



AUSTRALIAN SENATE

EDUCATION AND EMPLOYMENT LEGISLATION COMMITTEE

18 September 2025

The Hon Julie Bishop
Chancellor
Australian National University

Dear Chancellor Bishop

Thank you for your response to my letter of 15 August 2025 concerning adverse reflections at the committee's public hearing of 12 August 2025 (the hearing) as part of its inquiry into the quality of governance at Australian higher education providers (the inquiry). In accordance with practice in relation to the adverse reflection process, your response will be published on the committee's webpage, along with this letter.

I am writing to clarify the committee's role and obligations in an inquiry process in general terms, and to address some of the points you make in your letter.

As you are no doubt aware, the committee's obligations, under Senate procedures and orders, are to facilitate the gathering of evidence, protect witnesses in the giving of evidence, and to follow Senate rules in doing so. The hearing was part of the committee's inquiry into university governance, for which the committee has received several hundred submissions. Some of those submissions concerned governance processes at the Australian National University (ANU). The establishment of the inquiry and the decision to hold public hearings were not unusual. Senate committees often hear evidence critical of public bodies and agencies, and this criticism is often the genesis for committee inquiries and reports.

The committee has obligations to protect witnesses in the giving of evidence, and where that evidence reflects adversely on individuals, the Senate has processes to offer the individual the opportunity to respond to that evidence. The committee takes these responsibilities very seriously. In the committee's view, these obligations were met—both in the conduct of the hearing concerning the protection of the witness, and in providing an opportunity for those who were adversely reflected on to respond.

The committee was not aware of the detail of Dr Allen's testimony in advance, and Dr Allen did not provide her opening statement to the committee prior to the hearing.

With regard to information held by Senator Pocock, the Senator has no obligation to provide advance notice of any issues he intends to raise, and it is not my role as Chair, or the role of the committee, to vet individual members' lines of questioning, or issues they wish to pursue.

In relation to the documents Senator Pocock proposed to table—and to which your letter refers—while the committee has accepted the documents in confidence, it has not made them public, specifically to avoid affecting any external grievance processes.

In terms of the processes followed in relation to adverse reflections, the relevant *Parliamentary Privilege resolutions agreed by the Senate on 26 February 1988* are Privilege resolutions 11–13. The committee followed these processes in the hearing itself by providing the ANU witnesses who immediately followed Dr Allen's evidence, the opportunity to respond on the day. I then wrote to you after the hearing to offer you and the University the opportunity to provide a more considered response in writing.

In terms of your offer to provide a further submission (Part B) to the committee, the committee has now considered the matter.

As you know, it is not the role of the committee to investigate or reach conclusions on individual matters—including any complaint against you that was referred to in the hearing of 12 August 2025. The committee in this case is also conscious of exercising its powers cognisant of other processes that may be occurring.

Further, the committee acknowledges your request to have any such material accepted in camera. While the committee takes its obligations to protect witnesses very seriously, the Senate does have the power to subsequently publish evidence or documents taken in camera if it so decides. It is also conceivable that the evidence taken in camera or unpublished committee documents could be referred to by a senator in a dissenting report under Standing Order 37. Given the possible effect of this standing order, please let the committee know if you still wish to provide the additional material.

I understand this has been a difficult situation for all concerned. From the committee's perspective the issues raised at the hearing were part of an extensive body of evidence it has received as part of its inquiry. The committee's focus is on its terms of reference and on reporting on the systemic issues that affect the sector, and go beyond the ANU. As mentioned previously, the committee takes its obligations and role extremely seriously and continuously reflects on the best way to undertake its work.

Yours sincerely

Senator Marielle Smith
Chair