

**From:** Nick Leys  
**Sent:** Sunday, 28 June 2015 4:29 PM  
**To:** Timothy Latham; Paul Barry  
**Cc:** Richard Finlayson; Peter McEvoy  
**Subject:** Response to Media Watch

### **ABC response to questions from Media Watch**

Please attribute to an ABC spokesman.

#### **1. Why was Zaky Mallah - whom the government describes as a convicted criminal and terrorist sympathiser - considered an appropriate person to ask a question?**

The June 22 broadcast of Q&A covered a range of issues including the government's proposed changes to citizenship legislation. As Zaky Mallah is the first person prosecuted in Australia under anti-terrorism laws and was found not guilty, his question went directly to the debate around this issue. He has been a highly visible media figure with a number of appearances on television programs including The Ten Network's, The Project and SBS' Insight. Mr Mallah had participated in the Q&A audience on previous occasions without incident.

#### **2. Was it a mistake to have him ask a question live?**

The ABC has acknowledged it was an error of judgment to allow Mallah to ask a question of the panel on live television and to engage in an exchange with the Parliamentary Secretary. In hindsight, the risks could have been managed by allowing Mallah's question via a pre-recorded video, as had occurred with David Hicks' now famous question to the former Prime Minister, John Howard. It is worth noting that Mr Howard responded on that occasion by stating "it was a great country that allowed this kind of exchange to occur".

#### **3. Why wasn't Mallah's question pre-recorded?**

See response above.

#### **4. How extensive was the vetting process on Zaky Mallah's background?**

Mr Mallah was well known to the producers of the program. The program had reviewed his public comments and views and sought feedback from journalists, lawyers and academics who had interacted with Mallah. The assessment was that Mallah posed no security threat on the program. Mr Mallah is an avid user of social media and it is clear some recent activity had been overlooked.

**5. Were you aware that in March 2013 and May 2015 Mallah made YouTube videos expressing support for Jabhat al-Nusrah, which is a terrorist organisation affiliated to Al Qaeda and in June 2013 was listed as a terrorist organisation by the Australian Government.**

Q&A's producers were not aware of these YouTube posts. Mallah has been prolific across a number of social media platforms. The ABC is aware of his public position on a number of issues involving the Middle East, including his opposition to the Syrian regime.

**6. Were you aware that in Jan 2015, Mallah tweeted that Rita Panahi and Miranda Devine were 'two decent whores' who 'need to be gangbanged', and that he had previously made 'sexually graphic suggestions' about Devine in a YouTube video?**

No. Obviously the ABC does not condone the content of these Tweets and YouTube clip and recognize how offensive they are to those involved.



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