much.

CHAIR: We're going to now break for our evening tea and we will be back after that. Thank you very much.

Proceedings suspended from 20:42 to 20:55

CHAIR: We will recommence with outcome 7.1. Senator Henderson.

Senator HENDERSON: I just want to turn briefly to media reports that families are cutting back on their children playing sport due to cost-of-living impacts on families. Are you able to make any comment in relation to those reports, Ms Rauter. Have you seen any data to support that or have you examined this reported trend?

Mr Haslam: I haven't seen any data in relation to that. I have seen a media article that did refer to that and the impact in particular on regional and rural people. However, in the same way that the geopolitical situation and rising fuel costs are impacting a whole range of ways of life, sport is not immune to that.

Senator HENDERSON: Are you investigating these issues? Is the government planning any action to give families who are in that position better support, particularly families in rural and regional and remote areas who have to travel long distances to take their children to sport?

Mr Haslam: I can't speak specifically on broader government policy, but, from a sport perspective, I'm not undertaking any additional work in that regard at the moment in terms of a data perspective that you point to.

Senator HENDERSON: You or the department doesn't have any data in relation to participation rates? Are you're not seeing any trend that it's increasing or stagnating?

Mr Haslam: No.

Senator HENDERSON: Do you have any data on participation rates? I imagine you do.

Mr Haslam: Certainly, the Australian Sports Commission runs the AusPlay survey that tracks sporting participation, and I'm sure they'd be able to talk to you about participation rates more broadly. But I think the cycle of how often that data is taken wouldn't necessarily respond to the current issue that you're pointing to.

Ms Rauter: In the 2026-27 budget context, there's also \$50.5 million provided for the Sporting Schools and participation grant programs.

Senator HENDERSON: Sorry, could you say that again?

Ms Rauter: That's not a problem. \$50.5 million was provided in the 2026-27 budget for the continuation of the Sporting Schools program to enable school aged children to participate in sport.

Senator HENDERSON: Thank you very much. I just wanted to briefly ask about Football Australia's request for \$50 million to establish a national football headquarters. Does the government have a position in relation to that? Has there been any work or examination of that proposal being undertaken?

Mr Haslam: I understand Football Australia made a proposal to government, but there wasn't any funding in the budget for Football Australia for a facility.

Senator HENDERSON: Was that a \$50 million budget request?

Mr Haslam: I'd have to take the exact composition of that request on notice. But I'm aware Football Australia were certainly interested in a new home of football. I think the government had previously invested in a women's home of football in relation to the FIFA Women's World Cup in 2023, but Football Australia's request was a different one following that investment.

Senator HENDERSON: The federal budget contained funding of \$20 million for the Leichhardt Oval in Sydney, which I understand is in the Prime Minister's electorate. What was that for? Was that for football meaning soccer?

Senator McKENZIE: Yes. I think it's important, despite the Saints and Hawks game at five vs 55.

Ms Rauter: I think we might take that on notice. I think that's actually funded under a different program that we would have had information for under outcome 3. I can take it on notice for you and come back to you on that one. I don't think it was funded through sport programs. It was funded through another regional program or urban program.

Senator HENDERSON: Could I just ask you—

Ms Rauter: I think it rings a bell and I think it's in my other—

Senator McKENZIE: Like Thriving Suburbs or something?

Ms Rauter: Something like that.

Senator HENDERSON: How many other sporting ovals have received funding to that level in the budget?

Ms Rauter: Again, I'd have to take it on notice. Across all of our election commitment programs in particular, there is a very high level of funding that goes to sporting. Sometimes it's not for a whole oval; sometimes it might be lighting, sometimes it might be changerooms, sometimes it might be other bits and pieces. There is a very high percentage of those commitments that go to sport. There are also other grants out of Thriving Suburbs and Growing Regions that also go to sport, so I'd have to take it on notice to give you that level of detail.

Senator HENDERSON: If you could, I'd be most grateful. Thank you, Chair.

CHAIR: On that basis, I excuse the officials of the department with the committee's thanks for your evidence and the work that goes into it.

Australian Sports Commission

[21:01]

CHAIR: Welcome, Mr Perkins, and your team as well. Do you wish to make an opening statement?

Mr Perkins: Thank you, Chair. No opening statement from the commission today.

CHAIR: In which case, we'll proceed to questions. Senator McKenzie

Senator McKENZIE: It's great to see you, Mr Perkins and Mr Hughes. Obviously, we won't see you before our team heads off to Glasgow, so, on behalf of the National Party in particular, but obviously the federal opposition and the entire Australian Senate, we wish our athletes and officials all the very best for a successful games. You heard the comments I made earlier given the International Olympic Committee's much-welcomed, long-awaited decision to restrict the eligibility for the female category at the Olympic competition level to biological females. What discussions has the ASC had with our AOC as a result of the IOC's decision?

Mr Perkins: That's a fabulous question. I would say that the only discussion that I'm aware of that we've had with the AOC is to acknowledge that the IOC has created a position.

Senator McKENZIE: When you say 'created a position'—a policy position? Sorry, I missed what you said.

Mr Perkins: I have had a conversation with the CEO of the Australian Olympic Committee, Mark Arbib, recognising the IOC's stated position. We have not, however, had any detailed discussions on the specifics or any response.

Senator McKENZIE: Has the IOC's decision and whether that will have any flow-on impact for the ASC and the development of our athlete pipeline been discussed with your board?

Mr Perkins: We have had a conversation at the board level, yes.

Senator McKENZIE: What was the decision of the board? Have they tasked you with any specific work?

Mr Perkins: They have. I think it's appropriate for me to start by just clarifying that, in the conversation that has happened thus far, while the IOC has made a stated position about how they intend to run the qualification of female athletes at the Los Angeles Olympics and beyond, at this point in time, there is no actual stated operational policy, and the IOC's decision has no bearing on the law or operation of any sporting activities that occur within the country of Australia. The work that we've been tasked to do by the board is to understand how we might support our elite female athletes who are qualifying, or likely to qualify, for the Australian Olympic Team to compete at the Los Angeles Olympics to be able to navigate the IOC's stated policy.

Senator McKENZIE: When are you hoping to finalise that work? You can't—I was going to say 'fatten a pig on market day', but that's my line of work. You can't create an elite athlete in six weeks.

Mr Perkins: The context of your question suggests that there is something about the IOC's policy which has a bearing on our capacity or ability to develop elite athletes and deliver them onto the international stage. I would contest—it has absolutely zero bearing. It makes no difference whatsoever to the operation of our elite programs. The performance pipeline, the support network, all of the things that we do in this country continue on as is and will no doubt continue to lead to the outcome which you have seen at more recent—and probably historic—Olympic Games, where, actually, our females regularly and completely outperform their male counterparts on the team. So, at this point in time, we're not particularly—

Senator McKENZIE: In the pool and on the track, yes.

Mr Perkins: worried about the pipeline and capability of our female athletes. What we are looking into and needing to navigate is that those athletes who do intend to, or do, qualify for the games will need, at some point, to navigate the IOC's policy. As it stands right now, there is no information on how the IOC intends to operationalise this, how they intend to enable testing, pay for testing, provide support to athletes who live in countries where that testing may or may not actually be legal to undertake on the basis of being coerced by a third party—and on it goes. So, at this point in time, we're in no hurry whatsoever, because we could navel gaze at the issue around how we might set up a support to respond but, until we actually know how the IOC intends to operationalise this policy, there are too many unknowns.

Senator McKENZIE: Is it only the IOC that has this policy? Are there other international sporting—

Mr Perkins: There are other international federations that have already instituted this. I did have a list here somewhere, which I may or may not be able to find.

Senator HENDERSON: Rowing?

Mr Perkins: Could be. I do know athletics is one.

Senator HENDERSON: Aquatics?

Mr Perkins: Yes, aquatics is one.

Senator McKENZIE: Yes, that's a big one.

Mr Perkins: Apologies, I can't find the list at the moment. I do know I have one here though.

Senator McKENZIE: Surely rugby.

Senator HENDERSON: World Boxing?

Mr Perkins: Yes.

Senator HENDERSON: World Rugby?

Mr Perkins: Thank you. You've got the list; you already know.

Senator McKENZIE: Have you? There we go.

Mr Perkins: Okay, cricket—

Senator HENDERSON: The international cycling union.

Senator McKENZIE: Thank you for—

Mr Perkins: I have the list.

Senator McKENZIE: You really do need to just—

Mr Perkins: Thank you for helping me with the answer! I do appreciate it.

Senator McKENZIE: She's so helpful. She asks the questions and answers them!

Mr Perkins: The answer that I'm aware of is cricket, rugby union, swimming, cycling, athletics, netball, ski and snowboard, boxing, and rugby league.

Senator McKENZIE: My questions were around eligibility frameworks and what work's being done there, but you're leaving that with the IOC and waiting for them to—

Mr Perkins: Yes, and it's the same—

Senator McKENZIE: You're going to have to, but, given the number of other international federations who are also—have they developed pathways and frameworks around how to get your female athletes onto the—

Mr Perkins: I can't answer that. I would need to take that on notice—

Senator McKENZIE: Yes, that's fine.

Mr Perkins: to look at the policies of the individual sports. What I do know is that there have been instances already where we have supported Australian female athletes to test. The athletics world championships last year—in fact, I might hand over to Dr Hughes, if I may, because he did that work, so he knows the answer.

Senator McKENZIE: There we go. We've got the expert in the room.

Dr Hughes: To the best of my knowledge, there are only two international federations that have operationalised testing, and that's World Boxing and World Athletics. I think the other sports—

Senator McKENZIE: Using the same test?

Dr Hughes: Yes.

Senator McKENZIE: Is that the same test that's been adopted by the IOC?

Dr Hughes: Yes.

Senator McKENZIE: So we have some uniformity.

Dr Hughes: Yes.

Senator McKENZIE: That's helpful. Your board has tasked you with a piece of work. Has the Office for Sport or the government tasked the ASC with any work in this regard around biological female sport participation? The department was talking about analysis of the Sex Discrimination Act and human rights et cetera. Was that work that they've asked the ASC to do, was that something that your board has generated or has that come from within the organisation?

Mr Perkins: I should take this opportunity to clarify that we actually haven't briefed the Office for Sport yet on the work that we are doing, and I think their information was incomplete. At this point in time there is no work to test or challenge Australian law. We are purely addressing this on the basis of: how do we support our athletes who might need to undergo the testing to compete internationally for our country? As far as I'm aware, the law in Australia has not changed and the implementation of that remains. Neither the department nor the minister has spoken to us about this or tasked us with any activity in that regard.

Senator McKENZIE: Have you endorsed the IOC's decision? No, you've noted it.

Mr Perkins: We've recognised it. We've understood they've provided a position.

Senator McKENZIE: Do you think it's sustainable for athletes to train under one set of domestic rules but compete internationally under another?

Mr Perkins: Yes. I'm actually not sure where the conflict is.

Senator McKENZIE: It's just that there's a separate rule system. But you're saying that is something that can be easily managed in the Australian context? That's my question. It's a genuine question; you're the expert. Has the AIS reviewed implications for female-only training environments, change rooms and athlete accommodation settings?

Mr Perkins: No.

Senator McKENZIE: Have you sought legal advice about whether domestic inclusion policies conflict with international eligibility rules?

Mr Perkins: No.

Senator McKENZIE: What consultation has occurred with female athletes regarding fairness, safety and privacy implications arising from the IOC changes?

Mr Perkins: I'm not aware that there have been any.

Dr Hughes: Sorry, Senator—

Senator McKENZIE: Dr Hughes is aware!

Dr Hughes: I presented on this topic to the Australian Olympic Committee Athletes' Commission.

Senator McKENZIE: When did you do that, Dr Hughes?

Dr Hughes: In the last fortnight.

Senator McKENZIE: What did you present?

Dr Hughes: Basically, what the testing is, what the testing involves, what the potential harms of testing are and what it would mean for someone if they were to get a positive test, which can be quite profound. So there's the need to have appropriate education, access to counselling and access to mental health support around that testing. We don't control what the IOC does; we see our job as controlling the ethical framework in which testing might occur.

Senator McKENZIE: Is there a role for Sport Integrity—

Dr Hughes: No, I don't think so. That's to do with people who are cheating. No-one here's cheating.

Senator McKENZIE: No. But that's why the education piece is so important, I would imagine.

Dr Hughes: That's right. Education has to happen beforehand. We need to make sure that, if someone is unlucky enough to get a positive test, they were fully aware beforehand and consented knowing all the potential ramifications of getting a positive test, and we need to ensure that they have access to pre-test and post-test counselling and mental health support.

Senator McKENZIE: How can we support state based sporting organisations to have policies in place that provide safe spaces for young women and girls to compete and train without fear of an unfair playing field?

Mr Perkins: There are obviously, in the context of Australian law, numerous different avenues where those of us who exist and live and operate in Australia are to provide safe environments to ensure that children, especially, are taken care of. There is no unique circumstance where sport is separate to society or different so that we don't have to comply with what every other Australian needs to comply with. As such, I'm not aware of any work being done to make that different.

Senator McKENZIE: And you're confident that state based organisations have a similar attitude to you—to the ASC? I understand what the ASC's view is—

Mr Perkins: Are you suggesting that the states may not have to follow the law?

Senator McKENZIE: No. My understanding is that our state based organisations, because there are different regimes within different states, are not completely uniform across the country. And that's why I asked about different states. But your evidence is that the state based sporting organisations are actually providing the safe spaces for young women and girls to participate.

Mr Perkins: My expectation is that they are complying with the law. I could not make any statement on whether they actually are or not, as I am not a regulator or a police force testing those things.

Senator McKENZIE: Is there a forum where the state based sporting organisations meet with the ASC or the AIS?

Mr Perkins: Yes, there would be.

Senator McKENZIE: I would hope so.

Mr Perkins: Yes. Our responsibility and role is with the NSOs. The reason why I paused at that is in the previous session, for instance, you mentioned the Playwell strategy.

Senator McKENZIE: Yes.

Mr Perkins: The Playwell strategy is a national industry strategy. It is not the Sports Commission's strategy; it is an industry strategy. And within that there are multiple groups involved at all levels of sport, from community and not-for-profit to local government, state and federal. Therefore I would say that, yes, I'm pretty sure there are state sporting organisations involved in those discussions. That's as an example, but I would need to take it on notice to compile all of the instances we might interact with them.

Senator McKENZIE: Yes—and to somehow have a joined-up view of this issue. I would be interested to know if there is a body. Maybe that's something for you, Dr Hughes, for when you're speaking to the medical officers. I don't know. Take it on notice.

Dr Hughes: I talk to chief medical officers from the state and territory institutes of sport but not so much to the state sporting organisations.

Senator McKENZIE: I'll put a lot of questions on notice, but, following the recent Federal Court ruling against Sall Grover, allowing a trans woman access to a women-only app, former British Olympic swimmer Sharron Davies, who founded the Women's Sports Union—a not-for-profit organisation fighting for fair and safe sport for women and girls—stated:

What's happened now in Australia is you have no rights that protect women, whatsoever, they're gone.

That's what, in the Tickle v Giggle decision—and I note your smile, Mr Perkins, at my question—is the result of the court interpreting the act as it has: that's what people are saying. So my question to you is: do you agree, and, if not, why—following Tickle v Giggle? I'm happy for you to take that on notice if you need to.

Mr Perkins: Sorry, Senator—what are you asking me if I agree with?

Senator McKENZIE: With the comment from the founder of the Women's Sports Union. She said:

What's happened now in Australia is you have no rights that protect women, whatsoever, they're gone.

That's her perspective—not prior to the Tickle v Giggle case, because our law is our law, but now that the court has interpreted our law in this way—that there are no safe spaces for women online or off. That's her statement, and I was asking if you agreed with that, because it is a very fresh situation that we find ourselves in, given the court ruling.

Mr Perkins: I think you're well aware that my personal opinion is not relevant in this chamber. And, as I am not a lawyer, I couldn't possibly interpret the ruling of the Federal Court, and nor could I interpret the opinion of an English woman who probably also knows little about Australian law.

Senator McKENZIE: I would like you to take on notice the ASC's position following the decision of the Tickle v Giggle case and the implication it has on providing not just safe and fair spaces but safe and fair competition for Australian athletes at the elite and the community level. Thank you.

I do want to thank Mr Perkins. This will be his last Senate estimates. He's done a fabulous job representing our country in the pool. I thought—

Mr Perkins: Did you fire me? What's going on?

Senator McKENZIE: No. Well, I won't be at the next one, so have a great year—

Mr Perkins: I've been reappointed for another five years, so I'm okay. You've got me for a lot longer!

Senator McKENZIE: Wow! That's great news—congratulations!

Mr Perkins: Thank you.

Senator McKENZIE: I was a little worried there.

Mr Perkins: I can't tell you how much I love coming to Senate estimates—

Senator McKENZIE: Especially the late night session.

Mr Perkins: Yes, and learning these things about myself. But, no, I'm good. Thank you.

Senator McKENZIE: Yes. I'm glad that's happened. Thank you.

CHAIR: Senator Henderson.

Senator HENDERSON: Mr Perkins, I want to go to the portfolio budget paper. Page 21 shows a declining funding trajectory for the ASC over the forward estimates, with grant funding decreasing from \$332 million in 2025-26 to \$151 million in 2029-30. This has decreased by more than half. Could you give us any insights as to why that funding has so decreased. Are there terminating programs or any other reasons why we've seen such a dramatic decrease in funding?

Mr Perkins: Which table are you referring to?

Senator HENDERSON: It's on page 221 of the portfolio budget statement.

Mr Perkins: The decision of government at this most recent budget was to extend the high-performance Win Well funding for two more years, which will see that funding continue at its current level for all of our high-performance sports through the FY 2026-27 and 2027-28 forward estimates. The participation based funding programs received a one-year terminating measure status for the 2026-27 budget year, so those programs obviously then terminate, hence the reduction in the 2027-28 forward estimates and then, of course, 2028-29. Beyond those, there are no more terminating measures in the current forward estimates.

Senator HENDERSON: What's the impact of that significant decrease in funding on your operations?

Mr Perkins: The participation based programs include Sporting Schools, which is a program that currently operates around the country. It's well subscribed and this year will see close to two million children involved in

after-school free sport. If it was to terminate and not continue, that would obviously have an impact on the number of children getting the opportunity to play free sport after school.

Our Play Well funding is a raft of different grant programs that go to our national sporting organisations, including for athletes with a disability, as well as what's known as the affiliate program. A decrease in funding or decision not to renew it would limit those organisations' capacity to provide participation based growth programs within their sporting environments.

There is also within that another two programs known as the Local Para Champions and the Local Sporting Champions. They are direct grants to community based athletes to provide them with funding for equipment, travel and other sport related activities. It's another program which is well utilised within our environment and, if that was to not be renewed in the 2027-28 budget year, it would have an impact on those individuals who take advantage of that grant program.

Senator HENDERSON: A number of stakeholders in the sporting sector have raised concerns that Commonwealth investment in sport is not translating into proportional funding for national sporting organisations, grassroots clubs or pathway programs. And so there are concerns about delays and bottlenecks in grant allocations. Also, there's a shift towards centrally controlled programs rather than sports led programs. I just wonder to what extent you would concur with those concerns? And what proportion of your total budget flows directly to NSOs versus retention for internal programs and administration? I know that it varies year by year, obviously.

Mr Perkins: Senator, to be frank, I'm not aware of those concerns that you mentioned. I've not had any sporting organisation approach me to make commentary on or express concern about your reference to bottlenecks and centralised control—that's interesting. The funding that goes to NSOs is subject to grant agreements. Those grant agreements require sports to provide us with strategies which show that the investment is going to be utilised in a responsible way—it is taxpayer funding, after all—and that the accountabilities can be proven out and shown. That's so at the end of that grant program we're able to acquit those grants in line with the Commonwealth's grant rules. Fundamentally, though, it is up to the sports to determine what strategy best suits them to be able to achieve the participation and high-performance outcomes that they look to. We do agree to those; there is a process of engagement and review that ensures that the strategies are mature, deliverable and actually able to be executed by the sports. The sports are then free to deliver those programs. So I'm not quite sure what those complaints are that you're referring to, but we're happy to take those on board and provide any response that we can on notice.

In terms of the overall funding packages, I would need to do the specific sums and come back to you. But in this budget year—and I'll just refer to the PBS—we have total revenue allocation of \$490 million for the 2025-26 year. The government appropriation of that is \$450 million in that bill. The remaining revenues are from our own sourced and independent means. Of that—and I need to come back to you on notice with the exact amounts—roughly \$125 million is on operations and all of the remainder goes directly to sport.

Senator HENDERSON: Have you made any representations to government that the school sporting program be a continuing program?

Mr Perkins: The budget process is as we all understand it to be. In this current budget cycle, we did make submissions to government for new policy proposals. They were approved for 12 months, and it would be expected that we'll be back again next year with new policy proposals to advocate for the continuation of appropriate programs.

Senator HENDERSON: In your budget submission, you proposed that those programs were for longer than 12 months?

Mr Perkins: I believe so, yes.

Senator HENDERSON: Alright. I just want to touch very briefly on your national *Guidelines for the inclusion of transgender and gender diverse people in sport*, dated 12 June 2019. I think you developed those in partnership with the Australian Human Rights Commission and also the Coalition of Major Professional and Participation Sports. There's been another recent decision where the Human Rights Commission determined—I won't get bogged down by the detail; I'm not asking you to respond to this—that a lesbian organisation could not lawfully hold an event for biological women only. In that case, the Human Rights Commission was found to have wrongly applied the law. That went on appeal, and the Human Rights Commission's decision was not upheld.

My question to you is around these guidelines you've formed with the Australian Human Rights Commission. In a recent case, the Human Rights Commission's determination was found not to be consistent with the law. I'm wondering whether there is any case for you to re-examine your national guidelines. Is that something that you're

considering? I know these cases have been unfolding in recent days and weeks, but I would draw your attention to the point that the Human Rights Commission has been wrong in its determination of some of these matters in a recent case. Therefore, would that give you cause to revisit your guidelines?

Mr Perkins: For clarity, the guidelines that we developed and released—the *Transgender and gender-diverse inclusion guidelines for HP sport*—were publicly released in June 2023. The community based ones are from 2019.

Senator HENDERSON: Yes, I'm looking at the community based ones from 2019.

Mr Perkins: I appreciate that there's a difference—apologies. I'm not aware of that specific court case that you're referring to. We'll take that on notice, and we would suggest that that probably does require a question to be asked for legal advice on whether or not our policies still remain compliant.

Senator HENDERSON: Fantastic. Thank you very much, Mr Perkins. Did you want to add anything, Dr Hughes?

Dr Hughes: The 2019 document with the Human Rights Commission was a set of guidelines; I don't think it was a policy.

Senator HENDERSON: Yes, I did refer to it as national guidelines.

Dr Hughes: I don't think it's mandating anything. It's just providing guidance to sport.

Senator HENDERSON: No, I appreciate that. I'm not saying it's the gospel. I think there's a formal document. Mr Perkins has addressed my question. Thank you all very much for your attendance this evening. Chair, I don't have any further questions.

CHAIR: With that, I say thank you to the Australian Sports Commission for your attendance here and your evidence. You may go with the committee's thanks. Thank you to all witnesses who appeared and to Hansard and to Broadcasting for their assistance. I remind senators that the committee has agreed that any written questions on notice should be lodged with the secretariat by 5 June 2026.

Committee adjourned at 21:32