

**Senate Standing Committee on Environment and Communications**

**Answers to Senate Estimates Questions on Notice**

**Budget Estimates Hearings May 2014**

**Communications Portfolio**

**Australian Broadcasting Corporation**

**Question No: 17**

**Program No. Australian Broadcasting Corporation**

**Hansard Ref: In Writing**

**Topic: Defamation actions**

**Senator Urquhart asked:**

1. How many defamation actions have been initiated against the ABC in each of the Calendar years 2011, 2012 and 2013?
2. How much did the ABC pay for legal fees in relation to defamation actions in 2011, 2012 and 2013?
3. How many of the actions initiated in each of 2011, 2012 and 2013 have thus far been concluded? How many were settled without a judgement, and how many were concluded before a judgement was made?
4. How many of the defamation cases initiated in each of 2011, 2012 and 2013 that were determined by judgement were decided against the ABC?
5. How many questions has the ABC been asked at Estimates hearings from February 2011 to May 2014 about individual defamation actions? How many of these have been in relation to Mr Chris Kenny?

**Answer:**

1. 2011: 2  
2012: 4  
2013: 5
2. The ABC paid the following legal fees in relation to defamation actions:  
2011: \$68,565  
2012: \$260,800  
2013: \$165,614.
3. Number of concluded matters:  
2011: 1 of 2  
2012: 2 of 4  
2013: 3 of 5

Of those 6 concluded matters: 3 were settled without a judgment, 3 were concluded with judgment.

4. In relation to the 3 matters that were concluded by judgment: 1 was a decision against the ABC, 2 were in favour of the ABC.
5. At Senate Estimates hearings, one defamation case can be the subject of multiple questions by a Senator. At Estimates hearings from February 2011 to May 2014, the ABC has been asked about individual defamation actions in 7 instances (with a total of 17 questions asked overall), 5 instances of which related to Mr Kenny (with a total of 12 questions asked overall).