

ENVIRONMENT AND COMMUNICATIONS LEGISLATION COMMITTEE

QUESTIONS ON NOTICE – BUDGET ESTIMATES 2022-23 – 7 NOVEMBER, 8 NOVEMBER, 23 NOVEMBER AND 29 NOVEMBER 2022

COMMUNICATIONS AND THE ARTS PORTFOLIO

QoN No.	Portfolio QoN No.	Department /Agency	Senator	Title	Question	Transcript Page
1	SQ22-000528	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Hollie Hughes	Secretary remuneration	<p>Senator HUGHES: Mr Betts, I will start with you. Could you advise us what your total remuneration package is?</p> <p>Mr Betts: My total remuneration package is in the public domain. I might take it on notice. It is between \$800,000 and \$900,000 per annum. I will come back to you with a precise figure.</p>	50
2	SQ22-000530	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Janet Rice	Engagement by the minister and her office with the gambling lobby and harm reduction advocates	<p>Senator RICE: My question goes to the engagement by the minister and her office with both the gambling lobby and harm reduction advocates. I'm interested to know how many meetings the minister has taken with gambling companies and how many meetings with gambling harm reduction advocates.</p> <p>Senator Carol Brown: I am sorry, Senator Rice, but I will have to take those questions on notice, as I am sure you understand.</p>	57
3	SQ22-000531	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Janet Rice	Engagement with the industry and with harm reduction advocates	<p>Senator RICE: Is there any information about engagement with the industry and with harm reduction advocates in general terms that you are able to share with me at this stage? I'm happy, obviously, for you to take the details on notice.</p> <p>Senator Carol Brown: I will take those questions on notice.</p> <p>Senator RICE: Thank you.</p>	57
4	SQ22-000532	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Better Connectivity Plan - reconciliation of the cuts and the additional funding	<p>Senator HENDERSON: I want to resume my question in relation to the better connectivity plan. I take you to page 158 of budget paper No. 2, Minister. You have already indicated that you are not able to address the matter that I raised in relation to the \$101 million cut on page 31 of the PBS. Perhaps you could explain the full costing for the measure as described on page 158, including what program funding is being decreased and what funding has been increased across the five years. What I am seeking from you, Minister, is a complete reconciliation of the cuts and the additional funding, the reprofiling. We note that the measure claims \$757.7 million in spending, but the measure costing</p>	57-58

					<p>shows a net reduction of \$101.2 million. This needs to be explained. The regional budget paper also makes clear that only \$656 million of new funding has been provided. Could you please reconcile those numbers in light of the obvious gaps in information that we have?</p> <p>Senator Carol Brown: I will take that on notice, Senator Henderson.</p> <p>Senator HENDERSON: So you're not able to provide any information at all?</p> <p>Senator Carol Brown: I have already said I will take that on notice, thank you.</p>	
5	SQ22-000533	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Better Connectivity Plan - \$20 million discrepancy	<p>Senator HENDERSON: The dot points listed on page 158 add up to \$737.6 million, yet the claim in the budget papers is that the government will provide \$757 million. So there is a \$20 million discrepancy. How is the government spending that additional \$20 million? Why has that not been disclosed?</p> <p>Mr Windeyer: I might answer that. We will take on notice and confirm to you. I think basically the delta is the departmental costs associated with implementing the commitments.</p> <p>Senator HENDERSON: Twenty million dollars?</p> <p>Mr Windeyer: It is for a number of components. Yes, it is a departmental cost associated with delivering all of those program elements that you have read out.</p> <p>Senator HENDERSON: Can you take me to the budget papers where that is specified?</p> <p>Mr Windeyer: It will be in the portfolio budget. It will be included within the numbers in the PBS. I am happy to take it on notice and work out where best to point you to. I can give you three parts to it, in effect. There is a departmental cost associated with doing the costs associated with implementing various measures. There is an element, which is a departmental component, associated with using the Business Grants Hub to deliver on one of the program elements. There is a \$2.5 million departmental commitment associated with the First Nations advisory group.</p> <p>Senator HENDERSON: So we still have some very big gaps in our knowledge. Are you able to address the question that I asked the minister in relation to the cuts, the reallocation of funding and the reprofiling? Are you able to reconcile those numbers? The bottom line is that they don't add up.</p> <p>Mr Windeyer: As the minister said, I would like to take that on notice as</p>	58

					well and work out a sensible way of presenting a reconciliation to you. I am not in a position to do that on the fly.	
6	SQ22-000534	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Better Connectivity Plan - 5- and 10-year profiling	<p>Senator HENDERSON: Minister, what is the annual allocation to each of the programs mentioned in the dot point list over the period 2022-23 to 2026-27? I am asking for the full breakdown over five years, not over the four years. Of course, that extra fifth year is missing.</p> <p>Senator Carol Brown: I will ask the department to provide you with that information.</p> <p>Mr Windeyer: We can take that on notice. As you know, the budget papers are done through the forward estimates. I understand the question. We can come back to you on notice across the five years.</p> <p>Senator HENDERSON: Can you please provide me with the five-year profiling as well as the 10-year profiling, if applicable?</p> <p>Mr Windeyer: I think what we can look to do on notice is provide you the profiling of the program. Some might be over four and some might be over five. We can provide that profiling across the forward years.</p>	58
7	SQ22-000535	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Mobile Black Spot Program - \$37.4 million reduction	<p>Senator HENDERSON: I want to go to the PBS in relation to the Mobile Black Spot Program. Over the forward estimates, it shows that there has been \$135.455 million allocated to the Mobile Black Spot Program compared to \$172 million in the March budget. That is a very substantial cut. Can you please explain the reason for this \$37.4 million reduction in that program?</p> <p>Senator HUGHES: Next year there is going to be black spot attention. Are more rural and regional communities going to be hit?</p> <p>Mr Windeyer: Senator, I have-</p> <p>Senator HENDERSON: I might direct that one to the minister first.</p> <p>Minister, what is the basis of the cut in \$37.4 million from the Mobile Black Spot Program?</p> <p>Senator Carol Brown: I might have to take some of your question on notice. The budget was about deliberate-</p> <p>Senator HENDERSON: Haven't you had a briefing in relation to any of these matters? These are critical programs for Australians.</p> <p>Senator Carol Brown: Senator Henderson, as you know, this is not the area that I am the assistant minister for. We are here to provide you with-</p> <p>Senator HENDERSON: So it's 'Not my job, Murray?'</p> <p>CHAIR: I think what the minister is trying to say is that she is doing her best. The portfolio isn't hers. She is getting her head around it.</p>	58-59

					<p>Senator Carol Brown: That's right. I am trying to provide some information. When I am trying to give you the information-</p> <p>Senator HUGHES: You're not.</p> <p>Senator Carol Brown: No. That is correct, Senator Hughes. When I am trying to give you the best information that can be provided from the officials and myself at this table, you are not interested. You are not interested-</p> <p>Senator HUGHES: No. We're very interested.</p> <p>Senator Carol Brown: because it doesn't go into your narrative.</p> <p>Senator HENDERSON: I will just pick up, Minister-</p> <p>Senator Carol Brown: And you're wrong-</p> <p>Senator HENDERSON: Take on notice the question in relation to the \$37 million cut to the Mobile Black Spot Program. I will also please ask you now to provide-</p> <p>Senator Carol Brown: I will take it on notice, but I don't accept the premise of your question.</p>	
8	SQ22-000536	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Relationship between the Mobile Black Spot Program and Better Connectivity Plan	<p>Senator HENDERSON: Thanks, Minister. I will pick up on the \$37.4 million cut to the Mobile Black Spot Program. You have taken that part of the question on notice. How is the Mobile Black Spot Program funding affected by the Better Connectivity Plan for Regional and Rural Australia? Can you please provide the annual reconciliation of the differences in the Mobile Black Spot Program, explaining the relationship with the better connectivity program?</p> <p>Senator Carol Brown: Unless somebody at the table can answer your question, I will have to take that on notice.</p>	61
9	SQ22-000538	Special Broadcasting Service Corporation	Sarah Henderson	SBS - Cost of FIFA sports rights acquisition	<p>Senator HENDERSON: What is the cost of your FIFA sports rights acquisition?</p> <p>Mr Taylor: I would be very reluctant to share that information because it is commercial-in-confidence. It would place us at a significant disadvantage if we started to share those rights costs with our competitors.</p> <p>Senator HENDERSON: I might ask you to take that on notice. You are in estimates. I appreciate the challenge, Mr Taylor. Perhaps you could take that question on notice and reflect further.</p> <p>Mr Taylor: Absolutely.</p>	68
10	SQ22-000539	Special Broadcasting	Sarah Henderson	SBS - Correspondence	<p>Senator HENDERSON: I want to pick up on some points you made in your opening statements about not being able to conclude a deal with Meta, or Facebook, under the News Media Bargaining Code. That is very</p>	69

		Service Corporation		between SBS and Meta	<p>concerning. Can you explain the barriers to concluding a deal with Facebook?</p> <p>Mr Taylor: I think the barrier is principally around Meta's unwillingness to commence a commercial negotiation with SBS. The circumstances haven't changed since my last testimony on the topic at, I believe, the last estimates. Meta has made clear that they are not seeking to enter into discussions with SBS about a commercial construct around the provision of our content.</p> <p>Senator HENDERSON: Are you able to provide the committee with any relevant correspondence in relation to proposals that you have made to Meta? I am certainly interested to see how those various proposals have been rebuffed or where there has been a failure of cooperation. Is it just on one side of the equation, or has SBS also been a bit tricky in its negotiation as well?</p> <p>Mr Taylor: Well, the reason that is not true is because no negotiation has occurred. I can take on notice the question about the correspondence. I can assure you that SBS and I have gone to great lengths to seek to engage in collaborative discussions with Meta. Meta, for reasons that have not been shared with SBS, have determined that they don't wish to negotiate and don't wish to set out the reasons why they don't wish to negotiate. I should note that SBS is not the only publisher affected in this way. The Conversation likewise was unable to secure a negotiation with Meta. I really would appreciate a value being placed on SBS content. Of course, our content reaches some of the most vulnerable Australians, for many of whom Facebook is the Internet. It is the way they access information about the society in which they are living. Of course, when the legislation was contemplated, all publishers were all at a disadvantage relative to Meta because their content was being used by Meta to drive its business model. Now, unfortunately, SBS is not only at an absolute disadvantage but it is at a relative disadvantage because all of our competitors now have additional money with which to create new content and SBS doesn't. Given what we've learned through COVID and the general need within Australia for a multilingual and multicultural broadcaster that creates a sense of belonging for all Australians, it is particularly disappointing that Meta has not acknowledged the social licence that comes with operating in this country and its need to comply with the legislative intent of having the public broadcasters, including</p>	
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					SBS, compensated for the content that they produce every day that is carried on Meta's platform.	
11	SQ22-000540	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	SBS - Facebook breach	<p>Senator HENDERSON: Mr Windeyer, Facebook is in breach of the spirit of the law, which requires it to reach commercial agreements with all Australian media organisations. Let's not give Facebook a get out of jail card here. This is disgraceful. The government should be taking much stronger action to rein in the big global giants such as Facebook. Again, I ask. Minister, I realise you have taken this partly on notice: what is the government doing? This is just not good enough. If Facebook won't enter into commercial negotiations, why aren't you taking action under the law?</p> <p>Mr Windeyer: Senator, I can only repeat what I have said. The options available to the government are the same options that have been available to the government for quite some time now, at least since Mr Taylor's last appearance at estimates. The code provides for a designation of digital platforms. That is ultimately a decision that would need to be made by the Treasurer. That is the situation as it stands.</p> <p>Senator HENDERSON: Is the government going to designate the platform in relation to its ongoing failure not to reach agreement with organisations such as SBS?</p> <p>Mr Betts: That would be a matter for the Treasurer, as Mr Windeyer has already explained.</p> <p>Senator Carol Brown: The point that Mr Windeyer has also made is that this was the case under the previous coalition government, which did nothing about it.</p> <p>Senator HENDERSON: As I pointed out, Minister, it was the coalition government that introduced the News Media Bargaining Code. We have a strong regulatory requirement that if a platform is not playing ball, they could be hauled in. They can be designated. This is not good enough. As I say-</p> <p>Senator Carol Brown: The point is, Senator Henderson-</p> <p>Senator HENDERSON: What is the government doing to rein in Facebook?</p> <p>Senator Carol Brown: It was the previous coalition government that did nothing about the issue. I have taken what I can on notice and will provide that to you as soon as I can.</p> <p>Senator HENDERSON: The government has a very fine history of standing up to the global tech giants. The former coalition government</p>	70

					<p>has a very fine history of standing up to the global tech giants in a whole lot of ways, including in the Online Safety Act and including the social media antitrolling proposals that were not supported by Labor when it was in opposition. Minister, will you take this to the Treasurer and ask him to consider taking immediate action?</p> <p>Senator Carol Brown: You can go to Treasury estimates and ask your questions there. At the moment, we have SBS waiting for further questions.</p> <p>Senator HENDERSON: Minister, will you take this issue to the Treasurer and-</p> <p>Senator Carol Brown: I will take on notice-</p> <p>Senator HENDERSON: Thank you very much.</p> <p>Senator Carol Brown: parts of your question for this portfolio minister. If you have questions for the</p> <p>Treasury estimates, then you need to take them there-</p> <p>Senator HENDERSON: Thank you very much, Minister.</p>	
12	SQ22-000541	Australian Communications and Media Authority	Ross Cadell	ACMA - Complaints regarding gambling advertising	<p>Senator CADELL: I have questions on Sportsbet. I will draw a 30-second simile. My eight-year-old in the household came up, when we were talking about who was going to win the netball the other day, and told us we should look at what Sportsbet says are going to be the odds for that. How many complaints did ACMA receive about gambling advertising in the last 12 months in the last financial year? Do we know?</p> <p>Ms O'Loughlin: I think our total inquiries in the 2021-22 financial year was 197 and 12 complaints. Inquiries may be where people have inquired about gambling advertising but we don't have a remit about what they are inquiring about. We had about 12 complaints.</p> <p>...</p> <p>Senator CADELL: Would it be possible to get a table later, not now, of just what those 12 complaints were and the subject matter?</p> <p>Ms O'Loughlin: I'm sure we would be able to do that.</p>	72-73
13	SQ22-000544	Australian Communications and Media Authority	Janet Rice	ACMA - Results of trials of the service industry	<p>Senator RICE: On your website it says that you have undertaken trials of the service with industry ahead of a launch. Can you tell me more about those trials?</p> <p>Mr Fenton: We have engaged with what we call load testing trials with industry. That involved a range of players in the industry using the system at the same time under simulated conditions that would approximate and, indeed, go above the kind of activity we would expect to see at a peak period, such as the Melbourne Cup day. On top of that,</p>	73-74

					<p>we've also had individual wagering providers in the system testing it in terms of their own customers and the system's ability to handle those customers and do the checking that it needs to do.</p> <p>Senator RICE: So how have those trials gone in terms of that load testing?</p> <p>Mr Fenton: Very well.</p> <p>Senator RICE: Are you making public the results of those trials?</p> <p>Mr Fenton: I would have to take that question on notice. We have made those results available to the industry, including specific providers. I should say as well that we have an opportunity before Christmas in the next couple of weeks to conduct a further load testing exercise, including with some of the biggest wagering providers.</p> <p>Senator RICE: So you've made them known to the industry. Have you made them known to the anti-gambling advocates?</p> <p>Mr Fenton: No. However, we have specified the responsiveness of the system within the register rules. So there is some public transparency around that.</p> <p>Senator RICE: Could you take on notice as to what you could provide us with, please, in terms of the outcome of those trials and how effective the system has been?</p> <p>Mr Fenton: Certainly.</p> <p>Ms O'Loughlin: We certainly will.</p>	
14	SQ22-000545	Australian Communications and Media Authority	Sarah Henderson	ACMA - Information notices issued to Optus	<p>Ms O'Loughlin: We do have concerns. As I mentioned, there are a wide variety of rules that we're having a look at. We need to get a significant amount of detailed information from Optus first to be able to come to some of the issues that I outlined in our opening statement. For example, were they collecting and keeping any data that they were not required to keep? Were they not disposing of any data that they were required to dispose of? Were they keeping any personal data that wasn't kept in the way that the law envisages-for example, under encryption? They are the types of things that we will be investigating. For example, there are some that require the keeping of a name, address and mobile number-which you imagine that a mobile provider would keep. Were they keeping that securely? For our prepaid identification determination, they must record or be able to say that they have seen passport or driver's licence information. But they are required by law to dispose of that in a timely manner. What we are trying to gather is enough information for us to look at each of those areas. Have they kept</p>	77

					<p>stuff that they should have kept, whether they've kept it encrypted or whether they've actually kept stuff that shouldn't have been kept. That's what we're working our way through in this investigation.</p> <p>Senator HENDERSON: So these information notices have been issued to Optus?</p> <p>Ms O'Loughlin: They have indeed.</p> <p>Senator HENDERSON: Are you able to provide the committee with a copy of those notices?</p> <p>Ms O'Loughlin: I will take that on notice only because we are covered by some quite tight information sharing provisions. I will certainly take that on notice and do our best to provide that to the committee.</p> <p>Senator HENDERSON: Unless you want to raise a claim.</p> <p>Ms O'Loughlin: No.</p> <p>Senator HENDERSON: I am asking for a copy of that information.</p> <p>Ms O'Loughlin: I might need to advise Optus that you have asked that question.</p> <p>Senator HENDERSON: Thank you very much.</p> <p>Ms O'Loughlin: But we will do that to the best of our ability.</p> <p>Senator HENDERSON: Thank you...</p>	
15	SQ22-000548	Australian Communications and Media Authority	Sarah Henderson	Action the Government is taking regarding gaps in regulatory powers	<p>Senator HENDERSON: I will keep continuing on. Thank you for the invitation. I will go back to the chair. Chair, this is obviously an issue that is deeply concerning. If ACMA were to receive greater regulatory powers to take action against these platforms, what form would that take? Have you made any particular submission to the government as to how the law could be tightened so that the global tech giants could be reined in?</p> <p>Ms O'Loughlin: I don't believe we've made a formal submission to the government. We've had discussions with the government. As the minister at the table mentioned, the government is looking into how that framework could be improved. We will continue to work with the government and see what is the best way of implementing change.</p> <p>Senator HENDERSON: What are the regulatory-</p> <p>Senator Carol Brown: This is not a new problem. It has been around for many years. I'm sure ACMA has the requirements. The chair has already outlined that it has been a discussion they've probably had with the former government.</p> <p>Senator HENDERSON: Thanks, Minister. Chair, what are the regulatory options for ACMA if it were going to invoke tighter regulations in relation to these over-the-top platforms? What are the regulatory</p>	83

					<p>options? Could you detail them?</p> <p>Ms O'Loughlin: I expect the regulatory options would be the regulatory options we have before us in other spaces, such as the misinformation and disinformation code that also affects digital platforms. There are regulatory arrangements that may be self-regulatory, as in the industry does it themselves. It could be coregulatory, where they develop a code of practice that is registered by us and then we have particular powers. There is also direct regulation. The telecommunications industry has come forward with both the reducing scam calls code and the reducing SMS calls code. They are very used to working in a coregulatory environment. We are seeing good results out of that. That is one approach. There are things such as the online rules we discussed earlier around gambling, where there is direct regulation. There is a variety of ways in which it could be done.</p> <p>Senator HENDERSON: You say you have made no formal submission to government. You've obviously had discussions. Have you asked the government for further powers so that you can take action against these scams?</p> <p>Ms O'Loughlin: Senator, I indicated earlier that we have had discussions with the government around the gap in our powers for some time.</p> <p>Senator HENDERSON: Can you please detail your position to the government in this respect?</p> <p>Ms O'Loughlin: I think that is a matter for us with the government. We have indicated to the government that there are various gaps in our regulatory powers. It is a policy matter for government as to whether they wish to move on them.</p> <p>Senator HENDERSON: Minister, we've just heard that there are gaps in the regulatory powers from the chair of ACMA. What is the government going to do to fix this?</p> <p>Senator Carol Brown: I have already taken on notice your question. Again, I will just reiterate that these are issues that have been around for many years and with no action taken by the former government. I will take on notice the rest of your question, Senator Henderson.</p>	
16	SQ22-000549	Australian Communications and Media Authority	Sarah Henderson	ACMA - ABC Tinder findings	<p>Senator HENDERSON: I want to ask you about ACMA's recent finding against the ABC. Could you explain the basis for that finding?</p> <p>Ms O'Loughlin: Which finding? The Tinder finding, yes? I will hand over to my colleagues to explain that decision.</p> <p>Ms Rainsford: I think you know that in a broadcast, which was broadly</p>	85

about scams and covered dating scams, the ABC broadcast some visual content where the members of a particular dating app were visible to the public. We received a complaint on a privacy basis about that. We investigated that matter and ultimately found that the ABC had not met the requirements of its code of practice in relation to privacy in that particular broadcast.

Senator HENDERSON: What are the ramifications for the finding that you have made against the ABC?

Ms O'Loughlin: We have very little power with regard to responses to the ABC not complying with its code. We normally, as we do quite often with commercial broadcasters, come to agreed measures, which in this case we did, in terms of what the ABC should do to rectify the breach. We also look at future compliance-what they put in place to make sure that this doesn't happen again. Beyond that, under our act, we can provide a notice to the ABC about actions that it might take. That is the extent of our powers.

Senator HENDERSON: So what measures have been put in place by the ABC as a result of your finding against the ABC?

Ms Zurnamer: The ABC took the post down so there's no current public reference to that post in the public domain.

Ms Rainsford: I think they agreed to circulate the findings of our investigation to relevant staff so that could inform future decisions they make about what gets broadcast consistent with the privacy protections that they had put in their code.

Senator HENDERSON: Just to clarify, you say they took the post down. I understand this was actually vision captured in a news report, which was broadcast. Has the particular news story been removed from the ABC's online platform, for instance?

Ms Rainsford: Yes. That's what we understand it has done.

Senator HENDERSON: And the whole story has been removed or just the shots of the dating app?

Ms Rainsford: I think we would have to take that on notice.

Senator HENDERSON: So you are not sure whether they've-

Ms Rainsford: I am not in a position to say whether they've taken down that component of the news report or they've redacted the particular problematic component where this particular person's image was available. But we can take that on notice and come back to the committee.

17	SQ22-000552	Australian Communications and Media Authority	Sarah Henderson	ACMA - Documentation between ACMA and Treasurer's Office	<p>Senator HENDERSON: Have you made a submission to the Treasurer on the news media bargaining code?</p> <p>Ms O'Loughlin: We have been supporting Treasury with their review, but, as far as I am aware, I don't think we provided any advice on the nature of the agreements between the parties.</p> <p>Senator HENDERSON: Are you able to table the documentation between yourselves and the Treasurer's office?</p> <p>Ms O'Loughlin: It has been an iterative process. It has not been something where we put in a formal submission. The Treasury have been wanting to know really from our side of the fence how our responsibilities have been working. That is what we have been talking to them about.</p> <p>Senator HENDERSON: I would appreciate if you could table or take on notice to table that document.</p> <p>Ms O'Loughlin: We will take it on notice. We might be able to give you a sense of what the things are that we've provided over some time to Treasury.</p> <p>Senator HENDERSON: Thank you very much.</p>	87
18	SQ22-000555	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Breakdown of NBN equity investment	<p>Senator HENDERSON: Mr Windeyer, isn't it correct that that \$480 million investment in the NBN for faster fixed wireless and satellite was announced by the previous coalition government?</p> <p>Mr Windeyer: I was going to clarify that that was not included in the \$1.1 billion; that is in addition to the \$1.1 billion.</p> <p>Senator HENDERSON: So what is included in the \$1.1 billion?</p> <p>Mr Windeyer: That is the component that is upgrade to fibre to the premises in regional Australia.</p> <p>Senator HENDERSON: So that is the NBN component, is it?</p> <p>Mr Windeyer: That is the NBN equity injection component.</p> <p>Senator HENDERSON: Are you able to provide me with the details of how NBN has broken down the equity investment the government has made in the NBN?</p> <p>Mr Windeyer: I can take that on notice.</p> <p>Senator HENDERSON: While I appreciate there is suddenly this allocation of so-called regional funding under the NBN, could you please provide the details by which that allocation has been made by the NBN? We touched on that briefly before, but there has been no evidence given to this committee to substantiate what you are putting forward.</p> <p>Mr Windeyer: I would be very happy to take that on notice.</p>	92

19	SQ22-000556	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Rothschild report	<p>Senator HENDERSON: Are you able to provide a copy of that Rothschild report?</p> <p>Mr Brine: We would have to take that on notice. There may be commercial-in-confidence information.</p> <p>Senator HENDERSON: That's not a material issue for Senate estimates, as you know. Can you please provide that document to the Senate?</p> <p>Mr Betts: We'll provide that document if we're able to...</p>	95
20	SQ22-000558	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Documentation in relation to the consideration of the equity investment in NBN	<p>Senator HENDERSON: Are you are able to provide all other relevant documents in relation to the consideration of the equity investment in NBN?</p> <p>Mr Windeyer: Within the constraints of cabinet et cetera, we can certainly take that on notice.</p> <p>Senator HENDERSON: Obviously not something that is cabinet-in-confidence, but every other document- including the Rothschild report.</p> <p>Mr Windeyer: We'll take that on notice.</p> <p>Senator HENDERSON: Thank you...</p>	95-96
21	SQ22-000562	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Minister's meetings with stakeholders	<p>Senator HENDERSON: ...On that point, I want to briefly raise the issue of questions on notice Nos. 795 and 802-I know you won't have those in front of you. These answers have been tabled. I'm happy for you to take this on notice, Minister, and come back to me. I want to raise concern that I sought from the minister representing the Minister for Communications details of meetings that the minister had had with various stakeholders, including the name and position of the stakeholder, the date of each meeting and the topics discussed. I sought information on notice in relation to meetings held between the minister and the department and any union, and that information was openly provided. But the department has come back, and said, 'To provide this information would be an unreasonable diversion of the department's resources and would require an extensive period of time to assemble the material.' I've got a copy of the meetings. I'm just wondering how much time is required-</p> <p>CHAIR: Senator Henderson, I wonder if you could locate for us where those questions were asked?</p> <p>Senator HENDERSON: These questions have been tabled.</p> <p>CHAIR: I'm just trying to-</p> <p>Senator HENDERSON: 27 September. It's question No. 802.</p> <p>Mr Windeyer: They were parliamentary questions on notice, remember. They're not estimates questions on notice.</p>	96

					<p>Senator HENDERSON: No, parliamentary questions on notice. I'm just concerned that the department has indicated it doesn't have the resources to answer this question. Can I just understand how many people work for the department?</p> <p>Mr Betts: About 1,800.</p> <p>Senator HENDERSON: Mr Betts, I want to be really, very frank: I wasn't asking for an onerous amount of information.</p> <p>Mr Betts: I don't even know what you're asking for; you haven't told us yet.</p> <p>Senator HENDERSON: I just read it out, Mr Betts. It was asking for the details of each meeting with stakeholders conducted by the minister, including the name, the position and the organisation; the date of the meeting; and the topics discussed.</p> <p>Mr Betts: Okay.</p> <p>Senator HENDERSON: And the Minister representing the Minister for Communications has declined to answer the question. Could I ask you to take that on notice and perhaps furnish that information to me?</p> <p>Mr Windeyer: We will take that on notice.</p> <p>Senator HENDERSON: You've provided the stakeholder meetings, but-</p> <p>Mr Windeyer: I'll need to go and refresh my memory of the questions. I know there was a list of stakeholders provided in response to one answer.</p> <p>Senator HENDERSON: It was, yes. I don't think it's particularly onerous, and I was a bit disappointed to get that response...</p>	
22	SQ22-000563	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Response to PQoN 795 - Communications concerning Regional Connectivity Program, Peri-Urban Mobile Program and the Australian 5G Innovation Initiative	<p>Senator HENDERSON: ... Also, on question No. 795-again, a parliamentary question on notice-I asked for advice, correspondence and briefings in relation to the delays on the Regional Connectivity Program Round 2, the Peri-Urban Mobile Program and the Australian 5G Innovation Initiative. Again, I've been informed that answering this question would be an unreasonable diversion of resources. Given, Mr Betts, that you have 1,800 people working in the department, could I ask you to address those questions?</p> <p>Mr Betts: Sure. No problem, Senator.</p> <p>Senator HENDERSON: Thank you very much...</p>	96
23	SQ22-000565	Department of Infrastructure, Transport, Regional	Sarah Henderson	Mobile Black Spot Program - 54 projects election commitments	<p>Senator HENDERSON: Well, she gave an interview to the Guardian newspaper, and it was at that point unclear as to whether she was referring to round 2 or not. But, in any event, the Regional Connectivity Program obviously was a very important program delivered for regional</p>	99

		Development, Communications and the Arts			<p>communities throughout Australia. Thank you very much for providing that information. Could I ask for information in relation to the methodology that was used for the assessment of the 54 projects which constituted Labor election commitments under the Mobile Black Spot Program? Mr Windeyer, can you provide me with that methodology as to how those sites were selected?</p> <p>Mr Windeyer: I can't from our perspective. We are simply implementing the election commitment which specified the locations. We had no role in identifying those locations.</p> <p>Senator HENDERSON: Are you able to provide me with a list of the 54 commitments, the cost of each commitment, the location and any supporting material in relation to how each project was determined?</p> <p>Mr Windeyer: Senator, I've just said I can't give you anything in relation to how the location was determined, because they were election commitments determined by the then opposition prior to the election. I would be very happy to give you-</p> <p>Senator HENDERSON: But you would have received information in relation to those locations now?</p> <p>Mr Windeyer: We're very happy to provide you with a list of locations. I can't give you a list of the costs of serving each of those locations, because, as we said earlier, we are proposing that that will be a competitive process, so we will know what the costs of delivering on each of those individual locations are after we have run the grants process to get an applicant to fulfil them. But at this point in time I can certainly give you the locations, which we understand are the 54 election commitment locations which we will be implementing.</p> <p>Mr Paterson: Senator, if it assists, we can also give you our assessment of the mobile coverage or capacity issues at each of those sites based on the analysis we've done.</p> <p>Senator HENDERSON: Could you provide all information in relation to those 54 election commitments?</p>	
24	SQ22-000567	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Regional Connectivity Program - delay in confirmation of grants	<p>Senator HENDERSON: I want to return to the regional connectivity program. We spoke about the fact that the decisions were made well prior to the election and announced, after a very detailed, competitive process that was run by the department. Minister, why did it take the government nearly five months to confirm the delivery of those grants? There were many communities hanging on, not knowing whether they were going to be delivered or not.</p>	99-100

					<p>Senator Carol Brown: I'll first ask the department if they can provide any information, otherwise I will take that on notice and get back to you as soon as I can.</p> <p>Mr Windeyer: Mr Smurthwaite or Mr Paterson might be able to add more to it, but, in effect, there were some issues we needed to deal with in a technical funding sense-around movement of funds and availability of funds-to actually allow us to enter the contract at a point in time. There was a technical sort of appropriationfunding piece to work through. Mr Smurthwaite, can you add anything further to that?</p> <p>Mr Smurthwaite: There was money in 21-22 for the two RCP projects, which, as we entered into the caretaker period, we were not able to execute contracts for. That's a fairly common practice. What that left us with was a whole heap of money in 21-22, which we had to go through a process to move into the out years to enable us to enter into forward commitments and enter into contracts. I think, as described, it is a government internal process that is quite common at each budget.</p> <p>Senator HENDERSON: But if that was the case the department, as I have been advised, issued agreements or draft funding agreements on 30 May.</p> <p>Mr Smurthwaite: In good faith, without prejudice. It was clear we had to go through these processes.</p> <p>Senator HENDERSON: Why did it take nearly five months to appropriate those monies required to enter into agreements? Because, as I understand it, there are still some agreements that haven't been signed.</p> <p>Mr Windeyer: Responding to one of the earlier points in your question, we weren't in a position to actually execute the contracts during the caretaker period. Whilst we might have issued draft agreements, as Mr Smurthwaite said, they were on a without-prejudice basis. On the other side of the election we had the movement of funds issue. We can take on notice to see if we can give you some detail of the timing of when decisions of that movement of funds occurred, which would then have allowed us to enter into those contracts. I'm very happy to take that on notice.</p> <p>Senator HENDERSON: Thanks you, Mr Windeyer...</p>	
25	SQ22-000568	Department of Infrastructure, Transport, Regional	Hollie Hughes	\$20 million commitment to audit mobile connectivity on	Senator HENDERSON: ... I want to move to a \$20 million election commitment made by Labor when it was in opposition, which is of course part of the government's budget commitments. That's a \$20 million commitment to audit mobile connectivity around the country by	100

		Development, Communications and the Arts		Australia Post vans or motorbikes	<p>installing some sort of technology on the back of Australia Post vans or motorbikes. Many of the commitments that the then Labor opposition made were mimicking the work that we had done when we were in government under the fine former minister, Senator McKenzie. But this one is very curious. Why, minister, did the now government decide to commit \$20 million to Australia Post when there was no proven technology, rather than adopt a technology-neutral approach and use that funding to ensure that the government had access to the best technology to map mobile connectivity across the country?</p> <p>Senator Carol Brown: Again, I'll ask the department to first provide you with some information, but you would probably be aware that the minister has just recently been announcing the audit and the plan for the technology to be part of the Australia Post postal route. I'll refer to the department and they may be able to provide you with more information.</p> <p>Senator HUGHES: Can I ask a question that you just might want to consider. Having lived 80 kilometres out of Moree for a period of time on a road called Poison Gate Road, Mallowa, we didn't get postal delivery-at all. We had a post box in town, 80 kilometres away; the post did not come to us. That's a pretty big chunk of north-west New South Wales that Australia Post does not service. So, in response to this answer, how are regional and particularly remote rural New South Wales and other areas going to be covered in this audit if they don't receive Australia Post deliveries?</p> <p>Mr Windeyer: Senator, we're-</p> <p>Senator HUGHES: Because Poison Gate Road would love a delivery to the gate rather than a 160-kay round trip, but I can't see that happening anytime soon!</p> <p>Mr Windeyer: I shan't comment on that observation, Senator. It's fair to say, now that we've confirmed the commitments in the budget process, we are working through with the government how best to operationalise this particular commitment. It is the case that equipment placed on motor vehicles that is required to measure mobile phone coverage signals is a common proposition, but we are also conscious that there are factors such as the one you point out. So we are working through with government how best to give effect to that election commitment, including how best to utilise or take advantage of what</p>	
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					<p>opportunities Australia Post presents. But that's still subject to a degree of program design at the moment.</p> <p>Senator HUGHES: If you can take that on notice, and I'm sorry to jump in here-</p> <p>Mr Windeyer: I'm very happy to take that on notice.</p>	
26	SQ22-000542	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Coverage of roads that Australia Post delivers on	<p>Senator HENDERSON: Of the roads that Australia Post delivers on, what is the coverage?</p> <p>Mr Windeyer: I would have to take that on notice. I can't give you an answer as to what proportion</p>	101
27	SQ22-000543	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	David Pocock	Norfolk Island postage	<p>Senator DAVID POCOCK: Thanks, Chair. Thanks for your time. I've got a question about Norfolk Island postage. I understand there have been some ongoing challenges there; are you able to give an update of where things are up to with Norfolk Island?</p> <p>Mr Windeyer: I will see if Mr Caruso can offer you any detail. I suggest that, regardless of what we can give you, Australia Post itself may be able to give you more of a degree of information.</p> <p>Senator DAVID POCOCK: I'll take it up there as well.</p> <p>Mr Caruso: Australia Post are appearing this evening, so they'll be able to provide you with more information, but, as you know, a backlog of postal deliveries to Norfolk Island did build up and Australia Post has taken a series of actions to address that. Most recently, the Australian government subsidised four barge trips between Brisbane and Norfolk Island through to February 2023, so Australia Post was able to secure some space on those barges to help address the backlog. They also, as I understand it, chartered a flight at the cost of \$100,000, which carried over 1,400 items to the island-again, in view of the backlog and in trying to clear the backlog. My understanding is that, if it's not completely cleared, they've made significant process towards clearing the backlog and getting back to a more normal sort of delivery schedule to Norfolk Island. But I'd probably leave it there and suggest that Australia Post is appearing in a couple of hours.</p> <p>Senator DAVID POCOCK: Thank you. The department's actively working with Australia Post to try and solve this?</p> <p>Mr Caruso: Correct, and some of my colleagues in the territories area of</p>	103

					<p>the department, obviously, have broader responsibility for Norfolk Island. So those barges were not organised by Australia Post; they were an Australian government initiative to deal with broader issues in terms of supply to the island, not just post services.</p> <p>Mr Paterson: There's a sustainable shipping review being undertaken by the department.</p> <p>Senator DAVID POCOCK: I understand that. I'm going over for the shipping forum-on Monday week, I think-which I think everyone on the island is looking forward to. With the barges, given the significant costs, are you confident that they will be able to land and offload? Has work been done to ensure we don't send barges that are unable to offload?</p> <p>Mr Caruso: As I understand it, the barges were successful in the past and that has actually happened, but I'd have to take it on notice because it really is something that was organised by a different part of the department.</p>	
28	SQ22-000546	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Linkt scam that is being sent out via the Telstra network	<p>Senator HENDERSON: I've just been sitting here and received a scam text, actually, from Linkt: 'Linkt reminds you the bill has been on hold for a long time. Please deal with it immediately. You will be punished anyway.' I've got a Telstra account, and this is so scary. Minister, are you able to take this issue of the Linkt scam that is being sent out via the Telstra network and ask questions as to why this is happening? Why aren't these scams being caught as they should be?</p> <p>Senator Carol Brown: I can assure you that every endeavour, of course, would be to stop these scammers. And I'm pretty sure, if you received it, if I look at my phone I've probably got it as well. But I can assure you that the agencies that are in place to stop these sorts of scams going on are doing their best, but I will take on notice your comment and pass-</p> <p>Senator HENDERSON: This really looks like it's a fundamental failure of Telstra. So please take it on notice and inform the committee why these sorts of scams are being allowed to get through to Telstra account holders.</p> <p>Senator Carol Brown: I'm sure you're not saying that Telstra's allowing these false text messages to be sent out.</p> <p>Senator HENDERSON: I'm saying that Telstra is not stopping these scams which are coming through.</p> <p>Senator Hughes had it and referred to it a short time ago. I understand that it's a very difficult space for the telecommunications carriers. I do appreciate that, but this is one that is hitting so many phones, very,</p>	103-104

					<p>very frequently. It's a reasonable question to inquire as to why this is not being stopped.</p> <p>Mr Windeyer: We can take that on notice, Senator, and see what we can find out.</p>	
29	SQ22-000547	NBN Co Limited	Jonathon Duniam	NBN - end users and contractors who install and deal with NBN equipment	<p>Senator DUNIAM: I want to ask a couple of questions around end users and contractors who install and deal with NBN equipment. I understand there are a couple of changes around what they're authorised to do without needing to seek permission. I was provided with an article, which I will provide to you and the committee, if you would like-and I will seek your guidance on this, because some of it might be very technical, but it is really aimed at seeking a solution for the end users. The article states: 'The NBN allows registered cabling technicians to make a range changes to NBN equipment within a user's premises without seeking prior permission from NBN. Such changes may include rewiring a home in order to move a network termination device from one room to another more suited to the end user's needs. The original authority to alter only allowed registered cablers to modify internal cabling after the network boundary on the NBN FTTN network. That has now been expanded,' et cetera. It goes on to say: 'Note: all licensed cablers must use approved equipment and methods to make any modifications under the authority to alter, and all work still requires provisions of a TCA1 form,' et cetera. So it says you can do it without having to seek permission if you've got some sort of registration, but you need to use the right equipment. It's been put to me that those items are only available through a particular wholesaler, AWM, but they won't sell to these end users for installation. Are you aware of that?</p> <p>Mr Rue: No. Neither Katherine nor I are aware of that. Senator, can you help me with a source of the article?</p> <p>Senator DUNIAM: The article came from a magazine called Circuit-electrical contracting engineering. It's the March 2020 edition, in association with Master Electricians Australia, and it's the technical story from that article. I will provide that the committee.</p> <p>Mr Rue: Senator, we will have to take that on notice, because I'm not familiar-</p>	106
30	SQ22-000585	NBN Co Limited	Jonathon Duniam	NBN - equipment supply	<p>On a slightly separate matter, the pit covers are often concrete, sometimes composite. I understand Telstra has gone down the path of rolling out only composite pit covers, which are lighter, more durable,</p>	106-107

					<p>more expensive. What is NBN's position with regard to that? Are we looking at rolling out the composite or a mix?</p> <p>Ms Dyer: I will have to take that on notice. We follow engineering standards for everything that we do install. The majority of the pits are already pre-existing, and we only replace pit lids if they're damaged or they need replacing. When we install new pits, we upgrade them to the most current standard, but, in relation to the composite material, I would need to take that away</p> <p>Senator DUNIAM: If you could, yes. This was put to me with regard to new developments, industrial or residential. When someone goes to tender for the job, the person seeking the tenders will often go for the cheapest job, and because the concrete pit covers are cheaper than the composite ones, those bidding with composite built into their bid, their tender, often miss out, even though the material is better, more durable, better for the OH&S for the workers. If you could take that on notice, particularly whether NBN is looking at moving down the same path as Telstra in rolling out composite and not concrete. In terms of access to information around multistorey buildings, be they residential or commercial, who retains all of the information around the NBN infrastructure for a multistorey, multitenancy unit?</p>	
31	SQ22-000550	NBN Co Limited	Jonathon Duniam	NBN - Quality framework for contractors	<p>Senator DUNIAM: [...] Finally, there are two points that I want to go to. Are the standards required by NBN, around installation and further servicing or dealing with their equipment, readily available and how do contractors-</p> <p>Ms Dyer: Yes, they are. We have a certification program for contractors working on the NBN network. We have a quality framework and we also have an audit framework of those works that are competed, and they are readily available to those contractors. In fact, it's a requirement for them to be able to work with NBN.</p> <p>Senator DUNIAM: Do you think on notice, perhaps, you might be able to provide me with information around the program or the process a contractor would go through in order to gain accreditation? The audit process you mentioned. Also, on notice, please outline for me the ways in which anyone dealing with the equipment accesses the standards required of them.</p> <p>Ms Dyer: Absolutely-more than happy to.</p> <p>Senator DUNIAM: That would be great. Thank you.</p>	107

32	SQ22-000551	NBN Co Limited	David Pocock	NBN - breakdown of the fibre-to-the-premises upgrades by state and territory	<p>Senator DAVID POCOCK: You mentioned states and territories. Do you a breakdown of the fibre-to-the-premises upgrades by state and territory so far?</p> <p>Mr Rue: Sorry, can you ask that question again?</p> <p>Senator DAVID POCOCK: I'm asking about the proportion between the states and territories of your upgrades of fibre to the premises. What does that look like?</p> <p>Mr Rue: For the first two million premises that we are upgrading, we have announced all those areas and, therefore, the state and territory breakdown. We've announced the first 1.1 million, but I should stress that that does not necessarily cover every suburb. For example, we don't announce suburbs until we've actually built in an area that has more than 1,000 premises. The reason for that is that we don't always do a whole suburb, for example, so we may leave a particular part of a suburb out because it might have a lot of rock, it might be expensive or there might be other reasons that make it inappropriate for us to select that particular premises. We have announced, as I said, the suburbs with over 1,000 premises for the first 3.1 million homes, and that gives a pretty good indication of the breakdown by state and territory. The remaining suburbs that we will select will depend upon desktop reviews of how areas will be designed. Based upon that, we will, over time, announce the rest of the premises.</p> <p>Senator DAVID POCOCK: Do you have those figures on you for the proportion?</p> <p>Mr Rue: I don't have them on me. I'd have to take it away. But, again, not everywhere has actually been announced to date-</p> <p>Senator DAVID POCOCK: But what about the ones you've done to date?</p> <p>Mr Rue: so it won't give you a full picture. Plus, it's got to be added in to what technologies were already in those particular states.</p> <p>Senator DAVID POCOCK: My question was: of the upgrades you've already done, what is the split between states and territories? I'm interested in that.</p> <p>Mr Rue: Of the ones we've already done or already announced?</p> <p>Senator DAVID POCOCK: Already done.</p> <p>Mr Rue: We'd have to take that away, and hopefully we can give you that analysis.</p>	108
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33	SQ22-000553	NBN Co Limited	David Pocock	NBN - ACT upgrade to fibre-to-the-premises	<p>Senator DAVID POCOCK: [...]. Of the ones that you've announced and planned, do you know how many will be in the ACT?</p> <p>Mr Rue: Do we have that figure with us? If we don't, I can give you an estimate by the end of the hearing of what's been announced about the number of premises. One of my team members can give it to us.</p>	108
34	SQ22-000554	NBN Co Limited	David Pocock	NBN - Number of premises in the ACT not meeting legal requirement for minimum download speed	<p>Senator DAVID POCOCK: Finally, to stick with the ACT: do you know how many premises in the ACT don't meet the legal requirement for a minimum download speed of 25 megabits per second?</p> <p>Mr Rue: I would have to take out on notice. We can come back to you on that.</p>	109
35	SQ22-000557	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Media Release - Labor to fix blackspots, boost full-fibre NBN across Eden-Monaro	<p>Senator HENDERSON: I just want to ask you about a media release issued by Hon. Kirsty McBain, the member for Eden-Monaro, titled 'Labor to fix blackspots, boost full-fibre NBN access in Eden-Monaro' on 6 April 2022. She says:</p> <p>Our plan will see over 18,000 homes and businesses in Eden-Monaro gain access to world-class fibre connectivity. This will be rolled out across the region including but not limited to Jerrabomberra, Eden, Merimbula, Bungendore, Bega, Pambula and Dalmeny.</p> <p>I've looked up all of those suburbs and Dalmeny is included in the coalition's \$2 million FTTN upgrade, but on what basis could any member of parliament make commitments in relation to that expansion if those locations were not known?</p> <p>Mr Rue: You would have to ask the member, Senator.</p> <p>Senator HENDERSON: Is there any information that was released that would have justified making this claim?</p> <p>Mr Rue: No, Senator, you would have to ask the member.</p> <p>Senator HENDERSON: Minister, can I ask you about this? This appears to be a false claim made by the member for Eden-Monaro.</p> <p>Senator Carol Brown: Well, first of all, I really think that you should refrain from using that sort of language, because it won't be a false claim at all. I'll take your question on notice and get back to you as soon as I can.</p> <p>Senator HENDERSON: Well, we have just heard that there is no publicly released information which would have enabled anyone to make commitments about where this expansion would be delivered to and so,</p>	111

					prima facie, Minister, the claim by the member for Eden-Monaro does appear to be false.	
36	SQ22-000586	NBN Co Limited	Jonathon Duniam	NBN - FTTP expenses - Queanbeyan	<p>Senator DAVID POCOCK: Thank you. Mr Rue, just to finish, the one last question I had was on the added expense in the ACT. Is it different in Queanbeyan? Is it cheaper, say, in Jerrabomberra? Is it very much an ACT specific thing, or is it just-</p> <p>Mr Rue: Certainly the council regulations about where the poles are is an ACT thing. Whether there are specifically rock issues in Queanbeyan, we'd have to come back to you.</p> <p>Senator DAVID POCOCK: Thanks, Chair</p>	114
37	SQ22-000559	NBN Co Limited	Sarah Henderson	NBN - response times in isolated regions.	<p>Senator HENDERSON: The member for Maranoa has asked questions about trying to improve the response times when there are service calls in very remote parts of Australia. These are obviously areas serviced by satellite. There are major issues with the response time, and the clock often doesn't start to tick until the call is actually received. It is obviously very complex anyway, communicating in remote parts of Australia, including in the member for Maranoa's electorate. Are you able to give the committee any advice on your response times and whether they have been improved or whether there are plans to improve those response times?</p> <p>Mr Williams: I will need to take on notice the question as to what our response times are in isolated regions.</p> <p>Senator HENDERSON: I'm told they're 10 days but the clock only starts to tick once the phone call is received, and so it can take a very long time to get a response.</p> <p>Mr Williams: It can be longer than 10 days in some really remote and isolated regions, where, for example, there is limited access. We have a concept of limited-access areas, where we might need to hire boats or charters to get jobs done. It is a constant focus for us. The range of techniques that we're looking to deploy include, for example, self-recovery kits that might enable customers to have a crack at fixing the service. It could involve-this isn't a commitment, but we're looking at these options-staging some spare equipment on-site so that the individual and the premises could plug in the new device, for example. We're also improving the level of triage that we do in the network to make sure that we absolutely drain everything out of the tank to ensure that a truck role is absolutely necessary. We do everything we can in the network to avoid the need for a truck role. We understand that in a lot</p>	116-117

					of these areas individuals don't have alternative paths of communication, so it's a significant issue for our customers.	
38	SQ22-000560	Australian Postal Corporation	Sarah Henderson; Jane Hume	AUS POST - Mobile network coverage audit - Road coverage	<p>Senator HENDERSON: On the issue of vehicles and the government's plan to use Australia Post vehicles to audit mobile coverage across Australia, we've heard in evidence today that there's going to be some sort of partnership with another provider because Australia Post can't cover the country. How much of the country are you able to cover in this audit, Mr Graham?</p> <p>Mr Graham: We have conducted a trial in the technology, so we believe the technology does work. The question on how much we cover is a varied one. How do you ascertain that? Is it by the numbers of kilometres on highways? Is it by the physical landmass? I'll take on notice that specific response, because it will need a framework as to how we determine what we mean by 'coverage'. We do know that we cover 95 per cent of the population base in terms of delivering through our mail network, but obviously the question that you ask relates to a broader physical expanse. We will come back specifically on that. We are working with the departments to scope out what this project may mean. We are, we believe, the best equipped to cover the landmass that is available to a vehicle, because we are the most geographically dispersed company in Australia. But it is fair to say we don't cover every single pocket, and if the determination of that project is to do so, then there will be gaps between that determination and our network.</p> <p>Senator HENDERSON: So are you able to take on notice the number of roads in the country or the kilometres of roads that you cover, the roads you don't cover, and also the landmass? Your population reach is not really a very helpful figure, because Australians are wanting connectivity when they're on the move, not when they're in their houses. How are you going to be able to map connectivity across large tracts of land that may be vital for farmers and other types of businesses but may not be the roads that Australia Post uses?</p> <p>Mr Graham: I think it's a very good question. I think it is a detailed, complex answer. We can estimate how many kilometres of the national highways we operate on. Obviously we cover a vast area of the country and we are on those roads on a consistent basis. But as to how much of the national highway network or other road networks we cover in percentage terms, I'll come back to you and take that on notice. I think it is fair to say that there are areas of Australia that don't have roads or</p>	124-125

					<p>infrastructure, but that people may traversing, and therefore we have to work out, through working with the department and other stakeholders, how that data would be captured.</p> <p>Senator HUME: Aren't you moving a fair bit of mail and parcels around by air?</p> <p>Mr Graham: We are. We have 25 aircraft in our fleet, but we also cover an extensive road network-the most extensive road network in Australia by far. But, as you say, we will come back and take on notice just how much of the landmass that covers and, therefore, what gaps may still remain to be covered by some alternative means.</p>	
39	SQ22-000561	Australian Postal Corporation	Jane Hume; Sarah Henderson	AUS POST - Mobile network coverage audit - Motorbikes	<p>Senator HUME: Who are you talking to to deliver part of this audit, and where are you at with those discussions?</p> <p>Mr Graham: We've been advised, as everybody saw from the announcement, that the commitment has been made to establish this project. We are in early discussions with the department to ascertain what is next in relation to that in terms of operational execution, but we are in the very early stages. We know that we've run trials and those trials have proven the technology does work, that it can be fitted easily on our vehicles, and it captures the necessary technical information that allows people to determine whether there are gaps in the network. Beyond that, in terms of the broader scope and the operationalisation of that project, we are in very early stages with departments.</p> <p>Senator HENDERSON: So is the technology capable of being fitted to motorbikes or just to trucks and vans?</p> <p>Mr Graham: It's capable of being fitted to what we call our eDVs and also to motorbikes but, obviously, the larger and more sturdy the vehicle is, the easier it is to find a place to fit the technology. But we have tested it on a number of our vehicles and it's proven that it can remain on the vehicle for the duration of that trip and be able to download the necessary data to give the technical people what they require to ascertain the viability of the network.</p> <p>Senator HENDERSON: Including on motorbikes as well?</p> <p>Mr Graham: I'll revalidate that and take that on notice. I believe it is possible, but I don't want to make that commitment when I'm not 100 per cent sure, so I'll take that on notice and come back to you tomorrow if that's okay.</p>	125

					<p>Senator HENDERSON: Because many towns are not serviced by cars or trucks at all; they're serviced by motorbikes.</p> <p>Mr Graham: They are, but that is for a last-mile extension. We would have a van, or we'll have a van going into that town. But again I will take that on notice. I think it is a good point to clarify, because we certainly do have areas where there is difficult terrain, and the only means of servicing those areas would be a motorbike. As I say, I believe that a motorbike can take the device-it's a very small device-but I will validate that and come back to you if that's okay, Senator.</p>	
40	SQ22-000564	Screen Australia	Perin Davey	SCREEN AUSTRALIA - leasing liabilities	<p>Senator DAVEY: That is reassuring to hear. I know that there is a lot of work to be done in the sector, particularly to beef up the external view of the quality of Australian content and Australian product, because in my personal opinion it's fantastic but we need to value it within our own shores to ensure that others overseas value it.</p> <p>This is really my final line of questioning. I just want to get an understanding about some of your leasing liabilities in your departmental balance sheet: \$2.38 million for 2021-22, compared to \$101 million in 2022-23. That is quite a significant uplift.</p> <p>Mr G Mason: I would have to take that on notice and work out for you with our CFO and the department what that is.</p> <p>Senator DAVEY: Yes-and some detail about those variations, particularly over the forward estimates, to get an understanding there. Otherwise, that's it.</p>	128
41	SQ22-000566	National Museum of Australia	Perin Davey	NMA - Ancient Greeks exhibition	<p>Senator HUGHES: I'm a little bit confused about how that is the national history. Could you explain that to me but also let me know what the cost of that was and whether or not it was successful?</p> <p>Dr Trinca: Part of the museum's role is also to bring great collections from around the world to this country for the enjoyment of Australians, and obviously for their education and to give them an opportunity to access collections they might not otherwise be able to access that really represent the breadth of human experience of the globe. Just as we have a responsibility for communicating the Australian story to the world, we also think we have a responsibility to bring the best of the world's stories to these shores. Of course, we know that, in any circumstance, to understand our own history-especially the complicated history of this country, which is one made up of a long history of First Nations people here but also the stories of many people who have been welcomed to these shores in the</p>	132-133

					<p>past 250 years or so-an understanding of the cultures and societies of other nations, and other areas or regions of the world, bears as much on the capacity we have to understand our own history. So each year we generally bring major collections from abroad to this country. They are exercises in which we aim to raise the funds to defray the costs of bringing those exhibitions to these shores. In the case of Ancient Greeks, I think the total costs associated with that program, which ran from December to May, would have been in the order of \$2.5 million, and we were, through ticket sales and other revenue associated with the sale of merchandise associated with the show, able to defray the costs of that exhibition.</p> <p>Senator HUGHES: The full \$2.5 million?</p> <p>Dr Trinca: The \$2.5 million. I would have to get you the exact figures, but it was very close in this case.</p> <p>Senator HUGHES: If you could have a look on notice for me, that would be great.</p> <p>Dr Trinca: Indeed.</p>	
42	SQ22-000569	Australian Broadcasting Corporation	Sarah Henderson	ABC - Gender pay gap	<p>Senator HENDERSON: Thank you very much, Mr Anderson. Before we go to a private meeting, could I just ask your response in relation to my other letter, which is the disclosure of the roles, gender, place of work and remuneration band of ABC employees. I ask for that information, Mr Anderson, as a former ABC employee of some nine years. I witnessed many examples of inefficiencies; I witnessed much waste; I witnessed far too many middle management; and I don't have any cause to believe that things have improved very much. And there is a lot of concern within the ABC about the inequitable allocation of resources. So, for instance, I've recently learned that on a given day, the ABC Radio National Drive program was supported by nine producers, whereas some programs struggle to get one producer. So underpinning my request is to understand the fairness with which the ABC is allocating resources; how many people are located in regional and rural Australia, which is an issue of huge public interest; the gender pay gap, an understanding about the gender of who is in what roles and how much they are paid; and also the salary band, of course, which I've asked</p>	4-5

					<p>for in \$50,000 increments on a nonidentifying basis. So what I am trying to do is strike a balance between the individual's privacy and the need for the Australian taxpayer to understand and for the Senate to understand how the ABC expends roughly half of its \$1.1 billion budget per year.</p> <p>Mr Anderson: Senator, there are a number of elements to your question. Firstly, as to staff allocation, we have it by capital city, by bureau. It's in the annual report we provide, which is a headcount allocation of where staff are across the country. On page 77 of the annual report we do analysis on gender pay gap, which I'm happy to say has reduced, certainly in the last 12 months.</p> <p>Senator HENDERSON: And what is that gender pay gap now?</p> <p>Mr Anderson: The gender pay gap is down to less than six per cent. I believe it to be-I'll confirm it on notice-5.3 per cent, off the top of my head. But of course it should be zero...</p>	
43	SQ22-000570	Australian Broadcasting Corporation	Karen Grogan	ABC - Chronology of emails or letters from Senator Henderson	<p>CHAIR: We will now resume with the Australian Broadcasting Corporation. I'll just give a brief update. The committee has held a private meeting and has looked at the issue of considering the public immunity claim. We have not addressed that. There are a lot of documents to look at. The committee will have a look at the various documents. We'll consider the claim later in the week and then we will reserve our right to recall the ABC at a time after that, once we've had a chance to consider the next steps. I will ask for some further material.</p> <p>Mr Anderson, if you could run the chronology of the various emails or letters you have received from Senator Henderson in regard to this matter and table the actual letters that you received from Senator Henderson, that would be most helpful.</p> <p>Mr Anderson: Thank you, Chair-time period from last week, I assume.</p> <p>Senator HANSON-YOUNG: Yes, unless there's anything prior to that is relevant.</p> <p>Mr Anderson: I don't believe so but I'll table the chronology and the letters.</p> <p>CHAIR: If you could have them to the committee as soon as is reasonable-but obviously we need those materials to be able to consider</p>	8

					appropriately. Mr Anderson: I'll do that as soon as possible, Chair.	
44	SQ22-000571	Australian Broadcasting Corporation	Sarah Hanson-Young	ABC - Breakdown of expenditure on content	<p>Senator HANSON-YOUNG: You may need to take this on notice. I'd like a bit of a breakdown of what's spent on original drama, other types of entertainment content that isn't drama, and children's content.</p> <p>Mr Anderson: Certainly, Senator. There are two elements to that. If you look at appendix 8 of our annual report, you'll see that we do break that down. In that table it is both external commissions and internal commissions. We've updated that report with regard to what other reporting ACMA was looking for at the time, whereas before previously we just reported external spend-i.e. the spend with the independent production sector. I know off the top of my head that the spend with the independent production sector in the last financial year, which is on aggregate, which won't give you those genres, was about \$110 million or \$112 million, which then generated another \$140 million of funding sources from other places, whether that be from Screen Australia, the ATO through the offset, and state and territory funders, distributors et cetera. I can give you a breakdown of both external spend and internal spend.</p> <p>Senator HANSON-YOUNG: That would be very helpful...</p>	10
45	SQ22-000572	Australian Broadcasting Corporation	Sarah Hanson-Young	ABC - Sporting rights	<p>Senator HANSON-YOUNG: What sport does the ABC currently have access to?</p> <p>Mr Anderson: I can provide it to you on notice, Senator, but it largely revolves around access to radio rights, in that we're, if you like, boxed out of what are commercial sporting rights, in that we simply can't afford to do it. It is commercialised with regard to that sector, which then feeds back into that sport. We will always seek to have an element of whatever those big codes are that is free to air wherever we can but it is mostly tied up with radio rights.</p>	10
46	SQ22-000573	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	Access for ABC to show Australian sport free of charge	<p>Senator HANSON-YOUNG: Senator Brown, could you please take on notice, assuming you don't have the information before you, and by the end of today would be great, what commitment the current government has to ensuring that the ABC has more access to showing Australian sport free of charge to Australians?</p> <p>Senator Carol Brown: I'm happy to take that on notice. But, as you know, the government has commenced a review of the anti-siphoning scheme and list. This is being currently conducted and the consultations will consider everything involved, including the new-</p>	10

					<p>Senator HANSON-YOUNG: I understand the government is doing the review. My concern is I have not heard a peep out of your government about ensuring that our public broadcaster, which is accessible to every Australian through radio, through TV, through streaming services free of charge-I haven't heard anything from this government about expanding and ensuring that Australian sport is more accessible on the ABC platforms, and I'm interested to know whether the government has any such commitment.</p> <p>Senator Carol Brown: Certainly the minister has been on record but I'm happy to take it all on notice for you, Senator Hanson-Young...</p>	
47	SQ22-000574	Australian Broadcasting Corporation	Sarah Henderson	ABC - Ms Milligan speech	<p>Senator HENDERSON: Mr Anderson, I wanted to raise the issue of the speech given by Louise Milligan, and I refer to the letter that I wrote you on the 6 November. Can I table that letter, Chair. I'm seeking for the ABC to provide a transcript of the speech and a copy of any recording, along with all correspondence, emails, messages and briefing notes between Ms Milligan and the ABC in relation to the speech; a copy of any complaint by any third party sent to the ABC, including Ms Milligan; details of any payment, including in-kind payment, received by Ms Milligan; and some other related questions. What information can you provide me?</p> <p>Mr Anderson: Senator, I'll take the question on notice about what I can provide you, but I can give you an answer right now about this. When any ABC employee seeks to do what we'd call 'outside work', it's a policy that we've got, which includes speaking at non-ABC events-and this was not an ABC event; it was not put on by the ABC and it was not an ABC platform-then people are required to seek approval ahead of time. So that process was completed in this case. Approval was sought by Ms Milligan with regard to speaking at that event. We don't take responsibility when our people are acting in a personal capacity, but we do require that, given the nature of this and the fact that anything that anyone is going to say is not bringing the ABC into disrepute, they are abiding by our code of conduct and therefore not undermining their ability to do their job. We seek those assurances before they do it. Now, that process was followed by Ms Milligan seeking approval in advance. Subsequent to your-</p> <p>...</p> <p>Senator HENDERSON: Could you provide this committee with a copy of the speech, please?</p>	14-16

					Mr Anderson: I'll take that on notice, Senator. Yes, I'll provide you what we have.	
48	SQ22-000575	Australian Broadcasting Corporation	Sarah Henderson	ABC - Official duties undertaken by Ms Milligan	<p>Senator HENDERSON: Did Ms Milligan undertake any official duties for the ABC while she was in Canberra?</p> <p>Mr Anderson: I can't answer that, Senator. I don't know. I'll have to get back to you on notice.</p> <p>Senator HENDERSON: You'll take that on notice?</p> <p>Mr Anderson: Yes.</p> <p>Senator HENDERSON: Did Ms Milligan use any ABC resources to support her trip?</p> <p>Mr Anderson: I don't believe so. But, again, I'll confirm that on notice to you.</p>	16
49	SQ22-000576	Australian Broadcasting Corporation	Sarah Henderson	ABC - Policy in relation to work done by employees	<p>Senator HENDERSON: ...You've referred to your policy in relation to obviously employees working and doing other work. Did this happen on a weekday, do you know?</p> <p>Mr Anderson: I'll get back to you on notice, Senator. My understanding-I read somewhere that it happened at 6 pm on a Friday night. So that's when the speech was. But I have to confirm that on notice. That's just in my head.</p> <p>Senator HENDERSON: Is it normal for ABC staff to be given time off to attend to private matters like this or to speak at private functions or to do other private work?</p> <p>Mr Anderson: I wouldn't say it was normal, but we do have a process that sits around it. It depends on what it is. If Costa is required to turn up at a school and talk about gardening and if we think that's in the interest of Gardening Australia then we'll go through an approval process and think whether or not we should be paying for it. If there's something that's required that's outside of hours that we think is not relating to the ABC then we require an external work approval for someone to take that on. That could be attending a festival or sitting on a panel et cetera. We want to know, and want those assurances up-front, what it is, ensuring that people will not bring the ABC to disrepute when they're doing it; and, when they do it, they make it clear that they are not representing the ABC-they're not there in the capacity of representing the ABC. So that's what that approval is there for.</p> <p>Senator HENDERSON: All right, Mr Anderson, I look forward to receiving that further information.</p>	17

50	SQ22-000577	Australian Broadcasting Corporation	James McGrath	ABC - Employees ability to earn further income from another employer	<p>Senator McGRATH: This may have been touched upon-I apologise; I was at another committee hearing. In relation to the payments for ABC employees, are ABC employees able to earn income from other employment?</p> <p>Mr Anderson: Senator, they are. But, as I said, it's by approval. They need to seek approval to get other employment. That is-it depends on the nature of their work. If somebody is employed on a part-time basis, that might be two days a week, then, yes, they are able to have other employment. But, if somebody is full-time and they want other employment, we do expect an outside work form to be completed that's seeking approval to do something on an itinerant basis.</p> <p>Senator McGRATH: So is there a formal policy?</p> <p>Mr Anderson: Yes, there is.</p> <p>Senator McGRATH: Could you table that, please?</p> <p>Mr Anderson: I can.</p> <p>Senator McGRATH: And could you also table the forms that the people have to fill out. Who makes the decision whether an ABC employee can take on additional employment? Is it their line manager? How far up the chain is that?</p> <p>Mr Anderson: It goes up to director level unless delegated for specific circumstances, but otherwise it is director level.</p> <p>Senator McGRATH: Okay...</p>	18
51	SQ22-000578	Australian Broadcasting Corporation	James McGrath	ABC - Conflicts of interest policy	<p>Senator McGRATH: ...You touched upon this in terms of someone working two days a week and someone who's full-time. But does the policy delineate between the categorisation of work? For example, there's casual employment, permanent work, there's contract, there's also unpaid work, and there's sort of specific piecemeal work like speaking gigs and things like that. Does the policy take into account those differences?</p> <p>Mr Anderson: Look, it does. It's impossible to miss on the form. We're asking what it is-if people are being asked to speak; if they're attending a panel, for instance, are they being paid for it; are there costs involved that are being paid for by somebody else as a result of doing it. Sometimes it is just simply in kind in that people are not being paid for things, whether it's speaking or attending something. But, yes, that is incorporated into that approval.</p> <p>Senator McGRATH: What if it comes to conflicts of interest when an employee takes on additional work? Is there a separate policy for the</p>	18

					<p>ABC employees and the director who signs off on this? How does the ABC manage conflicts of interest?</p> <p>Mr Anderson: We have a conflicts of interest policy. We have other training that we roll out from time to time so that people are aware of their obligations with regard to raising what are potential or perceived or actual conflicts of interest with regard to a great many things. So we have a separate policy for that isn't just about work.</p> <p>Senator McGRATH: Could you table a copy of that policy, please?</p> <p>Mr Anderson: Yes, I can.</p>	
52	SQ22-000579	Australian Broadcasting Corporation	James McGrath	ABC - Records of employees seeking approval for additional employment from outside	<p>Senator McGRATH: Do you keep a register or a list of how many ABC employees do earn money from outside employment?</p> <p>Mr Anderson: Senator, it gets difficult with part-time employment-where people might be part-time for us in a part-time role and have employment elsewhere. Again, there's still an obligation on employees to tell us if that does generate a conflict of interest. We wouldn't keep records of how many are or are not working somewhere else-we certainly have records when people fill in an outside work request. We hang on to those when that approval is provided, and we also retain information when people disclose that they may have a potential perceived or real conflict of interest that needs to be managed.</p> <p>Senator McGRATH: Are you able to answer on notice in the last financial year the number of employees who did fill out one of those forms?</p> <p>Mr Anderson: The request for outside work?</p> <p>Senator McGRATH: Yes.</p> <p>Mr Anderson: I'll have a go at doing that for you, Senator. I'll be able to provide you something on notice.</p> <p>Senator McGRATH: Okay. Are you able to state whether any requests were rejected?</p> <p>Mr Anderson: Sometimes they are, simply because we might be concerned, first, about the payment if there's a payment involved and who it's with; and, secondly, the nature of what it might be. So we ask for that explanation in advance about what it is-the outside work request. Yes, I can recall instances where we have said no to people and said that's not approved.</p> <p>Senator McGRATH: On notice, could you list the number of rejections in the last financial year and, if possible, the reason for the rejection?</p> <p>Mr Anderson: Again, Senator, I will take that on notice and try to get back to you with something. Whether or not we actually keep the</p>	18-19

					rejections is a question that I do not know the answer to-whether we keep records of that, to be honest. But I will come back to you on notice.	
53	SQ22-000580	Australian Broadcasting Corporation	James McGrath	ABC - Approval for Ms Milligan's event speech	<p>Senator McGRATH: Why I've asked these questions-and I think my colleague Senator Henderson touched upon this-is that Louise Milligan spoke at the Women Lawyers Association gala dinner on Friday, 21 October. I'm just checking: Ms Milligan is an employee of the ABC?</p> <p>Mr Anderson: That's right.</p> <p>Senator McGRATH: Okay.</p> <p>Mr Anderson: And, I will add, an outstanding, award-winning journalist whose journalism is without question.</p> <p>Senator McGRATH: And someone who cost the taxpayers of Australia hundreds of thousands of dollars in relation to the settlement of a legal dispute. So there's another side to that, Mr Anderson, in terms of her quite sloppy approach in some areas. Did she seek approval to speak at this event?</p> <p>Mr Anderson: Ms Milligan did seek approval, yes.</p> <p>Senator McGRATH: Was she paid to speak at this event?</p> <p>Mr Anderson: My understanding is part of that approval sought was that she would be paid for that event.</p> <p>Senator McGRATH: Do you know how much she was to be paid for that event?</p> <p>Mr Anderson: I'd have to take that on notice.</p> <p>Senator McGRATH: Did that payment include flights and accommodation?</p> <p>Mr Anderson: Again, I'm going to have to take that on notice. I don't have that detail in front of me other than, yes, the approval included that Ms Milligan would be paid to attend that event.</p>	19
54	SQ22-000581	Australian Broadcasting Corporation	Sarah Henderson	ABC - Support provided to Mr Jackson following the publication of a tweet	<p>Senator HENDERSON: ...Did Mr Jackson receive any support or advice from the ABC in relation to the defamatory tweet that he published?</p> <p>Mr Anderson: Actually, I don't know whether he was contacted about the tweets that he'd made or whether he made that decision himself. Again, Russell Jackson is an outstanding journalist, but I think that was an error of judgement. He deleted that tweet. Notwithstanding that, we are investigating. So we're looking at that to see whether or not that was a breach of our code of conduct and personal use of social media.</p>	26-27

					<p>Senator HENDERSON: That wasn't the question I asked you. The question I asked you was: did the ABC provide any support or advice to Mr Jackson following the publication of that tweet?</p> <p>Mr Anderson: I don't know, Senator. I'll have to respond to you on notice as to whether he made the decision himself or whether he was contacted about it.</p> <p>Senator HENDERSON: I'll leave it for the moment at that point. I will have more questions. Thank you very much, Chair...</p>	
55	SQ22-000582	Australian Broadcasting Corporation	Sarah Hanson-Young	ABC - ABC staff in Ukraine	<p>Senator HANSON-YOUNG: Mr Anderson, I'm interested in the ABC's coverage and what you're doing in relation to journalists that you've deployed to cover the invasion into Ukraine. Countries right around the world have commented that this has gone on much longer than anyone would have expected. I'm interested as to what the ABC is doing in relation to its staff and those who are deployed there to cover the story, importantly, so that we all know what is indeed going on. Obviously, this invasion is stretching on and I'm interested to know how you're managing it and what things you're putting in place to make sure that those that are deployed are actually given appropriate support.</p> <p>Mr Anderson: We take risk assessments very seriously, and mitigating as much risk as possible, when we're deploying our staff overseas, particularly in areas of conflict. We take a lot of advice from the government as well as other local fixers, as they were, with regard to other employment from other security organisations when they travel. We have rotated people through. There are people in our London bureau who have been deployed and have done various stints in Ukraine, and they've done that both for general reporting and specifically for certain things. More recently, Steve Cannane went in there for Foreign Correspondent, which I think aired last week. We've done that for Four Corners. We've taken people out of the US; we've taken people like Barbara Miller and, at the time, Sarah Ferguson. And we're also taking people out of Australia. Greg Jennett is there at the moment. So we rotate people through to ensure we can do this in a sustainable way that is not compromising the safety or health and wellbeing of our staff as they go through. It's important that we are there, and that we can be there as safely as possible, and certainly on the ground, talking to people about their stories. But we do have all the</p>	29-30

					<p>checks and measures in place to make sure we are as safe as possible. There is risk, but we are taking what are very calculated risks that are mitigated by lots of other different things.</p> <p>Senator HANSON-YOUNG: How many staff do you have at any one time, or are you telling me that it varies? I guess I would like to know how many Australian journalists our broadcaster is sending there.</p> <p>Mr Anderson: I'll provide that to you on notice...</p>	
56	SQ22-000583	Australian Broadcasting Corporation	Sarah Hanson-Young	ABC - Support provided to staff returning from the field	<p>Senator HANSON-YOUNG: When somebody comes out of the field, a journalist or a camera operator comes out of the field, what support is offered to them in terms of debriefing, counselling, PTSD management?</p> <p>Mr Anderson: We have support services available. We have people on staff that are trauma counsellors, as well as services that we offer that are external to the ABC. They're available for staff and their families to use. I don't want to gild the lily, but there are people who do suffer psychologically from ongoing reporting, particularly of difficult situations, such as like what first responders see. That does take some management. We do offer those services across the board. I can't say that there is an absence of that happening to our people, because they are-</p> <p>Senator HANSON-YOUNG: Well journalists are people too, aren't they?</p> <p>Mr Anderson: All the people who are there, not just the journalists. The camera operators, the sound operators and the producers. There are a lot of things that don't make it on air, that are left out, that an editor sees that can be quite distressing. It broadens, and, yes, there are things that we do offer our people.</p> <p>Senator HANSON-YOUNG: Is that something the ABC has to budget for specifically and especially, or does part of that get covered by WorkCover? I'm really interested to know how much the ABC has to prepare a budget for that kind of post-deployment response versus dealing with everyday workplace management.</p> <p>Mr Anderson: We have a small team. There's a head of workplace health and wellbeing who is appropriately qualified and has a very small team, including the trauma counsellor and other people who I've talked about before. We also have an EAP service that we pay, that we budget for. The relationship with Comcover is we want to get people back to work as much as possible. That doesn't mean that we don't end up having psychological claims that are a cost there. The cost of Comcover goes up, appropriately, as it does for all agencies each year, depending on what</p>	30

					claims you have, and there are ongoing claims for the ABC. I'll provide a response to you on notice with regard to that. Senator HANSON-YOUNG: That would be helpful. Thank you.	
57	SQ22-000588	Office of the eSafety Commissioner	Sarah Hanson-Young	eSafety - Twitter letter	<p>Senator HANSON-YOUNG: ...I have some questions particularly in relation to where Twitter is going at the moment under the new management and ownership, of course, of Elon Musk and the impacts that that may have on the safety of everyday people back here in Australia. I am concerned to read the reports that most of the Twitter company staff in Australia have been sacked. If there is a complaint to be made-an issue of urgent safety if a child is at risk of harm-it seems it's very difficult now to get urgent action here on the ground in Australia. Is that your view? I'd like to know whether you have any concerns about this new direction of this platform.</p> <p>Ms Inman Grant: Thank you, Senator. I do share your concerns. As you probably recall, I was one of the first people put on the ground for Twitter in 2014, just before the Children's eSafety Commissioner was set up, and I have written a letter to Elon Musk today to assert that we have laws in place and that we have built cooperative arrangements over the past several years, since I came into the role in 2016. Clearly, when I was at Twitter, I saw the ways that harms manifested. I also saw the ways that improvements could be made to safety. So when there were allegations that only 15 per cent of trust and safety teams were excised, vis-a-vis half of the company, the question that I was positing was that that doesn't really tell the whole story. This is a complex operational ecosystem, so we need to know that we have people whom we can interface with here and who are looking after Australians' concerns and providing those back to HQ. So I was asking for clarification that they will be recognising our laws and responding expeditiously to our regulatory requests, whether they're formal or informal-as they have in the past-and I was clarifying what our escalation paths will be with the company so we can remediate harm.</p> <p>Senator HANSON-YOUNG: Can I ask that you table that letter to the committee. I would also like to ask, in anticipation, that the response that you get be made available to the committee.</p> <p>Ms Inman Grant: I will.</p>	32-33
58	SQ22-000497	National Museum of Australia	Hollie Hughes	NMA - Consideration of exhibitions	<p>1. Have you held or considered holding exhibitions on:</p> <ul style="list-style-type: none"> - Australian popular music from the 1960's to the 1990's? - Australian surf and beach culture? 	Written

					<ul style="list-style-type: none"> - Australia's world leading position in women being able to vote and stand for parliament, from the late 19th century? - Australia's record of immigration? - On Menzies, Holt and Gorton's time in Office and their role in establishing our National Cultural Institutions? - The renaissance of Australia's film industry from the 1960s? - The role of aviation supporting the development of Australia as a nation? - Discovery and history of iron ore exports? 	
59	SQ22-000599	Australian Communications and Media Authority	Sarah Hanson-Young	ACMA - Complaints	<ol style="list-style-type: none"> 1. Can you explain the changes ACMA made to the definition of complaints in 2017/2018 that has resulted in fewer complaints being recorded? 2. Why has the timeframe for investigations blown out to an average of 7.3 months last financial year, from 1.3 months in 2016-2017? 	Written
60	SQ22-000598	Australian Communications and Media Authority	Sarah Hanson-Young	ACMA - Advertising regulation	<ol style="list-style-type: none"> 1. Advertising industry has a self regulation system, however broadcast media is co-regulated by ACMA, while ACCC also has some oversight. Can you please explain how this works/ provide examples of how ACMA coordinates this co-regulation? <ul style="list-style-type: none"> - ACMA has regulations to address gambling advertising, as well as junk food kids advertising, are there any others? - Has ACMA ever acted and been responsible for the removal of advertising content? Can you provide examples? - As the government body co-regulating broadcasting media, what measures are in place to ensure that Ad Standards is maintaining good regulation and enforcement standards? - Are there any provisions or regulations that come under ACMA to monitor truth in advertising? - Has ACMA considered providing stronger regulations for truth in environment and sustainability advertising to guide the industry's self-regulation, similar to those around junk food and gambling? 2. Does ACMA have any input or oversight into AANA/Ad Standards complaints process and industry codes? <ul style="list-style-type: none"> - There have been many complaints this year to Ad Standards regarding misleading environmental and sustainability claims. Back in March Ad Standards said they would be updating their environmental code but they have not yet moved to do so – is there any word on when this will happen? --Will ACMA be involved in this review? 	Written

					<p>--Will there be a public consultation process?</p> <p>--Considering ACCC is also indicating they will crack down on greenwashing, will these review processes be coordinated amongst all bodies with a hand in regulating advertising (ACMA, Ad Standards, ACCC)?</p> <p>- Your website directs users to the ACCC for complaints regarding truth in advertising or misleading content.</p> <p>--Considering that ACCC only has a reporting rather than a complaints system, do you agree this is insufficient to truly address and ensure strong advertising standards are upheld in Australia?</p> <p>--Can you explain if and how ACMA and ACCC work together as government regulatory bodies to ensure advertising standards are upheld</p>	
61	SQ22-000597	Australian Communications and Media Authority	Sarah Hanson-Young	ACMA - Spending by subscription video on demand providers 2020–21 Report	<p>ACMA Report: Spending by subscription video on demand providers 2020–21</p> <p>- The ACMA Report "Spending by subscription video on demand providers 2020-21 says that SVOD providers "commissioned or co-commissioned" 22 new Australian programs and "acquired" 1,743 Australian. What is the difference between a "commissioned" and "acquired" program? Can you provide the definitions used and does "acquired" include re-runs?</p> <p>- In the Table 1 of the Report, you report the Hours and Titles for various genres, but not the expenditure for those genres. The Report is about spending by SVODs and you discuss the expenditure outcomes in the Report, so what is the reason why you don't publish the expenditure figures that go with each genre? These are aggregated figures across the SVODs, so it's hard to see how any commercial-in-confidence considerations could outweigh the public interest here. What's the ACMA's reason?</p> <p>- What is the definition of a "co-commission" for the ACMA in this report? Why does the ACMA include co-commissions with commissioned titles?</p> <p>- What is the definition of "Australian-related" programs that are included in this report?</p> <p>- Why are figures for "Australian-related" included but not a figure for "Australian" programs – the report only gives a percentage for Australian programs doesn't it?</p> <p>- Can the ACMA provide a breakdown of this spending between the</p>	Written

					<p>categories of "commissioned" and "co-commissioned"?</p> <ul style="list-style-type: none"> - Why does the ACMA distinguish between commissioned and acquired programs? - In your breakdown of figures provided in this report, you give dollar numbers for Australian drama and documentaries: - Do you collect data on all genres? (If not, why not?) - What is the figure for Australian sport and why isn't that reported here? 	
62	SQ22-000593	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	PDV Offset	Can you confirm that feature documentaries are not eligible to access the PDV offset and explain the rationale for that exclusion?	Written
63	SQ22-000595	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	Co-productions	<ol style="list-style-type: none"> 1. What co-production agreements are currently being negotiated? 2. Can you please provide the Committee with an update on the proposed Denmark-Australia co-production agreement? I understand that this has been in negotiation for many years now. What progress has been made and when do you expect to finalise the agreement? 	Written
64	SQ22-000600	Screen Australia	Sarah Hanson-Young	Screen Australia - Producer Offset	<ol style="list-style-type: none"> 1. Is Screen Australia aware of the article in The Saturday Paper of 22 October, "How Screen Australia is stalling small films"? Several important issues were raised in in, including that the length of time taken to process Producer Offset Final Certificates is now upwards of 11 months. What is Screen Australia doing to address this poor processing time? 2. Why do you think producers feel there has been a marked change in how applications for the Producer Offset are being dealt with? 3. What is the current timeframe for providing final certificates from the date received? What is the longest time and the shortest processing time from the past 6 months? 4. Can Screen Australia provide the Committee with details of Producer Offset processing figures for the number of applications received, accepted and rejected for each year for the past three years? 5. What is the current timeframe for providing provisional certificates from the date these are received? What is the longest time and the 	Written

shortest processing time from the past 6 months?

6. Has there been any policy change by Screen Australia or direction to your assessors regarding what is considered eligible expenditure for the Producer Offset in the past year?

7. What discretionary opinions referred to in The Saturday Paper article (22 October 2022: "How Screen Australia is stalling small films") as "discretionary opinions on the artistic merit and commercial viability of films" are applied by Screen Australia in Producer Offset assessments?

8. How does Screen Australia monitor for consistency in administration of the Producer Offset? How does Screen Australia ensure that expenditure is treated the same way in different applications?

9. What about the claim in The Saturday Paper that assessors approve expenditure on international projects but that this same expenditure is asked to be significantly discounted on Australian films and series? What does Screen Australia do to benchmark expenditure for consistency?

10. How many cases concerning the Producer Offset are currently before the AAT, how many in the past year and how many in each of the preceding 3 years?

11. Of those cases that were listed to be heard at the AAT, can you please provide the data on how many cases were settled by Screen Australia prior to the tribunal's final decision for all Producer Offset decisions made by Screen Australia in the past year?

12. Can Screen Australia provide figures for expenditure on legal services for each year of the past 5 years?

13. In your submission to the National Cultural Policy, Screen Australia suggested that the Producer Offset should be amended to require producers retain the 'producers' margin' for all projects that receive the Producer Offset. Could you explain the reason for this suggestion and how you think that the industry would benefit from this?

14. In your submission you also highlighted the work being done by the First Nations Department of Screen Australia and the benefit that more funding and resources would mean for increasing capacity building and investment in First Nations stories. How many professional development initiatives for First Nations people does Screen Australia run each year and how much was allocated to that in 2021/22?

65	SQ22-000591	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	Producer Offset	<ol style="list-style-type: none"> 1. What is the rationale for Screen Australia administering the Producer Offset and the Department administering the PDV and Location Offsets? 2. Do you undertake any benchmarking between yourselves and Screen Australia to ensure that you are seeking a similar level of accountability from applicants? Could you explain how you do this? 3. In a Department Media Release, "PDV and Location Offsets reaches record milestone" from October, it says that 880 productions have generated \$5 billion worth of expenditure into the Australian economy. <ol style="list-style-type: none"> a. What was the data set used to generate this release and is it publicly available? If so, can you provide a copy to the Committee? b. Is there any breakdown of the \$5 billion referred to between international and domestic productions? If yes, can you provide that? 4. Does the Department monitor expenditure on the various tax offsets? If so, could you please provide figures for spending on the Producer Offset, Location Offset and PDV Offset for each of the past three financial years? 5. Have any claims been made for access to the new 30% Television offset yet? When did access commence? 6. Does the Department monitor the administration of the Producer Offset by Screen Australia? 7. What data does the Department receive about how many producers applied for the Producer Offset, how many applications succeed and how many are rejected? <ol style="list-style-type: none"> a. [If available], can the Department provide the Committee with the figures for applications received, accepted and rejected for each year for the past three years? 8. Does the Department monitor the number of cases that go to the AAT where decisions about the administration of the Producer Offset by Screen Australia are disputed? What trends has the Department noted about this? 9. Can the Department provide details of how many cases concerning the Producer Offset are currently before the AAT, how many in the past year and how many in each of the preceding 3 years? 10. Of those cases that were listed to be heard at the AAT, can the Department outline how many cases were settled by Screen Australia prior to the tribunal's final decision? 	Written
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66	SQ22-000594	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	Australian Content and Children's' Television Standards 2020 (ACCTS)	At the time the Australian Content and Children's' Television Standards 2020 (ACCTS) were created, the Department indicated that a review would take place within two years. The free-to-air broadcasters reported on the ACCTS to the ACMA on 31 March 2022, showing an alarming drop in Australian children's programs on FTA channels. When can we expect this review to take place?	Written
67	SQ22-000592	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	Increase to Location Incentive	<p>1. In July 2020, the then Minister for Communications announced an increase of \$400 million to the Location Incentive, to be allocated over six years to 2026.</p> <p>a. Can you provide the figures for how much of this has been allocated for each financial year since this boost was implemented?</p> <p>b. Given that we are just two years past this announcement, how much is still left to allocate between 2023 and 2026?</p> <p>c. How much of this \$400m has been actually expended and how much has been allocated?</p> <p>d. Was this a demand driven program or what was the process of allocating funding to productions?</p> <p>2. Prior to the announcement of the near doubling of the Location Incentive, what work did the Department do to assess the impact on the screen industry of this increase? Did the Department do any assessment of the impact on overall domestic screen capacity and employment effects that bringing in large numbers of overseas productions would cause? Please provide details.</p>	Written
68	SQ22-000624	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	Meetings with News Corp representatives	How many times has the Department or representatives met with News Corp representatives in the last year?	Written
69	SQ22-000590	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	News Corp funding	1. How much government funding did News Corp receive in the FY21-22 through contracts or grants to the parent company or subsidiaries?	Written

70	SQ22-000596	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	National broadcasters	<p>Before being elected into Government, the Labor party pledged to implement and legislate 5 year funding cycles for our national broadcaster.</p> <ul style="list-style-type: none"> - Has the minister or the department commenced drafting legislation? - When is it likely to be introduced into parliament? - Are there any other planned measures to ensure funding certainty? 	Written
71	SQ22-000587	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Karen Grogan	"The impacts of violent video games from an Australian perspective" literature review undertaken by the Department	<p>Background Children & Media Australia are an advocacy group focusing on the protection of children engaging in media both as viewers and as a profession. They are concerned about expenditure and outcomes of a research project into the impacts of violent video games which was commissioned by Classification Policy Officers in the Department.</p> <p>The review can be found here</p> <p>Questions I have some questions about the literature review undertaken in September 2021 by the Department titled "The impacts of violent video games from an Australian perspective"</p> <ol style="list-style-type: none"> 1. What measure does the Department take to ensure that, not only do such firms that are commissioned to undertake reviews have requisite skills in social science research, but that the persons who will work on such projects have the requisite experience and expertise in the precise area of investigation? 2. In the case of the literature reviews commissioned by the Department in 2019 and 2021 on the impacts of violent videogames, did the Department ask the organisation commissioned to conduct the review to provide evidence of their expertise in videogames research and literature? 3. A recent FOI request asked for the names of and expertise in video games research possessed by the researchers who conducted the most recent of those literature reviews. 	Written

This request was denied on the grounds of 47C (deliberative processes), 47F (personal privacy), 47G (business information). If such research reports are to be used to shape government policy and action in the area of classification of media content, and therefore needs to have academic credibility, does not the Department acknowledge the need for the authors of such research, and their expertise, to be public information?

NOTES from FOI response

Reason for Decision from FOI ACT

Section 47C (Deliberative processes)

Section 47C of the FOI Act provides that a document is conditionally exempt if its disclosure would disclose a matter (deliberative matter) in the nature of, or relating to, opinion, advice or recommendation obtained, prepared or recorded, or consultation or deliberation that has taken place, in the course of, or for the purposes of, the deliberative processes involved in the functions of an agency, a Minister or the Government of the Commonwealth.

Section 47F (Personal privacy)

Section 47F of the FOI Act provides that a document is conditionally exempt if its disclosure would involve the unreasonable disclosure of personal information about any person (including a deceased person). Paragraph 6.129 of the FOI Guidelines provides that personal information is:

- information about an identified individual or an individual who is reasonably identifiable.
- says something about a person.
- may be opinion.
- may be true or untrue; or
- may be recorded in material form or not.

Section 47G (business information)

Paragraph 47G(1)(a) of the FOI Act provides:

(1) A document is conditionally exempt if its disclosure under this Act would disclose information concerning a person in respect of his or her business or professional affairs or concerning the business, commercial or financial affairs of an organisation or undertaking, in a case in which

					the disclosure of the information: (a) would, or could reasonably be expected to, unreasonably affect that person adversely in respect of his or her lawful business or professional affairs or that organisation or undertaking in respect of its lawful business, commercial or financial affairs	
72	SQ22-000589	Australian Broadcasting Corporation	Jonathon Duniam	ABC - Complaints regarding 4 Corners episode on 5 September 2022	1. Has any complaint been lodged relating to the 4 Corners program that aired on 5 September 2022 relating to Tasmania?	Written
73	SQ22-000621	Australian Broadcasting Corporation	Claire Chandler	ABC - Lobby groups	<p>1. Why does the ABC believe that it is appropriate for a public broadcaster with a duty to report impartially to pay membership fees to lobby groups?</p> <p>2. Why does the ABC believe it is appropriate to apply for, and receive, awards from a lobby group for the Managing Director and for its media coverage, as the ABC has?</p> <p>3. Does the ABC agree that the organisation and the Managing Director receiving awards from a lobby group has the potential to discourage ABC journalists from scrutinising that lobby group and its positions?</p> <p>a. If not, what is the basis for this assessment?</p> <p>4. Does the ABC agree that the organisation being a paid member of a lobby group and receiving awards from that lobby group has the potential to discourage its journalists from reporting on government departments and agencies also being paid members of the same lobby group?</p> <p>a. If not, what is the basis for this assessment?</p> <p>b. Has the ABC ever reported on the paid membership of dozens of government departments to the lobby group ACON, and/or its Pride in Diversity, Pride in Sport and Pride in Health offshoots?</p> <p>5. Have any members of the ABC Board or senior management listened to the extensive BBC Radio Investigation into the lobbying practices of Stonewall and its Diversity Champions Scheme (on which ACON based its Australian Workplace Equality Index)?</p> <p>i. If not, why not?</p> <p>ii. If so, why does the ABC believe that the lessons of perceived bias which led the BBC to withdraw from the Stonewall scheme do not apply to the ABC and its paid involvement with ACON?</p> <p>6. Freedom of Information documents reveal that the ABC submitted evidence of the existence of an internal staff organisation to gain points</p>	Written

					<p>in an awards from ACON in 2022, and provided evidence to ACON that this internal organisation is involved in providing 'guidance' on editorial corrections and editorial content. Why does the ABC consider it appropriate to submit evidence of editorial changes to a lobby group in order to seek awards from that lobby group?</p> <p>7. The ABC has stated that participation in "benchmarking indexes" run by lobby groups "have no bearing on editorial processes". Did the ABC audit all contact between the lobby group and its staff before making this statement?</p> <p>a. If so, how many times did ACON, Pride in Diversity and its affiliates contact ABC staff over the last five years?</p> <p>b. If not, how can the ABC state that its involvement with the AWEI had "no bearing on editorial processes"?</p> <p>c. Can the ABC explain how the statement that participation in benchmarking exercises have "no bearing on editorial processes" is consistent with evidence the ABC submitted in its 2022 AWEI submission to specifically demonstrate that activities it receives points for in the benchmarking index DO have a bearing on editorial processes?</p> <p>8. What was the total cost (including staff time) for the ABC to participate in and make submissions to the ACON AWEI?</p> <p>9. The ABC's Diversity and Inclusion Commissioning Guidelines provide a number of targets specifying that 50 per cent of the cast must be "women or gender diverse". Does the ABC accept that a program could feature 0 females and still meet this gender diversity target?</p>	
74	SQ22-000620	Australian Communications and Media Authority	Gerard Rennick	ACMA - Promotion of medical products	<p>A number of private organisations in the media, medical professionals, and Pfizer have claimed the Pfizer covid vaccine was safe and effective without outlining the risks or lack of quality assurance in regard to testing the vaccine. Genotoxicity, carcinogenic, and longitudinal testing are just some of the tests that didn't occur. Other risks with missing information are outlined in the table below. There were only around 19,000 from the vaccinated group evaluated when over 21,000 were vaccinated?</p> <ul style="list-style-type: none"> • What laws are in place to ensure that all risks are outlined as well as the rewards when medical products are advertised or promoted – if laws do exist why weren't the upheld in the case the Covid-19 vaccine? • What recourse do victims of the Covid-19 vaccine have against private 	Written

					<p>organisations such as the media, pharmaceutical companies, and health professionals who constantly repeated the vaccine is safe and effective without highlighting the risks?</p> <ul style="list-style-type: none"> • What steps will The Australian Communications and Media Authority take in regard to the promotion of medical products in order to prevent misleading and deceptive conduct in the future? 	
75	SQ22-000748	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	Number of times department has met with the streamers	<p>Senator HANSON-YOUNG: You will need to take this on notice. How many times have members of the department met with Netflix, Disney, Paramount, Stan and Amazon? I'd also like to know how many times either of the ministers, both Minister Rowland and Minister Burke, have met with them.</p> <p>Dr Arnott: We can take that on notice.</p>	5
76	SQ22-000749	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	Number of times Communications Minister has met with streamers	<p>Senator Chisholm: Minister Burke has met with the streamers once. I'll have come back on notice if you want a list of with whom.</p> <p>Senator HANSON-YOUNG: Yes. I really would be interested to know how many times Minister Rowland has met with them.</p> <p>Senator Chisholm: I thought the responsibilities were that Minister Burke is responsible for streamers and Minister Rowland is responsible for free-to-air.</p> <p>Senator HANSON-YOUNG: This is an interesting question. I would like to know how many times the communications minister has met with them, so I'd like that taken on notice. While we're at this point, it would be interesting to know who is responsible for this space, from the government's perspective, because I am unclear about it.</p>	6
77	SQ22-000751	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	Minister responsible for introducing legislation	<p>Senator HANSON-YOUNG: Yes, and here is an intersection of the two issues. Let me ask this question, and this might help get some clarification. Minister, I suspect that perhaps you might need to take this on notice: if any legislation is to come forward, who will be the minister responsible for introducing the legislation?</p> <p>Senator Chisholm: I'll come back to you on notice about that, but from a government point of view they have joint responsibility for decisions around streaming.</p> <p>Senator HANSON-YOUNG: Yes. Can you tell me whether the cabinet has even discussed this issue? Senator Chisholm: I'd have to take that on notice. We obviously don't normally discuss-</p> <p>Senator HANSON-YOUNG: I'm not interested in what you discussed. I just want to know whether it's a matter that's been to cabinet.</p>	6

					<p>Mr Betts: I think that would impinge on what cabinet had discussed, then, wouldn't it?</p> <p>Senator HANSON-YOUNG: Surely you discuss upcoming legislation. I'm not asking for the details of the discussion; I'm asking whether the matter has been discussed.</p> <p>Mr Betts: We'll give you what information we can on notice.</p>	
78	SQ22-000753	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Perin Davey	RISE program	<p>Senator DAVEY: Of the projects, sorry, yes-not the funds. Do you also have an understanding of how many of the funding recipients had not previously received funding from the Commonwealth? Did you do that sort of data collection?</p> <p>Mr Cox: I would have to go and interrogate our records to see whether or not we had that data. I would be happy to take that on notice.</p> <p>Senator DAVEY: I would appreciate that. What was the stakeholder feedback like?</p> <p>Mr Cox: Generally speaking, it was very well received. The program was in and of its time, in the sense that it was delivered at the peak of the COVID outbreak, and the feedback the department received was very complimentary.</p> <p>Senator DAVEY: You have actually effectively created it, but you will take that on notice. Looking at the last round, which was completed, assessed and awarded before the caretaker period, when are they due to be acquitted?</p>	8
79	SQ22-000754	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Number of meetings between Ministers regarding media policy	<p>Senator HENDERSON: When you say there's joint decision-making, I would again ask you to explain why all of the statements are being made by Minister Burke and not by Minister Rowland.</p> <p>Mr Betts: I'm not sure it's for officials to explain the cant of what ministers talk about in public.</p> <p>Senator HENDERSON: What I'm asking you for is evidence that this is a joint responsibility. Because it doesn't look like that—it looks like Minister Burke is walking all over Minister Rowland.</p> <p>Mr Betts: Let me explain. The way these policies get made is that, ultimately, they come before cabinet and are a matter for the cabinet. They become government policies, so ministers are necessarily taking those decisions collectively. In this case, there are two ministers who are working together and who will bring proposals to cabinet in due course.</p> <p>Senator HENDERSON: Can you give me some evidence of how they are working together? Because it doesn't look—</p> <p>Mr Betts: No, I can't, because I can't disclose the way in which ministers</p>	11

					<p>work with each other and the private discussions that might take place between them.</p> <p>Senator HENDERSON: It just doesn't look like they are sharing this responsibility.</p> <p>Mr Betts: I can't answer to your perceptions.</p> <p>Senator HENDERSON: Are you able to take that on notice? Can I ask for some further evidence? Everyone in the media sector is noticing that a large part of the communications portfolio has suddenly been railroaded by Minister Burke.</p>	
80	SQ22-000742	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Ross Cadell	Appointment of Susan Templeman MP	<p>Dr Arnott: The government appointed Susan Templeman MP as the Special Envoy for the Arts. She supports the minister for the arts in his activities.</p> <p>Senator CADELL: Is there a specific job sheet or KPIs or anything associated with the position?</p> <p>Dr Arnott: I'd have to take that on notice.</p> <p>Senator CADELL: Okay.</p>	15
81	SQ22-000743	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Ross Cadell	Appointment of Susan Templeman MP - parliamentary arrangements	<p>Dr Arnott: I believe there's agreement to her functions and role.</p> <p>Senator CADELL: On notice, can you ask for a letter of appointment if it's there?</p> <p>Dr Arnott: I can take that on notice.</p> <p>Senator Carol Brown: She does report as well.</p> <p>Senator CADELL: That's what I thought. It would be like the Special Envoy to the Great Barrier Reef reports. How's the budgeting of that? Is there unlimited travel? Are there entitlements to their staff? What's the funding arrangement of that office?</p> <p>Dr Arnott: I'd have to take that on notice. I'm not familiar with the parliamentary arrangements.</p> <p>Senator CADELL: That's not a problem.</p> <p>CHAIR: On a point of clarity, would that be a question for Prime Minister and Cabinet? Senator Cadell, that's where appointments are held, FYI, for later. That might be a useful thing to remember.</p> <p>Dr Arnott: Yes. Or it could be for the Department of Finance, potentially, regarding parliamentary entitlements.</p> <p>Senator CADELL: Okay.</p> <p>Senator HENDERSON: Could you still take it on notice and answer that</p>	16

					<p>question to the extent that you can? Thank you. Dr Arnott: I will. Senator CADELL: Thanks, Chair.</p>	
82	SQ22-000744	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Optus breach - data shared with banks	<p>Senator HENDERSON: Thank you. Good evening, and thank you so much for attending this evening. I would like to start by asking about the Telecommunications Amendment (Disclosure of Information for the Purpose of Cyber Security) Regulations 2022. On 6 October, the government-the Minister for Communications and the Treasurer-made an announcement in relation to these changes to the regulations, which spoke about the importance of giving the banks access to Optus customers' data so that the banks could flag any potential irregularities or avert any potential fraud. Can you give me an update about how much of that data has been shared and how many banks have participated in that scheme so far? Mr Kathage: The latest information we have from Optus is that information has been disclosed to financial institutions from 18 November. As we understand it, Optus has been working over the last couple of weeks with financial institutions to put in place appropriate protocols as required by the regulations to allow the disclosure of that information. I would need to take on notice the number of financial institutions that Optus has been able to disclose information to and also the volume of that data. Senator HENDERSON: My information is that so far there has been no disclosure from any of the banks. There has been no sharing of data. Are you confident that any of the banks have shared data? Mr Kathage: The way the regulations work is that Optus would share information with financial institutions- Senator HENDERSON: Yes, receiving the shared data. Mr Kathage: That's right. Senator HENDERSON: Let me correct myself. I'll ask you that question again. My information is that Optus has not shared data with any of the banks or financial institutions-is that</p>	16-18

correct?

Mr Kathage: Not according to the information provided to us by Optus.

Senator HENDERSON: Which banks have received information?

Mr Kathage: As I mentioned, I will need to take on notice the names of the financial institutions that have received data.

Mr Brine: I might be able to help. Senator, when developing those regulations we consulted closely with the ACCC and their scams area. They were very strongly of the view that we should not disclose the names of entities that receive the data, as it would act as a kind of roadmap for entities that had put in place enhanced cybersecurity protections and entities that had not. So we are not proposing to disclose the names of financial services entities or government entities that have accessed that data and put those enhanced protections in place. We are instead working with the ACCC to disclose in their annual reports and aggregated report the number of entities that have received the data but not the identities of those entities.

Senator HENDERSON: Can you provide me or the committee with that particular advice, in relation to those disclosure requirements? At the time of making the announcement, the government said it had undertaken extensive consultation insofar as the design of these regulations is concerned. But my advice is that there were a whole lot of holes in that consultation.

For instance, the banks were blindsided in relation to the fact that they needed to enter into an enforceable undertaking with the ACCC. Then APRA became involved and required an attestation statement in relation to the banks complying with ASIC obligations. As I understand it, Optus then required the banks to enter into data-sharing agreements, and they've only just been issued.

Mr Brine: I think the advice you received is incorrect. The banks were closely involved in developing the regulations and they were aware of all those requirements.

Senator HENDERSON: Could you provide me with evidence to that effect? Could you provide me with the

consultation-

Mr Brine: I think they just provided verbal evidence, but I can take it on notice.

Senator HENDERSON: Yes, take that on notice insofar as the advice that you gave the banks, that they would be required-

Mr Brine: We could tell you when the meetings occurred, if that's-

Senator HENDERSON: No, Mr Brine. What I'm interested in, apart from when they occurred, is the

substantive consultation that occurred between the banks. I think it's fair to say the banks were very keen to do the right thing, to make sure that they could identify potential fraud, customers who were also Optus customers.

Weeks and weeks ticked past and no information was shared. So the banks have now identified customers by way of people who have made payments to Optus as one way to identify or red flag any potential issues with their banking customers.

The compliance obligations on the banks were onerous, and I would put to you that they were not aware that they would be required to enter into enforceable undertakings with the ACCC. They have now been required to enter into very onerous obligations insofar as their ASIC obligations are concerned. There are also concerns in relation to the civil penalties that they would face if they were to breach the enforceable undertakings with the ACCC.

Mr Brine: As I said before, that's incorrect; they were aware of all those aspects.

Senator HENDERSON: I would greatly appreciate it if you could provide me with that evidence, including all documents, emails, briefing papers and the like between the minister, the department and the banks and/or the banks' representatives so you could perhaps demonstrate the level of consultation.

Mr Brine: I understand you want me to take that on notice and come back to you with documents, in order to step through the process and provide the evidence. I'm very happy to do

					<p>that.</p> <p>Senator HENDERSON: Thank you very much. On what date did Optus first share any of its information with any bank or financial institution under these new regulations?</p> <p>Mr Brine: I will take that on notice. There are a number of government entities-</p> <p>Senator HENDERSON: Mr Kathage, do you have that date?</p> <p>Mr Kathage: I don't have it with me, I'm afraid. We might need to take that one on notice.</p> <p>Senator HENDERSON: Is there anyone in the room who could possibly provide that date? I would have thought that if this is your area of responsibility-this is hot off the press. This Optus agreement, Mr Kathage, has only recently been distributed to the banks. So I would suggest to you that if you don't have that date before you or an approximate date-is there anyone in the room or who's listening who might be able to provide that date and come back during the time that you're before the committee?</p> <p>Mr Windeyer: I think Mr Kathage gave you an indication earlier of when the agreements were settled for the sharing of information and the date upon which that occurred. We will get you the answer on notice. Officials have a whole lot of information here-</p>	
83	SQ22-000745	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Optus breach - data sharing	<p>Senator HENDERSON: The Optus data breach happened nearly two months ago. Why did it take until only a few days ago for that information to be shared?</p> <p>Mr Kathage: I think one way of answering your question is to reflect on the safeguards that are built into the framework. The absolute thing that we wanted to avoid was further disclosure of unauthorised information. That's why the regulations impose a number of safeguards, to prevent further disclosure. It takes some time to put those safeguards in place.</p> <p>Senator HENDERSON: But isn't there a real danger that the horse has bolted, that a lot of the damage has been done? These regulations were passed in early October; it's now late November. That's a lot of time for someone to act improperly in relation to either fraud, or irregular</p>	18-19

					<p>transactions, or theft of banking information. That's a big amount of time when nothing happened.</p> <p>Mr Betts: That's a completely inaccurate reflection of that period. We might need to explain to you some of the processes that we had to go through, in so far as we were able, to ensure that data was protected appropriately during that process; the safeguards that were put in place.</p> <p>Senator HENDERSON: I appreciate that there were those hurdles, Mr Betts. I do appreciate that. The concern that I'm raising is that these regulations were passed. The media statement says the government made major commitments:</p> <p>... to allow Optus and other telcos to better coordinate with financial institutions, the Commonwealth, and states and territories ...</p> <p>Yet only a number of days ago has there been any sharing of information between the banks and Optus. What about other entities under these regulations? When did that data sharing commence?</p> <p>Mr Kathage: I don't have that information with me. We can provide that on notice and the kinds of entities.</p> <p>Senator HENDERSON: This was all about making sure that fraud could be detected and mitigated. You don't have any other information in relation to when this information was shared with other entities?</p> <p>Mr Kathage: Not with me, but we can supply that on notice. If it's helpful, we can step you through the safeguards that were built into the regulations.</p> <p>Mr Betts: I think that would be helpful, given the senator is asking questions about the elapsed time which occurred. These are important challenges that need to be confronted along the way.</p> <p>Senator HENDERSON: I'd appreciate that...</p>	
84	SQ22-000746	Department of Infrastructure, Transport, Regional Development,	Sarah Henderson	Optus breach - copy of documents from various entities	<p>Senator HENDERSON: ... and if the committee could have a copy of the enforceable undertaking, the correspondence with APRA in relation to their requirements, and also a copy of the agreement that Optus is proposing in relation to its data sharing, which I understand is reasonably onerous, in terms of the requirements on those who would</p>	19

		Communications and the Arts		<p>receive this information. I would appreciate it if that information could be provided to the committee also.</p> <p>Mr Kathage: We would need to talk to the various entities involved in making some of those instruments, as you mentioned, to determine whether they can be supplied. I will just say, in relation to the enforceable undertaking, I believe that the term in the regulations is 'written commitment'. I'm just careful that that's a term of art, so that that's an accurate reflection of what was provided. In terms of the kinds of safeguards that are in place, the first and probably the most important safeguard is the type of information that can be disclosed. The regulations allow government related identifiers to be disclosed to financial institutions and government agencies. It doesn't include a person's name or address or anything like that. It's a unique identifier that's assigned to a particular document by a government. That would include things like a passport number, a drivers licence number and so on.</p> <p>The second important safeguard there is to whom a disclosure can be made. There's quite a specific definition of 'financial institution' included in the regulations that allows the carrier to disclose only to those specified entities. I will mention that the reason the regulations are required is that they create an exception to the general prohibition in the Telecommunications Act to disclose information about subscribers. It is worth noting that the penalty in those laws for unauthorised disclosure is two years in prison. So it is quite a hefty prohibition.</p> <p>Senator HENDERSON: Could you also describe the penalties that would apply, including to the banks, if there was some breach of a written commitment or undertaking or however you want to describe it with the ACCC? That would have very serious consequences. That is also hampering the ability of the banks to receive this information in a way which gives them a meaningful opportunity to respond quickly. Again, I make the point that it is almost two months down the track and some of this information is only just now being shared.</p> <p>Mr Kathage: The penalties that might be associated with the financial institutions would be specified in the written commitment, so that is not something that would be specified in the regulations themselves.</p> <p>Senator HENDERSON: I realise that, but could you provide that detail as well.</p> <p>Mr Kathage: It will depend on what the ACCC can provide us, I think.</p>	
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85	SQ22-000747	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Karen Grogan	Link between ABC as an emergency broadcaster and other providers	<p>CHAIR: With emergency broadcasting-I just say this because I have been meeting with some regional radio stations-obviously, the stronger the ABC is, the more able it is to withstand whatever might be thrown at it in this great country of ours. But is there a linkage from the ABC to other smaller providers? I'm thinking of a couple in particular that broadcast to remote Aboriginal communities. Is there any backup piece there?</p> <p>Mr Windeyer: Are you asking in relation to whether the ABC, as an emergency broadcaster, helps or works with community radio that might also be in emergency broadcasting territory? I'd have to take that on notice, Senator, to be honest.</p> <p>CHAIR: That's totally fine.</p> <p>Mr Windeyer: It is certainly the case that there are other radio organisations that can provide a really important service during emergencies, but as to quite how that works between the ABC and those, in particular with respect to Indigenous broadcasters, we'll take that on notice.</p> <p>Mr Paterson: I will make one observation, though, which that these tower sites are often used by multiple providers. So if you are doing something to the site for one provider, it would have flow-on impacts to the other providers operating off that tower as well.</p> <p>CHAIR: Of course. Thank you very much.</p>	23-24
86	SQ22-000750	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Consultation on the Mobile Black Spot Program	<p>Senator HENDERSON: I want to go on to the consultation on the Mobile Black Spot Program, on the mobile coverage round. Currently there is consultation on the criteria. Could you describe the consultation-what has been received so far? In relation to the full consultation, could the committee be provided with all submissions to the department in relation to that consultation? Could you please provide on notice the details of each of the 54 targeted locations which are the election commitments made prior to the election?</p> <p>Mr Paterson: The details on those 54 locations-I'm happy to provide that on notice.</p> <p>Mr Windeyer: I think we took that on notice last time.</p> <p>Mr Paterson: Those guidelines are out for public consultation now, and there is an attachment to those guidelines that outlines the 54 locations and the coverage issues in each location, which we're now testing with</p>	26-27

					<p>the community. I can get that to you if you wish.</p> <p>Senator HENDERSON: Would you be able to describe the feedback that you have received so far?</p> <p>Mr Paterson: It is still open. It only went out a few days ago.</p> <p>Mr Smurthwaite: It closes on Monday.</p> <p>Mr Paterson: We've received a number of submissions. I'll have to take it on notice because I have not looked at those submissions. Also, I'll need to consider any submissions that have been provided to us in commercial-in-confidence, as well. But I'm happy to look at the submissions and see what I can get you.</p> <p>Senator HENDERSON: That's not necessarily a reason not to provide it to the committee, so I would ask you to consider that.</p> <p>Mr Paterson: I will consider that.</p> <p>Mr Windeyer: We will certainly consider that.</p>	
87	SQ22-000752	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Holding telecommunications carriers to account for scams	<p>Senator HENDERSON: Well, this is not a debating session, but you may not be aware of the very extensive work that the coalition government did, Minister, in relation to holding the telecommunications carriers to account for both telephone and SMS scams. In any event, there is a regulatory gap. Rather than looking into it, is the government planning to give ACMA greater powers to address over-the-top scams on WhatsApp and other such digital platform scams?</p> <p>Senator Carol Brown: I've already answered that the government is taking a whole-of-government approach. It's a top priority for the government.</p> <p>Senator HENDERSON: When is the government going to take some action?</p> <p>Senator Carol Brown: We have already taken action. I have already responded to that question.</p> <p>Senator HENDERSON: No, no, in terms of-</p> <p>Senator Carol Brown: I've gone through the action-</p> <p>Senator HENDERSON: providing these-</p> <p>Senator Carol Brown: I've already told you that we are coordinating a whole-of-government approach-an approach that the coalition never took. It never took that step.</p> <p>Senator HENDERSON: You've indicated you are looking into these issues. Australians don't want to wait until next May and the budget. If you don't have a time line, are you able to take that on notice and come</p>	30-31

					<p>back to the committee with any further information? Senator Carol Brown: I'm happy, Senator Henderson- Senator HENDERSON: Because it is a legitimate- Senator Carol Brown: Senator Henderson, I have heard your question. Of course they're legitimate. The government is very concerned, and the priority of reducing scam losses for Australians is a top priority for the government. Senator HENDERSON: So both the- Senator Carol Brown: I've said it a number of times. If I can provide or the government can provide any more information going directly to your statements, we will do so. Senator HENDERSON: Thank you very much.</p>	
88	SQ22-000755	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Mobile Audit Program - department consultation	<p>Senator HENDERSON: ... Can I quickly turn to Australia Post. I want to ask you about the mobile audit program. We've now heard evidence from Australia Post that it doesn't have the technology on its own to conduct a mobile phone connectivity audit. Are you able to provide the committee with an update on the technology that is going to be used and whether you have confidence that this audit can be properly conducted throughout the country? Mr Windeyer: I think I answered this last time. The technology to do the measuring of coverage does not exist, and there's no difficulty with that. The question, as we acknowledged last time, is one that we're working through. We said that we are still working to design this program, and we understand there are limitations about the parts of the country that Australia Post vehicles cover. So it's not about the technology required to measure coverage. The question is working out what is the best way and the best fleet of vehicles, or the best mix of fleets of vehicles, to use to assess coverage. Since we last talked, it remains an issue that we are working through with government on the best way of designing and implementing that commitment. Senator HENDERSON: Since you last gave evidence, we've had Australia Post before the committee. Australia Post has indicated it can't do this job on its own, and it's going to need to bring in a third party. Mr Windeyer: I'm sorry, if that was unclear; that was never in doubt.</p>	31

					<p>What Australia Post brings to this exercise is the possibility of a fleet of vehicles on which to install technology. Apologies if that was not clear, but that's never been in doubt. What we need to work through is what's the best way of harnessing Australia Post vehicles. I think I said last time we're considering whether that is the only, or the right, fleet of vehicles in which to install technology for the purposes of measuring the coverage. There is absolutely no doubt that a third party will be required for the actual coverage measuring technology, if I can call it that.</p> <p>Senator HENDERSON: Can you provide any further details in relation to the department's consultation, including details of meetings and what the various options are, and any other details relating to costings?</p> <p>Mr Windeyer: I'll see what we can provide on notice, within the limits of not providing information on the advice we're still in the process of providing to government.</p>	
89	SQ22-000756	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Telecommunications Legislation Amendment (Information Disclosure, National Interest and Other Measures) Bill 2022	<p>Senator HENDERSON: I just want to finally move to the Telecommunications Legislation Amendment (Information Disclosure, National Interest and Other Measures) Bill 2022. I appreciate the government's good intention in relation to this bill, particularly in relation to providing law enforcement and emergency services with greater access to mobile phone location data when a person goes missing. That's obviously a very important intention. But I wanted to ask about the consultation. The government, in its explanatory memorandum, said that there'd been targeted consultation, but publicly there have been concerns raised by various groups, including a civil liberties organisation, about privacy. Could you describe the scope of the consultation and whether any civil liberties groups or other groups, such as domestic violence focused organisations, were consulted?</p> <p>Mr Kathage: I think the first thing to say is that the proposed amendment was the subject of two coroners' reports. Those were public reports in the last two years. In relation to the specifics of the bill, the consultation occurred with telecommunications companies, both in terms of the policy and the drafting.</p> <p>Senator HENDERSON: So there was no consultation with any group concerned with protecting women from</p>	31-32

				<p>domestic violence?</p> <p>Mr Kathage: Not beyond the coroners' reports that I mentioned.</p> <p>Senator HENDERSON: What do you mean by 'not beyond the coroners' reports'? There hasn't been any specific consultation with those groups?</p> <p>Mr Windeyer: Not undertaken by us.</p> <p>Senator HENDERSON: One of the concerns that I have-and this might be a remote concern-is the misuse of location data. A perpetrator of family violence might falsely report their partner missing to try to establish where that person is-a rogue actor, I appreciate that. So there are some legitimate concerns in relation to these matters. I'm just concerned that perhaps the government hasn't addressed those particular issues.</p> <p>Mr Kathage: I think that was given consideration during the drafting of the legislation. What I should have mentioned earlier, Senator, is that-</p> <p>Senator HENDERSON: Can you provide any evidence in relation to that? Have you got any briefing notes or materials in relation-</p> <p>Mr Kathage: We can have a think about what could be provided or what might exist. But what I should have mentioned-</p> <p>Senator HENDERSON: I'm asking if you could provide the committee with all material that evidences what you've just said.</p> <p>Mr Kathage: Sure. I will provide evidence now. We did, in fact, consult with law enforcement agencies through something called the Interception Consultative Committee. One of the things that I should mention is that the concern you've raised is not an uncommon concern in law enforcement circles. There are quite detailed procedures about the sorts of things that police go through in terms of determining whether or not a request is going to be legitimate or not. We can certainly talk to our AFP colleagues about whether some of those procedures can be supplied to you, but they do take into account the extent to which claims made by a person who claims to be related to a missing person are legitimate. The thing I will highlight is that-and this was made plain in the explanatory memorandum-it's expected that the carriers and carrier service providers would place great weight, almost exclusive weight, on the representations made by police forces rather than by people who may contact them and claim that a person has gone missing.</p> <p>I will also mention that there are quite harsh penalties in relation to telecommunications companies that disclose when an exception to the general prohibition doesn't apply. I mentioned the two years in jail, and</p>	
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					<p>that applies in this case, and the test for the carrier is determining whether or not there is serious harm. So that test still needs to be made out, and that relates to evidence being provided by police forces for that request.</p> <p>Senator HENDERSON: I would appreciate it if you could provide full details of the consultation on notice.</p> <p>Mr Windeyer: We'll see what we can provide.</p> <p>Senator HENDERSON: That would be good. Thank you very much.</p>	
90	SQ22-000789	Australian Broadcasting Corporation	Sarah Henderson	ABC - Dr Swan's engagement	<p>Senator HENDERSON: Is Dr Swan engaged as a journalist or a presenter? I also want to confirm that Dr Swan is not engaged as a practising doctor, a practising specialist of any kind?</p> <p>Mr Anderson: Dr Swan is engaged as a journalist for the ABC. Again, I can provide the nature of that engagement on notice to you. But he is engaged as a journalist, yes.</p>	5
91	SQ22-000788	Australian Broadcasting Corporation	Sarah Henderson	ABC - Complaints regarding Dr Swan's reporting	<p>Senator HENDERSON: I want to draw your attention to the comments that Dr Swan made when this issue was first publicised, reported on, by the Daily Mail on their website. Dr Swan in fact doubled down on the comments that he made, saying:</p> <p>Shane Warne had lots of risk factors for heart disease, but if he was going to get a bit of extra inflammation from Covid, that could have tipped him over the edge.</p> <p>These are two high-profile people, one of whose death was a complete surprise, and they both had Covid in the background.</p> <p>We know in the case of the late Senator Kimberley Kitching that was untrue. He in fact went on to make some really inappropriate comments.</p> <p>Swan accepted-</p> <p>I'm reading from this particular report. I apologise, Chair, I am happy to table this. I've just got it on my phone at the moment.</p> <p>Some ABC viewers expressed their support ... others were unimpressed ... 'extremely disrespectful to speculate about causes of death with zero evidence merely to push your chosen barrow,' one wrote.</p> <p>And in response, Dr Swan said:</p> <p>That's a fair cop. But equally, I'm sure the families are wondering why it happened, and this could be an explanation ... These weren't private deaths, they were very public and had an impact on a lot of people who scratched their heads and wondered why, and that could have been a reason.</p>	5

'If I thought it was hurtful to the families I wouldn't have said it. 'These weren't private deaths.' These are extraordinary comments from Dr Swan following this initial report. Can I put that to you, Mr Anderson?

Mr Anderson: I am happy to respond to you on notice with regard to what you are referencing there at the moment. I can say that his comments on News Breakfast at the time-that was a live interview-were deemed to be not of an editorial standard that we would expect. Dr Swan has apologised for that. We have certainly spoken to him afterwards with regard to it. I can't comment on any context that Dr Swan was putting around why he made those comments, but I am happy to provide an answer for you on notice. Certainly the original comments he made did not meet our editorial standards. He acknowledged that and apologised for it.

Senator HENDERSON: Could I also ask you to investigate the comments he made to the Daily Mail Australia as published by Nick White, the journalist, on 16 November. I can provide a copy of that article if you do need it. Can you provide the committee with information as to whether there have been any other findings against Dr Swan in relation to his COVID reporting, or reporting of the pandemic?

Mr Anderson: I don't believe that there have been other adverse findings on anything or that has been investigated. In fact, I'm not sure that anything that Dr Swan has published has needed to be investigated. But I will certainly confirm back to the committee on notice whether or not anything has been investigated on the pandemic coverage or whether he has done anything that was seen to be a breach of our editorial standards.

Senator HENDERSON: Could you also provide the committee with a copy of any complaint that you have received in relation to Dr Swan's reporting of the pandemic?

Mr Anderson: Yes. I will respond on notice.

Senator HENDERSON: It is the case, isn't it, that there have been a number of concerns raised publicly about Dr Swan's reporting, including making exaggerated claims and the like? So this is not a new issue to the ABC?

Mr Anderson: I think Dr Swan is a highly regarded journalist for the ABC and has been outstanding throughout the pandemic. I think that while some people might throw some criticism his way, through what has been a very complex time people have turned to Dr Swan for context

					and analysis for what is happening at that particular moment in time. So I would refute that there have been issues with Dr Swan's coverage. I don't think there have been. As I said, I will go back and have a look and see what complaints we have had in the past and if anything was held to be a breach.	
92	SQ22-000791	Australian Broadcasting Corporation	Sarah Henderson	ABC - claims by Dr Swan	<p>Senator HENDERSON: Mr Anderson, just before I move on to another quick subject, I just want to make you aware of a Daily Mail report-I'm sorry, I've only got this on my screen-of 16 November. It's got a very long heading: 'The very long list of Dr Norman Swan's doomsday Covid predictions that he got WRONG as he is forced to admit a major mistake-so why IS a man who hasn't practised medicine in 30 years promoted as the expert on everything by the ABC?' This article includes a number of claims by Dr Swan which proved not to be correct, including when he made claims, insofar as the number of daily cases, in a tweet that the true number by then was 70,000 to 80,000. That's possibly primary school maths. Someone should go figure. This article also lists other alleged transgressions by Dr Swan. You're not aware of any concern that has ever been raised in relation to Dr Swan's reporting of the pandemic, despite this list of so-called transgressions?</p> <p>Mr Anderson: First of all, I note that you're reading from the Daily Mail and would advise caution around the reporting of the Daily Mail. There has been criticism levelled at Dr Swan throughout the pandemic in the media. I understand that. But my answer before was that I think the changing nature of the pandemic-I think Dr Swan has been interviewed. He has provided the Coronacast many times with the information that was available at the time, and, of course, some of that information didn't come to fruition or some of the predictions of where we thought the pandemic was heading didn't come to fruition. So, I would look at that carefully. I'm happy to look at that for you, Senator, and provide an answer for you on notice. But, no, I'm not aware of any-</p> <p>Senator HENDERSON: Thanks, Mr Anderson. I would be grateful...</p>	8
93	SQ22-000793	Australian Broadcasting Corporation	Sarah Henderson	ABC - Mr Bill Bowtell	<p>Senator RENNICK: Hi, guys, how are you going? I've just got a couple of quick questions. No. 1 is to do with the use of a commentator called by the name of Bill Bowtell, who's been providing advice on COVID as well. It turns out he has absolutely no medical qualifications, even though he's been touted by the ABC as a medical expert. He does work at the Kirby Institute as an adjunct professor, but I'm led to understand that his prior experience is in diplomacy and as a former staffer to the Keating</p>	10

					<p>government. Why did the ABC use this particular commentator and hold him up to be an expert on infectious disease when clearly he wasn't?</p> <p>Mr Anderson: I'll have to take that on notice. Mr Bowtell was, I think, advising government agencies some time ago when we had the HIV epidemic. I can't say that I know of Mr Bowtell's opinion being sought in recent times, but I'll provide that on notice for you.</p> <p>Senator RENNICK: I can remind you because I well remember he had an interview with Fran Kelly one Friday morning very early-I think it was in March 2020-and he was very strong in his opinion that Australia should lock down. He was being touted as an expert. I could tell by the tone of his voice he was being partisan, and, when I looked him up, it turned out that he's an ex-Keating-staffer. So I think it's worth investigating that...</p>	
94	SQ22-000795	Australian Broadcasting Corporation	James McGrath	ABC - misuse of social media by employees	<p>Senator McGRATH: Has any ABC employee in the last three years had adverse findings against them in relation to their misuse or use of social media? It's a general question.</p> <p>Mr Anderson: Yes. And since we've pushed the code of conduct and the personal-</p> <p>Senator McGRATH: Sorry. How many?</p> <p>Mr Anderson: I'll provide it to you on notice, Senator, but, yes, there have been. We've come to the conclusion that they have actively performed misconduct, whether that was their intention or not. There are some individuals that have been terminated from the ABC as a result.</p> <p>Senator McGRATH: Could provide that information on notice?-obviously without identifying the personal information...</p>	11
95	SQ22-000794	Australian Broadcasting Corporation	Gerard Rennick	ABC - reporting on background data	<p>Senator RENNICK: Okay-last question. I had a conversation with Gavin Morris a couple of years ago about the way the ABC reports the increase in temperature from 1910. The ABC, like many other media organisations, reports the homogenised data without actually explaining the difference between the homogenised data and the raw data. Gavin Morris stressed that they reported the raw data. That is incorrect; the ABC reports the homogenised data. So I'll ask this question again: why won't the ABC distinguish between the raw data and the homogenised data, which is a different dataset to the actual observations recorded by the bureau?</p> <p>Mr Anderson: I don't know the answer to that. I will need to take that on notice and provide a response to you.</p> <p>Senator RENNICK: Okay. I would like to point out that Gavin Morris did</p>	11

					say last time that they reported the raw data and that they distinguished between raw and homogenised. I'll stress this again, the ABC doesn't, but I think in terms of full transparency they should.	
96	SQ22-000798	Australian Broadcasting Corporation	Sarah Henderson	ABC - Ms Milligan - determination made by ABC	<p>Senator HENDERSON: So Ms Milligan, in your determination, did bring the ABC into disrepute.</p> <p>Mr Anderson: I did feel that was a breach at that time of the ABC's code of conduct when it comes to personal use of social media, yes.</p> <p>Senator HENDERSON: Are you able to provide, on notice to the committee, the determination that the ABC made in relation to this matter, including all relevant correspondence, e-mails, briefing documents and messages, please?</p> <p>Mr Anderson: I think there's a confidentiality that goes with people's employment that is important to protect when you're trying to run an organisation. So I think that trying to request documents with regard to-</p> <p>Senator HENDERSON: Are you seeking to make a public interest immunity claim in relation to the question that I've just asked of you?</p> <p>Mr Anderson: Yes, I will provide that to you on notice.</p> <p>Senator HENDERSON: Because otherwise you are required to answer the question or take it on notice.</p> <p>CHAIR: Just let him finish, so that we've got some clarity around that, Senator Henderson.</p> <p>Senator HENDERSON: Yes, Sure.</p> <p>CHAIR: Thank you.</p> <p>Mr Anderson: I'll take that on notice, but I suspect I'll be claiming public interest immunity with regard to this. I'll take it on notice and advise whether or not I'm taking public interest immunity on it, but I am saying to the committee that I think I will, and I'll put that claim in to you.</p> <p>Senator HENDERSON: In considering your position, you might also want to consider why you have been open in relation to adverse findings made against other ABC employees, including ,of course, Dr Swan.</p> <p>Mr Anderson: Well, I said that Dr Swan has been counselled, and Ms Milligan was counselled at the time, as well. I think I've been consistent in what I've said with regard to that but, yes, I will respond to you.</p>	13
97	SQ22-000797	Australian Broadcasting Corporation	Sarah Henderson	ABC - payment of Ms Milligan's personal legal costs	<p>Senator HENDERSON: Mr Anderson, I have a couple of other matters concerning the ABC's payment of Ms Milligan's personal legal costs, amounting to just under \$200,000 in total. This was justified on the basis that the ABC was vicariously liable, or received legal advice that it was or may have been vicariously liable, in relation to this particular post on Ms</p>	12-13

					<p>Milligan's personal social media. Can you provide the committee with a copy of that legal advice, please?</p> <p>Mr Anderson: I will take that on notice. I think we've provided extracts from that before. I think there was a concern around the breaking of privilege. I think there was also concern around that fact that that advice in full could create some harm to the ABC if it was to be used against the ABC. So there was a reason why we didn't handed over in full last time. I will respond to you on notice. That was some time ago; I think it was May last year, from memory.</p> <p>Senator HENDERSON: I appreciate the point you've made in relation to legal professional privilege, but I put it to you that you have waived legal professional privilege by reason that you have outlined the nature of the advice that was contained in the advice that you received.</p> <p>Mr Anderson: Again, I did attend a parliamentary hearing at Senate estimates with regard to this when I had my general counsel with me at the time, and we did talk about this. I will provide this to you on notice. I'll provide a response on notice anyway, and, certainly, that which I can, from that legal advice.</p> <p>Senator HENDERSON: Thank you very much, Mr Anderson...</p>	
98	SQ22-000787	Australian Postal Corporation	Sarah Henderson	Aus Post - Signage at South Australia Post Office	<p>Senator HENDERSON: Do you now have the capability to take passport photographs for all people, all Australians, no matter what country they are travelling to or any other factors?</p> <p>Mr Graham: We have had no issues at all in relation to passport photos or other visa requirements. The Indian consulate had certain technical requirements-</p> <p>Senator HENDERSON: What are those technical requirements?</p> <p>Mr Graham: It's in relation to the clarity of the photograph and the detail of the photograph. In Rundle Mall unfortunately our equipment and the lighting was not as good as it could be. We've also initiated a review of our requirements across all our 4,300 post offices. We have, unfortunately, different environments that we take photographs in. Some are incredibly well-equipped and well lit for getting detailed photographs. Others are small or licensed post offices where we don't have the best facilities. But again, we are reviewing those facilities to ensure that they meet the standards of all consulates, including the Indian consulate.</p> <p>Senator HENDERSON: Have you published any advice? If so, could you provide the committee with a copy of that advice? Any emails, notices,</p>	3-4

					<p>policy changes at all?</p> <p>Mr Graham: We have responded to the minister, and we are happy to table our response to the minister. We have undertaken to reemphasise to all our team members the importance of placing signs and the sensitivity that must be looked at before any signs go up in our post offices. We have a number of programs in place around our diversity and inclusion in relation to our values, and we have reemphasised those key values within our programs that particularly talk about inclusion, and also making sure that we do not offend anybody on the basis of race, colour or sexual orientation.</p> <p>Senator HENDERSON: Could you please provide the committee with a copy of all correspondence, emails, notes, messages, in relation to this matter, including any and all advice that you've given to Australia Post employees, and including all correspondence between staff at the Adelaide store and management?</p> <p>Mr Graham: Yes. We will get that in place, and I will look at that.</p> <p>Mr Macdonald: We will take that question on notice and seek to compile the information you've requested. It may be that there is a significant volume of information there, but certainly communications out to team members in respect of these events. It may be that we seek to redact some of the personal information from the documentation, but we will take that on notice and respond.</p> <p>Senator HENDERSON: Thank you very much. I'm obviously seeking all of the information pursuant to my previous question, not limited in any way, and look forward to receiving that...</p>	
99	SQ22-000792	Australian Broadcasting Corporation	Sarah Henderson	ABC - Patricia Karvelas tweet	<p>Senator HENDERSON: I want to table a tweet by Patricia Karvelas from 21 May, the evening of the election. She is photographed with the now minister for Aboriginal affairs, Linda Burney. The tweet says: This woman is a legend and looks like she will be the next Indigenous affairs minister #UluruStatement.</p> <p>This appears, obviously, to be supporting the Uluru Statement. I know you're aware of this because I raised this with you in a briefing that we had. I won't go into private discussions. After I raised this with you, you said you would have a look at that. What's your determination in relation to that type of publication by a prominent current affairs host with the ABC?</p> <p>Mr Anderson: I did have a look at that. I think that I saw Ms Karvelas championing an individual as opposed to a political party. I think you</p>	9-10

				<p>could suggest #UluruStatement is supporting that. Again, I'd prefer that I didn't know people's position on anything that is political. But I didn't see it as something that I needed to take action over.</p> <p>Senator HENDERSON: So that's in compliance with your personal social media code, is it?</p> <p>Mr Anderson: Look, I did not see it as a breach of what we do for our code of conduct. With the personal use of social media, I think that if somebody is championing a political party, then, yes, that's problematic, but I didn't see it as undermining her ability to be an impartial journalist into the future.</p> <p>Senator HENDERSON: But Ms Karvelas has said of a prominent Labor minister attending Labor's celebratory party on the night of the election, 'This woman is a legend.' Doesn't that show some inherent bias?</p> <p>Mr Anderson: No. I think that suggests that she was a fan. I don't think it suggests that there was political bias there at all.</p> <p>...</p> <p>Senator HENDERSON: Mr Anderson, I put to you that this is why your social media policy is so flawed, because anyone looking at this post would not be able to distinguish between Patricia Karvelas the person and Patricia Karvelas the prominent ABC current affairs host. You can't put a Chinese wall through someone's body.</p> <p>Mr Anderson: I did not see that post as showing absolute political bias towards the Labor Party. I didn't see that. Patricia was there covering the election, was in the room providing that coverage on the particular evening, I can't say what else was on her personal social media at that particular point in time, but-</p> <p>Senator HENDERSON: So it's okay for any ABC journalist-</p> <p>Mr Anderson: I didn't see that as showing absolute political bias.</p> <p>Senator HENDERSON: So it's okay for any ABC journalist to make the statement that this person-this minister, this Labor backbencher, this Liberal minister, whoever it might be-is a legend?</p> <p>Mr Anderson: On their personal use of social media-as long it's about an individual and not about a political party and it's not about their political views and not about their political policy-why can't they exercise their right as a citizen to say they actually like someone?</p> <p>Senator HENDERSON: Mr Anderson, are you serious?</p> <p>Senator McGRATH: That's ridiculous.</p> <p>Senator HENDERSON: Their right as a citizen? Ms Karvelas is there</p>	
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					<p>reporting this for the ABC on the night of the election. Senator McGRATH: Endorsing a Labor minister! Senator HENDERSON: She's backing a Labor minister. She's saying this Labor minister is a legend. You can't possibly defend this. CHAIR: Two minutes, Senator Henderson. Mr Anderson: Well, I didn't see it as a breach of our personal use of social media. Senator HENDERSON: Did you refer it to your complaints division? Mr Anderson: Yes, we did take a look at it. Anytime, Senator- Senator HENDERSON: Who took a look at it, and could you- Mr Anderson: that you or anyone in Senate estimates asks me to go and have a look at people's personal use of social media we go into a process, we do an assessment and then we reach a judgement at the end of it. Yes. Senator HENDERSON: Who took a look at it? And, on notice, could you provide me with the advice that you received, including details of any other conversations, advice or correspondence that you had in relation to this particular post. And I would also ask that you refer this to the board. I've written to the chair in relation to the ABC social media policy. The chair has written back and said that my letter will be referred to the board. Could you please also ensure, and I will also ensure separately, that the board is aware of this particular post and the concerns that I have raised this morning. Mr Anderson: Personal use of social media is often discussed by the board, and, yes, I'm sure this will be raised. With regard to that, yes, I'll provide that other information to you on notice. Senator HENDERSON: Thanks very much, Anderson...</p>	
100	SQ22-000796	Australian Broadcasting Corporation	James McGrath	ABC - Ms Milligan statement	<p>Senator McGRATH: ... After our last estimates hearing, which was on 8 November, the ABC put a statement out on 8 November, which I'll table, about Ms Milligan. Did you approve that statement going out? Mr Anderson: The statement that went out a couple of weeks ago? Senator McGRATH: On 8 November, on the evening of the estimates when Ms Milligan's conduct was being questioned by this particular committee, the ABC chose to put out a statement on Ms Milligan. Did you approve that statement? Mr Anderson: I knew the statement was going out, yes. I knew the nature of the statement itself. As a result of estimates, we had a number of media inquiries that were coming to us. As is normal when we have</p>	11-12

				<p>multiple media inquiries, we would put out a statement which we can point to which all other media can reference. That statement did reference Ms Milligan's journalism in that there were a number of statements that were made within estimates about personal use of social media, which I was countering in my response to say that is not journalism, that's not considered to be ABC journalism. The point was made to point out Ms Milligan's journalism as opposed to Louise Milligan's personal use of social media. So that was-</p> <p>Senator McGRATH: I suppose my question is: who made the decision that this statement would go out?</p> <p>Mr Anderson: I think, at the time, the director of news took the decision, but I did know about it and I agreed with it, so you can level that at me. But I was still in Canberra. We had a function in Parliament House that night. I was a bit on the run with regard to that, from memory, or there was something on. I can't remember. But I was aware of the statement. I was aware of the nature of it.</p> <p>Senator McGRATH: Who's the director of news, sorry?</p> <p>Mr Anderson: Justin Stevens.</p> <p>Senator McGRATH: Okay. Perhaps on notice you could just confirm whether you did give approval in relation to that. The chair's looking at me, and I know I've got limited time here. I just want to refer you to an order for the production of documents, No. 1301, that the Senate passed on 8 February 2022. That order asked for certain documents to be provided by midday on 14 February 2022. Do you believe that you've complied with that order for the production of documents?</p> <p>Mr Anderson: I don't have that order in front of me at the moment. I'm going to have to take that on notice, I'm afraid-</p> <p>Senator McGRATH: Okay.</p> <p>Mr Anderson: nor do I remember what it was for.</p> <p>Senator McGRATH: It was to do with the legal liability and the costs and associated documents to do with Ms Milligan and Mr Andrew Laming and in relation to the various matters therein. What concerns me is that the Senate passed an order for the production of documents, and it had a date by which those documents were to be returned, which was 14 February. You sent a letter on 14 February in which you asked for an extension of time of 21 days. In that letter you did enclose a number of answers to questions on notice, but we haven't heard anything since then in relation to this.</p>	
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					<p>I'm just quizzical as to why the ABC would not have supplied that information-the ABC, who go to great lengths to lecture everybody in this building about transparency and accountability, have not complied with a Senate order for the production of documents-and whether you may actually be in contempt of the Senate for your failure to comply with this order. Now, I understand that you don't have the information in front of you. I would ask you to consider, on notice, what I've said to you, and I reserve my right to refer the ABC to the privileges committee-and, so people are aware, I sit on that and I will recuse myself from any consideration of the matter-for your failure to comply with an order of the Senate. I'll hand back to the chair.</p> <p>Mr Anderson: I'll take that on notice and respond.</p>	
101	SQ22-000799	Australian Broadcasting Corporation	Sarah Henderson	ABC - ABC's privacy collection statement	<p>Senator HENDERSON: I have one final matter. I've given the chair a commitment that I'm going to finish right on time at 11 o'clock, so I'm hurriedly racing through my questions. I want to raise very briefly another matter, which is the ABC's privacy collection statement. This is a matter that I raised with you in my briefing. Again, I wont discuss the details of our discussion, other than to say the ABC privacy collection statement for guests arriving at the ABC's Southbank studios requires them to provide their email address and mobile phone number, and then the ABC, under its privacy policy, reserves the right to provide that information to third-party service providers 'to assist the ABC with marketing, promotions, analytics and ratings services. Some of our third-party service providers have servers located overseas, including but not limited to New Zealand, Singapore, the UK, the Netherlands, Ireland, Israel, India, Canada and the USA'. This privacy policy gives the ABC the right to provide this information, sensitive personal information, to any third party in any country. Have you taken any action in relation to that privacy policy?</p> <p>Mr Anderson: What we are doing at the moment is updating our privacy policy. That is going through board approval with regard to that. We're also looking at what is stated in more of a Q&A style with regard to what information we collect and when, and where it is stored. What I will say is that we do have a very high security-</p> <p>Senator HENDERSON: Just to cut in there, is it appropriate for the ABC to be collecting the personal emails and mobile phone numbers of any guest, with the ABC reserving the right to distribute that data to any third-party service provider? Is that appropriate?</p>	13-14

				<p>Mr Anderson: I will respond to you on notice, but we did collect that information off the back of what we had with regard to a security review with regard to visitors to the ABC. It was recommended by the AFP that we put a system in place, and it's the system that you complete and other visitors to the ABC complete. When it comes to how we keep and store our data-again, I will provide that on notice to you. I can certainly give assurances that we keep that as safe as possible.</p> <p>Senator HENDERSON: I'm going to take you back to the question. Is it appropriate that the ABC collects this personal information and reserves the right to distribute this to any third-party service provider in any country in the world?</p> <p>Mr Anderson: Not all information is provided to third parties anywhere in the world. What you are doing is you are looking at the privacy statement-where that is appropriate for some data that we do collect, not necessarily the data that we have on visitors that come into the ABC. There is some audience data that is aggregated, which is securely held, but isn't specific-it is anonymised. It is not specific to the data that you are actually referencing when you come into the ABC. So there are, for instance-</p> <p>Senator HENDERSON: Mr Anderson, I'm going to ask you this question again, because you're not answering it. Is it appropriate that the ABC collects this personal information and reserves the right to convey it to any third-party service provider-for almost any sort of purpose, it seems-in any country in the world? Are you concerned about this?</p> <p>Mr Anderson: It is appropriate-of course, we're always concerned about data security and cybersecurity. When it comes to whether it is appropriate to collect that data in the first place for visitors coming into the ABC, the answer is yes. We have done that on recommendation. So with regard to what data is distributed overseas-reserving the right to do so-I will confirm that with you on notice. But I know it won't be specifically the data that you are referencing for visitors to the ABC.</p> <p>Senator HENDERSON: I again put to you that it is most inappropriate for the ABC to collect personal data and then reserve the right to convey that data to any third-party service provider in any country in the world. I am incredulous that you are defending this policy.</p> <p>Mr Anderson: As I said, we're actually updating the policy to be more specific, rather than the right for any third party in the world, because that is simply not the case. When that policy was written, it was to give</p>	
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					us breadth to be able to partner with other people that we need to partner with in order to manage our data. We are getting more specific with regard to that policy and, again, I will provide that to you on notice.	
102	SQ22-000790	Australian Broadcasting Corporation	James McGrath	ABC - Chair's attendance at events	<p>Senator McGRATH: I have in front of me, I'll table it, that the chair has appeared for a large pharmaceutical company called Pfizer Australia. I'm not getting into attacking Pfizer or anything like that, I think they do brilliant work, but I just want to confirm that the chair, in appearing to promote a drug company, would not have had to either advise the board or advise you that they were undertaking this commercial work?</p> <p>Mr Anderson: I'll give you a response on notice, but, no, there is no requirement for the chair to do so, or any other board member, I might add. Rather, the expectation is that they exercise their own judgement with regard to the other work that they undertake.</p> <p>...</p> <p>Mr Anderson: Can I just add something at the end, in clarification with regard to Senator McGrath's questioning around the board and with regard to managing conflict. I did talk about the PGPA. What I should also have mentioned is that the ABC has a corporate governance statement which refers to the PGPA, which I will also provide on notice for you. My apologies.</p>	7 and 15
103	SQ22-000801	Australian Broadcasting Corporation	Hollie Hughes	ABC - unreasonable and bullying behaviour	If employees of the ABC were "belittled" and "set up to fail" would that be considered "unreasonable" and "bullying" behaviour?	Written
104	SQ22-000802	Australian Broadcasting Corporation	Hollie Hughes	ABC - Greg Jennett dispatched to ABC's Washington Bureau in 2017	What were the events and circumstances that led to Greg Jennett being dispatched to the ABC's Washington Bureau in 2017?	Written
105	SQ22-000800	Australian Broadcasting Corporation	Hollie Hughes	ABC - Discrimination, Bullying and Harassment Policy	According to the ABC's "Discrimination, Bullying and Harassment Policy" the definition of workplace bullying "is repeated, unreasonable behaviour directed towards a Worker or a group of Workers, which creates a risk to health and safety", and "unreasonable" includes "deliberately excluding someone from work-related activities". Is this correct?	Written
106	SQ22-000837	Department of Infrastructure, Transport, Regional Development,	James McGrath	NBN - Staffing	<ol style="list-style-type: none"> 1. Please indicate how many FTE and or ESG staff are engaged in government relations, corporate affairs, communications, and public affairs functions. 2. What salary band do these employees fall under? (i.e. below \$50,000 pa, \$50,000 – \$80,000 pa, \$80,000 – \$100,000 pa, \$100,000 – \$150,000 	Written

		Communications and the Arts			pa, \$150,000 – \$180,000 pa, \$180,000 – \$200,000 pa, \$200,000 + pa). 3. How has the staffing numbers of FTE and or ESG staff changed (e.g. +/- by how many) since FY21/22?	
107	SQ22-000838	Australian Broadcasting Corporation	James McGrath	ABC - Staffing	1. Please indicate how many FTE and or ESG staff are engaged in government relations, corporate affairs, communications, and public affairs functions. 2. What salary band do these employees fall under? (i.e. below \$50,000 pa, \$50,000 – \$80,000 pa, \$80,000 – \$100,000 pa, \$100,000 – \$150,000 pa, \$150,000 – \$180,000 pa, \$180,000 – \$200,000 pa, \$200,000 + pa). 3. How has the staffing numbers of FTE and or ESG staff changed (e.g. +/- by how many) since FY21/22?	Written
108	SQ22-000529	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Consultation on the mobile base station costings	Senator HENDERSON: Minister, in relation to these commitments, could you possibly table the consultation? In relation to the costings, you say that you have consulted with the community. Well, the community doesn't cost mobile base stations. Could you provide all relevant information in relation to the costings of these mobile base stations? My understanding and advice is that there was no specific information provided in relation to any of these projects insofar as the cost of these projects. Senator Carol Brown: Let me assure— Senator HENDERSON: If you could please provide that information, I would be most grateful. Senator Carol Brown: Let me assure you, Senator, that the funding has been allocated following a budget costing process. You can be assured of that.	ProofHansardPage
109	SQ22-002285	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Hollie Hughes	Rural and regional communications programs	Senator HUGHES: We appreciate you acknowledging the programs that the coalition put in place to support rural and regional Australians. I am asking you because we have been able to list a few programs you have cut funding to for rural and regional Australians. Which one of the programs you just read out in response to that dixer from Senator Bilyk are new programs by the new government? How much money has been contributed by the new government outside of what occurred in the May budget? Is that new money an increase, or is it a decrease to the programs you just read out? Otherwise, thank you for reannouncing coalition policy to support rural and regional Australians. I am assuming you will have to take it on notice because you don't seem to know what I am talking about. Senator Carol Brown: What I will say is that it is an announcement that	54

					<p>we have made.</p> <p>Senator HUGHES: What is the announcement you've made?</p> <p>Senator Carol Brown: It is government funding. I just read out to—</p> <p>Senator HUGHES: Is that one announcement or multiple announcements?</p> <p>Senator Carol Brown: Senator Bilyk. If you require further information, I will take the rest of your question on notice.</p>	
110	SQ22-002286	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Summary of ministerial notes	<p>Senator HENDERSON: I ask perhaps that you table the documents that you are reading from, Minister, as well?</p> <p>Senator Carol Brown: They are my notes.</p> <p>Senator HENDERSON: Could you table them, please?</p> <p>Senator Carol Brown: I will take that on notice.</p> <p>Senator HENDERSON: I don't know that you can take it on notice.</p> <p>CHAIR: Certainly the minister is able to table a summary of what she has laid out for you today.</p> <p>Senator HENDERSON: If the minister could table her notes, that would be most appreciated, thank you. If they could be distributed as soon as possible, I would be really grateful.</p> <p>CHAIR: She is entitled to take it on notice and provide you with that summary.</p> <p>Senator HENDERSON: I am seeking that all of her notes be tabled. If the minister could table all of her notes, please.</p> <p>CHAIR: And she is able to take that on notice.</p> <p>Senator HENDERSON: But not a summary. I want to clarify.</p> <p>CHAIR: She has taken your question on notice.</p> <p>Senator HENDERSON: I am clarifying that I am seeking all of the notes. Thank you very much, Chair.</p>	61
111	SQ22-002302	Australian Broadcasting Corporation	Sarah Henderson	ABC - RN Drive	<p>Senator HENDERSON: ... But it is fair and reasonable, Mr Anderson, that Australians understand how your resources are allocated. And, as I say, if there are some programs or divisions that are completely impoverished and others that are overflowing with staff, as I have myself experienced at the ABC, Australians deserve to know.</p> <p>Mr Anderson: Well, Senator, first of all, I don't think there areas of the ABC that are overflowing with staff, with too many.</p> <p>Senator HENDERSON: There are, Mr Anderson.</p> <p>Mr Anderson: I would just refute that.</p> <p>Senator HENDERSON: I've just cited one program where this one</p>	63-64

					<p>program had nine individual producers. Mr Anderson: I'll get back to you with the make-up of RN Drive.</p>	
112	SQ22-002287	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	Government's media reform agenda	<p>Senator HANSON-YOUNG: Minister, this is a question to you. What is your government's agenda in dealing with the much-needed, desperately outdated media reform in this country? Kicking things off to the long grass for at least another five years is not good enough. Senator Carol Brown: Can I just go to the determination. Yesterday we did talk a little bit about this, Senator. Of course, we have maintained the regulatory arrangements that have been in place for broadcasting and streaming services under the Alston determination for the past 22 years. It provides industry and regulatory stability and certainty while affording the government sufficient time to consider and implement broader regulatory reforms. Now, the Minister for Communications has said, and she's on record, that the government will work with industry to modernise media regulations and update analog-era broadcasting legislation for the digital age.</p> <p>Senator HANSON-YOUNG: Will that happen in this term of government? Will we see any draft legislation, draft reforms or anything to consider this side of the next election?</p> <p>Senator Carol Brown: I'm happy to take questions for any further information from the minister for you. But, as I was going to say, the Albanese government is also committed not only to working with industry to modernise media regulations but also to reviewing the anti-siphoning scheme to give Australians the chance to watch, for free, events of national cultural significance and legislating a prominent framework to ensure local TV services can easily be found on connected TV platforms.</p> <p>Senator HANSON-YOUNG: Thank you. I'm concerned that we haven't got any specific commitment to doing anything in the next three years or even a pathway to get there in the next three years. All I'm seeing is plod, plod, plod.</p> <p>Senator Carol Brown: I can understand your frustration.</p> <p>Senator HANSON-YOUNG: I am frustrated. I've been at this for 10 years and for 10 years I've been told it's coming, it's coming, it's coming. And now we're told to wait another five.</p> <p>Senator Carol Brown: No. I understand your frustration and, of course, that was a different government in place—the former coalition government. What I'm saying to you now is that the reason that</p>	6

					<p>determination has been put in place is that will give us, the government, the ability to work with industry to modernise media regulations and update the broadcasting legislation. Now, I will take your other concerns away and ask for further information to be provided to you.</p> <p>Senator HANSON-YOUNG: I would like on notice a time frame and an outline of the achievements and goals that this government is hoping to meet this side of the next election, because if we don't get something or any ball rolling, and if the minister just continues to say, 'We'll consult with industry', we know where that goes. The commercial players will resist regulation at all costs. They always have and they always will. And it's the Australian people and, dare I say it, the public broadcasters who are left having to pick up the pieces.</p>	
113	SQ22-002301	Australian Broadcasting Corporation	Sarah Henderson	ABC - Louise Milligan tweets	<p>Senator HENDERSON: Could you address the question of Ms Milligan's conduct?</p> <p>Senator HUGHES: Could you table it?</p> <p>Mr Anderson: I don't have it with me in the room.</p> <p>Senator HENDERSON: No, I'm asking about Ms Milligan's conduct on social media.</p> <p>Mr Anderson: I know, I was just responding to Senator Hughes. When it comes to personal use of social media, yes, we require people to abide by the code of conduct. I will need to take a look at these tweets. I'll need to look at the social media activity.</p> <p>Senator HENDERSON: But you have a copy of the tweets.</p> <p>Mr Anderson: I'm not going to judge this in advance of otherwise anybody's right to procedural fairness, so I will take this away and look at the tweets and come back to your notice. You've given me four tweets.</p> <p>Senator HENDERSON: Well, the copy of the tweets has been tabled.</p> <p>Mr Anderson: Yes, and I do not take responsibility for these tweets. But what I will do is look at them to see whether there is any trouble with them or not.</p>	23-24
114	SQ22-002289	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	Stakeholders in relation to the regulation of local content	<p>Senator HANSON-YOUNG: Thank you. Could I also have a list of the other stakeholders in relation to the regulation of local content on screen and on streaming services that the department has met with, and also which ones the minister has met with.</p> <p>Mr Betts: Yes.</p> <p>Senator HANSON-YOUNG: And I leave that broad in terms of other</p>	25

					stakeholders. You've got the specific streaming companies that I'd like to know about.	
115	SQ22-002290	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Hanson-Young	Representation from Foxtel	<p>Senator HANSON-YOUNG: ... I'd also like to know if there have been any representations to either of the ministers or the department from Foxtel. You might be able to answer that one today.</p> <p>Dr Arnott: Not to the department.</p> <p>Ms Rush: No, not to my knowledge.</p> <p>Senator HANSON-YOUNG: Alright. You can take that one on notice, Minister, if you can.</p>	6
116	SQ22-002291	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Perin Davey	RISE program - number of applications	<p>Senator DAVEY: I also want to talk about the RISE program, which I now can't read because it's not on my phone! That has led to some significant outcomes. In the latest round of RISE, which closed on 22 May this year, were applications received before the caretaker period commenced? How was that round actually treated, given the timing of it?</p> <p>Dr Arnott: I might defer to my colleague, Mr Cox.</p> <p>Mr Cox: Yes, that round was completed in its entirety before the caretaker period. Applications were received and decisions were made well clear of the caretaker period.</p> <p>Senator DAVEY: Can you tell us how many applications were received and how many were successful?</p> <p>Mr Cox: I'll see if I can get the detail for you while we're at the table.</p> <p>Senator DAVEY: Okay. And what is the current status of RISE? Is it ongoing</p>	6
117	SQ22-002317	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Joint ministerial decision-making	<p>Senator HENDERSON: When you say there's joint decision-making, I would again ask you to explain why all of the statements are being made by Minister Burke and not by Minister Rowland.</p> <p>Mr Betts: I'm not sure it's for officials to explain the cant of what ministers talk about in public.</p> <p>Senator HENDERSON: What I'm asking you for is evidence that this is a joint responsibility. Because it doesn't look like that—it looks like Minister Burke is walking all over Minister Rowland.</p> <p>Mr Betts: Let me explain. The way these policies get made is that, ultimately, they come before cabinet and are a matter for the cabinet. They become government policies, so ministers are necessarily taking those decisions collectively. In this case, there are two ministers who are working together and who will bring proposals to cabinet in due course.</p> <p>Senator HENDERSON: Can you give me some evidence of how they are working together? Because it doesn't look—</p>	8

					<p>Mr Betts: No, I can't, because I can't disclose the way in which ministers work with each other and the private discussions that might take place between them.</p> <p>Senator HENDERSON: It just doesn't look like they are sharing this responsibility.</p> <p>Mr Betts: I can't answer to your perceptions.</p> <p>Senator HENDERSON: Are you able to take that on notice? Can I ask for some further evidence? Everyone in the media sector is noticing that a large part of the communications portfolio has suddenly been railroaded by Minister Burke.</p>	
118	SQ22-002292	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Perin Davey	Negotiations between large theatre companies and independent theatre companies	<p>Senator DAVEY: When engaging with state theatre companies—and most of the big state theatre companies are part of the National Performing Arts Framework—I've had a couple of independent theatre companies come to me reporting increasingly poor negotiations and arrangements when trying to negotiate a mechanism to coproduce with some of the National Performing Arts Partnership Framework people. Does the Australia Council have any condition on funding to enable coproducing to facilitate small, independent or mid-sized companies who are coming up through the ranks who don't get the security of being in the partnership framework? Is there any obligation on these companies that get a significant amount of Commonwealth funding to actually be a good neighbour-partner in the arts world rather than a monopoly?</p> <p>Dr Arnott: My recollection from the framework is that, yes, the larger companies are encouraged to work in collaboration with smaller companies. I can't comment on individual cases, because that issue hasn't come to me, but I can certainly raise it with the Australia Council and come back to you with an answer.</p> <p>Senator DAVEY: I'd be very interested in following it up, because I've had reports of some of the majors offering exposure-only agreements to independents which, given all the hard work that can go into developing an offering, doesn't quite stack up. Does the department believe it's acceptable for independent companies to not be compensated for their work or to not get ongoing IP ownership of their work?</p> <p>Dr Arnott: It's hard for me to comment because individual arrangements are really matters for the companies. But as a general principle, it's appropriate that artists and creatives are fairly remunerated for their work.</p>	10

					<p>Senator DAVEY: I've heard from a range of stakeholders now, not just within theatre but others—small, independent companies who struggle when negotiating, be it with a major streamer or be it with a major performing arts company. Given the National Performing Arts Partnership companies are very well funded by the taxpayer, I am very keen to understand what sort of obligation or mechanism there is. If an independent company feels like it's been monopolised or not given a fair negotiation, are there any sort of obligations or mechanisms for it to take it to you for investigation or review?</p> <p>Dr Arnott: It wouldn't be us; it would be the Australia Council, because they administer the funding framework on behalf of the government and they deal directly with companies. We don't do that. So I would have to defer to them and come back to you with an answer to that question.</p>	
119	SQ-002293	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Ross Cadell	Optus breach - informing former customers	<p>Senator CADELL: I'll give you the specifics so we're not being hypothetical. A person that believes they had an Optus pre-paid back in 2009, as the only contact with Optus, got a letter warning that their data was breached, but they'd moved three houses since their last contact with Optus. Was there some sort of cooperation between government or between staff to contact customers if they'd moved, or did Optus just follow them up there? They were actually quite concerned that Optus had their current address.</p> <p>Mr Kathage: It does depend on the details that they kept on hand. It's a difficult question, in some ways, for us to answer because there's an investigation afoot by the Australian Communications and Media Authority into whether some of those obligations have been breached. There are a number of obligations across the statute book that require telecommunications companies, or any company, to keep information about customers up-to-date, and then to destroy it at certain times. So it is a difficult question for us to answer without some of the specifics.</p> <p>Mr Windeyer: But I think your question was, in a sense, how did a provider, who they haven't had dealings with for some years, still manage to find them? We'd have to take that on notice to see if we can get an answer to that. The key was Optus worked extremely hard to identify people where it did have information on file that had been disclosed, and then did its utmost to find a way of contacting them and bringing that to their attention. Exactly how they identified where to</p>	12

					contact this person that had been a previous customer, we'd have to take on notice and see if we can find anything out.	
120	SQ22-002303	Office of the eSafety Commissioner	Sarah Henderson	eSafety - Online Safety Act industry codes	1. Please provide copies of notices to industry stakeholders regarding development of industry codes under the Online Safety Act. 2. Please provide copies of industry responses to that consultation process and copies of the draft codes?	21
121	SQ22-002305	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Correspondence in response to the ACCC's Digital Platforms Inquiry fifth interim report	1. Please provide a copy of all briefing notes, emails and correspondence sent, received or drafted by the Department concerning the government's response to the ACCC's Digital Platforms Inquiry fifth interim report.	Written
122	SQ22-002306	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Correspondence regarding the government's review of the Privacy Act	1. Please provide a copy of all briefing notes, emails and correspondence sent, received or drafted by the Department concerning the government's review of the Privacy Act.	Written
123	SQ22-002307	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Requests for additional funding by the eSafety Commissioner	1. Since 22 May 2022, has the Australian eSafety Commissioner made one or more requests for additional funding? If so, please provide the details of each such request for funding including all budget submissions, correspondence or emails relating to each such funding request?	Written
124	SQ22-002308	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Data shared by other organisations	1. How many banking and other organisations have shared data pursuant to the Telecommunications Amendment (Disclosure of Information for the Purpose of Cyber Security) Regulations 2022 and how many individual Optus customers does this involve?	Written
125	SQ22-002309	Department of Infrastructure, Transport, Regional	Sarah Henderson	54 target locations identified for improved mobile coverage	1. Please provide a list of the 54 target locations identified for improved mobile coverage funding under the Improving Mobile Coverage Round, being Labor Party election commitments, including, with respect to each such target location:	Written

		Development, Communications and the Arts			<p>a. a copy of the feedback (including submissions, emails and correspondence) from the telecommunications industry;</p> <p>b. a copy of the feedback (including submissions, emails and correspondence) from local communities;</p> <p>c. a copy of any correspondence received from any member of parliament or senator;</p> <p>d. details of costings of the project; and</p> <p>e. details of the delivery timelines of the project.</p>	
126	SQ22-002310	Australian Communications and Media Authority	Sarah Henderson	ACMA - Consumer Safeguards Branch	1. Please provide a copy of all briefing notes, emails and correspondence sent, received or drafted by the Department since 22 May 2022 concerning providing the Australian Media and Communications Authority or any other agency with additional powers to combat scams?	Written
127	SQ22-002304	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Australian content quotas on streaming services	<p>1. Please provide a copy of all briefing notes, emails and correspondence sent, received or drafted by the Department since 22 May 2022 concerning Australian content quotas on streaming services.</p> <p>2. Please provide the dates of all meetings attended by the Department concerning content quotas on streaming services including the people who attended each meeting and a summary of what was discussed.</p>	Written
128	SQ22-002311	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Meetings between the Ministers	1. Please provide the dates of all meetings between the Minister for the Arts, or his staff, and the Minister for Communications, or her staff, concerning Australian content quotas on streaming services including a summary of what was discussed.	Written
129	SQ22-002312	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Meetings attended regarding the ACCC's Digital Platforms Inquiry fifth interim report	1. Please provide the dates of all meetings attended by the Minister for Communications or her staff concerning the ACCC's Digital Platforms Inquiry fifth interim report including the people who attended each meeting and a summary of what was discussed.	Written
130	SQ22-002313	Department of Infrastructure, Transport, Regional Development,	Sarah Henderson	Information received or drafted regarding the government's	1. Please provide a copy of all briefing notes, emails and correspondence sent, received or drafted by the Minister for Communications or her office concerning the government's review of the Privacy Act.	Written

		Communications and the Arts		review of the Privacy Act		
131	SQ22-002314	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Information received or drafted regarding the government's response to the report - Basic Online Safety Expectations: Summary of industry responses to the first mandatory transparency notices	1. Please provide a copy of all briefing notes, emails and correspondence sent, received or drafted by the Minister for Communications or her office concerning the government's response to the report - Basic Online Safety Expectations: Summary of industry responses to the first mandatory transparency notices.	Written
132	SQ22-002315	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Correspondence between Minister, Prime Minister and eSafety Commissioner	1. Please provide a copy of any correspondence (including emails, letters or messages) between the Prime Minister or his office, the Minister for Communications or her office and the eSafety Commissioner (Commissioner) or her office concerning access to the Commissioner's media releases by the Shadow Minister for Communications.	Written
133	SQ22-002316	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	Additional requests from eSafety Commissioner	1. Since 22 May 2022, has the Australian eSafety Commissioner made one or more requests for additional funding? If so, please provide the details of each such request for funding including any budget submissions, correspondence or emails relating to each such funding request?	Written
134	SQ22-002318	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Sarah Henderson	All projects funded under the Regional Connectivity Program	1. Please provide a list of all projects funded under the Regional Connectivity Program. 2. For each project in that list, please indicate the date on which that funding was first announced, and which Minister made the announcement.	Written