

# Termination of Antoinette Lattouf's employment

CR made this Freedom of Information request to [Australian Broadcasting Corporation](#)



Currently **waiting for a response** from [Australian Broadcasting Corporation](#), they should respond promptly and normally no later than **March 14, 2024** ([details](#)).



CR January 19, 2024

✓ Delivered

Dear Australian Broadcasting Corporation,

This FOI request relates to:

- i. The termination of Antoinette Lattouf's employment with the ABC following her social media posts regarding the Israel-Gaza conflict.
- ii. Reports of a campaign organised via WhatsApp messages targeting the ABC, stemming from pro-Israel lobby groups.

I request access to the following documents under the Freedom of Information Act 1982:

1. The ABC's social media policy.
2. Any documents containing the word "WhatsApp" that are relevant to the above matters, for the period 1 December 2023 to 19 January 2024. If any documents are considered out of scope (not relevant to the above matters), I request the creation of a document under section 17 listing their titles.
3. Documents containing the words "Human Rights Watch" or abbreviations such as "HRW" for the period 1 December 2023 to 19 January 2024.
4. Documents containing the words "Lawyers for Israel" for the period 7 October 2023 to 19 January 2024.
5. Letters received by the ABC calling for Ms Lattouf's dismissal and any related correspondence, for the period 7 October 2023 to 19 January 2024. This includes any prior dealings with these individuals.
6. Complaints regarding Ms Lattouf from the Executive Council of Australian Jewry (ECAJ) for the period 7 October 2023 to 19 January 2024.
7. Complaints regarding Ms Lattouf from any other lobby groups for the period 7 October 2023 to 19 January 2024.
8. Documents that contain the discussion and decision-making process related to the dismissal of Antoinette Lattouf.
9. Any submissions to the Fair Work Commission regarding this matter.

I believe there is significant public interest in the disclosure of these documents relating to this issue. Please contact me if you require any clarification or have any questions regarding my request. I look forward to your determination.

Yours faithfully,

CR

## 1 Attachment

Freedom of Information request Termination of Antoinette Lattouf s employment.txt

3K **Download View as HTML**

Good afternoon CR

The ABC refers to your email attached.

The ABC's social media guidelines are published here: [1]Personal use of social media – Guidelines | About the ABC

Regarding point 9, the Fair Work Commission (FWC) is subject to the Freedom of Information Act (FOI Act). The ABC proposes to transfer this part of the request to the FWC as it is more closely aligned with their functions, or you may wish to make a direct application instead. Please let us know your preference.

Would you be able to call the FOI team or provide your best contact number so that we may speak about the other paragraphs of your request?

The ABC is assessing whether the size of the request may be an unreasonable diversion of resources and whether you may wish to narrow the scope via a request consultation process.

The ABC as an agency is exempt from the operation of the FOI Act in relation to its program material. This includes complaints about ABC programs and documents which may contain the key words you have nominated to the extent they relate to the ABC's content (program material).

Many thanks,

ABC FOI team

13 9994

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CR January 25, 2024  
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Dear ABC FOI Team,

Thank you for the information.

I will revise my request by removing parts 1 and 9, as suggested. For parts 2-8, I believe the scope is sufficiently narrow and specific. However, if you determine these parts represent an unreasonable diversion of resources, I am happy to discuss modifying the request to remove any practical refusal reasons.

My best point of contact is via this email thread. I appreciate your consideration of this matter. Enjoy the long weekend.

Kind regards,  
CR

FOI ABC, Australian Broadcasting Corporation February 07, 2024

#### 1 Attachment

062 letter re scope to applicant.pdf

589K [Download](#) [View as HTML](#)

ABC FOI 202324-062

Good afternoon CR

The ABC refers to previous communications.

Our apologies for the delay in responding to your email of 25 January. We have been making internal enquiries and are currently experiencing a high workload which we are doing our best to manage.

The ABC would be grateful if you could respond to the attached letter at your convenience and or phone the FOI team during business hours to discuss the matters raised.

Many thanks,

ABC FOI team

13 9994

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CR February 07, 2024

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Dear ABC FOI team,

Thank you for your response. I want to revise the scope of my request based on your provided information.

I have removed parts 2 and 3 to narrow the scope. Regarding part 4, press reports allege that a letter-writing campaign was coordinated by members of the 'Lawyers for Israel' WhatsApp group targeting key ABC figures. It is further alleged these members threatened legal action against the ABC in relation to Ms Lattouf's employment.

To clarify the scope of part 4, I propose to request:

Correspondence between 7 October 2023 and 19 January 2024 from the following parties to the ABC regarding Ms Lattouf:

- i) The Hon. Michelle Rowland MP, Minister for Communications
- ii) The ABC Ombudsman
- iii) Mr David Anderson
- iv) Ms Ita Buttrose
- v) Mr Oliver-Taylor, Chief Content Officer
- vi) The ABC's legal team

The purpose of this part is to determine if any external influence was exerted in Ms Lattouf's termination process. Please advise if you require any modification to part 4 for it to remain relevant to the issues in question. I welcome your guidance on properly focusing this part of my request.

Thank you in advance for your consideration.

Best regards,  
CR



FOI ABC, Australian Broadcasting Corporation February 13, 2024

Good evening CR

Thank you for your response confirming that you would like to remove the original parts 2 and 3 from the scope of your request.

Our apologies for the delay in emailing back about the proposed wording of part 4 being part of your request. We note you are otherwise happy with the proposed wording of the scope that was on page 3 of our letter.

We are unclear what you mean by correspondence from the parties in paragraphs ii) to vi) 'to the ABC' as these parties work within the ABC. By comparison, the Minister noted in para 1) is external to the ABC.

You have stated that "The purpose of this part [4] is to determine if any external influence was exerted in [the individual's] termination process." It would appear that this enquiry is also covered by the original points 5, 6 and 7 of the original scope which remain.

With regards to complaints about the ABC's programs, this information is exempt from the FOI regime under s 7(2), and would usually include material held by the Ombudsman's office as this is the Ombudsman's remit.

In addition, any communications of the ABC's legal team as advisors to its client, the ABC, would be exempt under s 42 to the extent these existed.

We would be grateful if you would further consider clarifying and narrowing the scope of your request as it appears to capture a large number of documents and be above the first 5 hours of free processing.

We remain happy to chat by phone if you would like to call us. Thank you for your further consideration.

Many thanks,  
ABC FOI team

13 9994

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CR February 13, 2024  
 **Delivered**

Dear ABC FOI Team,

I have carefully considered the points raised in your email. To ensure that we are on the same page, my revised request is as follows:

I request access to the following documents under the Freedom of Information Act 1982:

1-4. [removed]

5. Letters received by the ABC calling for Ms Lattouf's dismissal, from 7 October 2023 to 19 January 2024.
6. Complaints regarding Ms Lattouf from the Executive Council of Australian Jewry (ECAJ) from 7 October 2023 to 19 January 2024.
7. Complaints regarding Ms Lattouf from any other lobby groups from 7 October 2023 to 19 January 2024.
8. Documents that contain the discussion and decision-making process related to the dismissal of Antoinette Lattouf.
9. [removed]

Yours sincerely,

CR

FOI ABC, Australian Broadcasting Corporation **February 15, 2024**

ABC FOI 202324-062

Good evening CR

Many thanks for your email.

For simplicity, I have renumbered the 4 paragraphs 1 to 4 (as opposed to 5 to 8) and have included the same date range for part 4 as was proposed in our earlier correspondence.

I request access to the following documents under the Freedom of Information Act 1982 (Cth):

1. Letters received by the ABC calling for Ms Lattouf's dismissal, from 7 October 2023 to 19 January 2024.
2. Complaints regarding Ms Lattouf from the Executive Council of Australian Jewry (ECAJ) from 7 October 2023 to 19 January 2024.
3. Complaints regarding Ms Lattouf from any other lobby groups from 7 October 2023 to 19 January 2024.

4. Documents that contain the discussion and decision-making process related to the dismissal of Antoinette Lattouf from 7 October 2023 to 19 January 2024.

If you can kindly confirm you are happy with this as the final updated scope, then we will search in this basis and send a formal acknowledgement email.

(Please note we have noted the FOI Act is Commonwealth as we are not subject to the Victorian FOI Act which is also 1982.)

Many thanks,

ABC FOI team

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CR February 17, 2024  
✓ Delivered

Dear ABC FOI Team,

I agree that we are on the same page.

Yours sincerely,

CR

FOI ABC, Australian Broadcasting Corporation February 19, 2024

ABC FOI 202324-062

Good morning CR

Thank you for your email attached. The ABC confirms receipt of your revised FOI request sent on Thursday 15 February 2024, seeking:

I request access to the following documents under the Freedom of Information Act 1982 (Cth):

1. Letters received by the ABC calling for Ms Lattouf's dismissal, from 7 October 2023 to 19 January 2024.
2. Complaints regarding Ms Lattouf from the Executive Council of Australian Jewry (ECAJ) from 7 October 2023 to 19 January 2024.
3. Complaints regarding Ms Lattouf from any other lobby groups from 7 October 2023 to 19 January 2024.
4. Documents that contain the discussion and decision-making process related to the dismissal of Antoinette Lattouf from 7 October 2023 to 19 January 2024.

A decision on your request is due by Monday 18 March 2024, subject to any suspension of the processing period or extension of time under the FOI Act.

The ABC will advise you if any processing charges apply or if third-party consultation is required. Please note that if any part of this request yields a large number of documents, we will come back to you under ss 24 and 24AB to discuss possibilities of further revising the scope of this request.

By making an FOI request, you are providing personal information to the ABC. The ABC manages personal information in accordance with its Privacy Policy - available at [1]<http://about.abc.net.au/abc-privacy-poli...> (<http://about.abc.net.au/abc-privacy-policy/>). Personal information may be disclosed in the course of processing this request, such as for the purposes of consultation or internal reporting.

The ABC will consider your request in accordance with the FOI Act and provide you with a decision as soon as practicable.

Many thanks,

ABC FOI Team

02 8333 3312



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— CR February 20, 2024  
? Unknown

Dear ABC FOI Team,

Thanks for your confirmation of my revised scope.

However, I disagree with your assertion that a decision is due on Monday 18 March 2024.

My FOI request was sent on 19 January 2024. Our informal consultation regarding the scope of my request did not pause or extend the processing time, nor did I withdraw my request. The due date for a decision was due yesterday, 19 February 2024.

Please confirm if your agency intends to apply to the OAIC for an extension of time under section 15AC to process my request, given the deemed refusal decision. Reinstating my right to seek an internal review is preferable to starting the IC Review process.

Yours sincerely,

CR

— FOI ABC, Australian Broadcasting Corporation February 20, 2024

ABC FOI 202324-062

Good afternoon CR

Thank you for your email.

The wording of the scope of your request was changed several times and was agreed on Thursday 15 Feb. The ABC does not agree that a decision is due 4 calendar days later.

The initial 30 day processing time started on Friday 16 Feb. This is consistent with legal advice we have received and our understanding of relevant case law.

Practically, searches occur once we know what documents you are looking for based on your revised scope. The ABC did not have foresight as to which paragraphs you wished to add or remove until those later decision points occurred with the final wording being agreed on 15 February. During this process, you added a complex paragraph, resetting the clock, and then removed it, resetting the clock again. It is not our view that the current scope backdates to 19 January as

you subsequently removed the introductory paragraphs, added then removed a multi-section paragraph, and added a date range to part 4 [previously part 8] which was otherwise broader.

We are therefore clear on the searches you require for the 4 paragraphs as emailed by you on 15 February, and are commencing searches this week based on that focused wording.

The ABC FOI team is here to assist you and process the file.

We have previously noted that the current part 4 may be an unreasonable diversion of resources (search results pending) and we will come back to you once search results are in re whether a practical refusal reason may exist, or re whether a charge may apply.

The ABC is not of the view that the decision is deemed and therefore all review rights apply to you once the decision is made, or should it later become deemed. In addition, you have sought third party documents so this may affect the timeline under ss 27A or 27 of the FOI Act.

We are happy to discuss with you by phone - 13 9994

Many thanks,

ABC FOI team

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7 February 2024

"CR"

By email: [foi+request-11039-1c8bf388@righttoknow.org.au](mailto:foi+request-11039-1c8bf388@righttoknow.org.au)

Dear CR

**ABC FOI 2023224-062**

The ABC refers to previous communications.

All sections referred to in this letter are from the *Freedom of Information Act* (Cth) 1982 (**FOI Act**), unless otherwise specified.

On 25 January 2024, the ABC received your email removing points 1 and 9 from your earlier request. We note the ABC had provided you with the information in response to point 1 earlier that day as it was published on our website.

On a preliminary assessment, the ABC considers the remaining points 2 to 8 cannot be progressed in a single request without it being an unreasonable diversion of resources, which may also incur a charge being issued depending on next steps and any revision of the scope.

The introductory paragraphs of your request state that your "*FOI request relates to*" points (i) and (ii) (copied below):

- i. The termination of Antoinette Lattouf's employment with the ABC following her social media posts regarding the Israel-Gaza conflict.
- ii. Reports of a campaign organised via WhatsApp messages targeting the ABC, stemming from pro-Israel lobby groups.

The remaining points of your scope are copied below:

2. Any documents containing the word "WhatsApp" that are relevant to the above matters, for the period 1 December 2023 to 19 January 2024. If any documents are considered out of scope (not relevant to the above matters), I request the creation of a document under section 17 listing their titles.
3. Documents containing the words "Human Rights Watch" or abbreviations such as "HRW" for the period 1 December 2023 to 19 January 2024.
4. Documents containing the words "Lawyers for Israel" for the period 7 October 2023 to 19 January 2024.

5. Letters received by the ABC calling for Ms Lattouf's dismissal and any related correspondence, for the period 7 October 2023 to 19 January 2024. This includes any prior dealings with these individuals.
6. Complaints regarding Ms Lattouf from the Executive Council of Australian Jewry (ECAJ) for the period 7 October 2023 to 19 January 2024.
7. Complaints regarding Ms Lattouf from any other lobby groups for the period 7 October 2023 to 19 January 2024.
8. Documents that contain the discussion and decision-making process related to the dismissal of Antoinette Lattouf.

The ABC invites you to consider narrowing the scope of your request. Under s 15, a request needs to be sufficiently clear to allow the ABC to reasonably identify documents.

The FOI team would like to work with you to agree a scope before further considering ss 24 and 24AA and a formal request consultation process. Some points above are framed broadly and appear to capture less relevant material in the first instance (unrelated to (i) and (ii)). We appreciate this may not have been your intention.

Point 2 appears to require a large search footprint as it is not directed to any person or area of the ABC but the agency as a whole. A single keyword search could be refined to better target searches by including 2 to 4 keywords in each search (such as names or a topic that is to be mentioned as well as "WhatsApp"). This would mean all nominated keywords would be contained in a particular document, as opposed to a single word. Single word searches about technology are likely to yield hundreds, if not thousands, of results across the agency.

Based on similar searches, we estimate the work is in excess the 5 free hours of processing under the FOI Act and would attract a charge under the FOI Regulations.

Point 3, as worded above, would also cover the ABC's program material (which falls outside of the FOI regime under s 7(2)) as multiple areas of the ABC that have been covering the war in Gaza. For the same reason as point 2, this would be better worded to require multiple keywords that targeted emails (and any attachments) to be an effective search that refers to points (i) and (ii). Otherwise manually removing irrelevant search results would likely unreasonably impact limited resources.

Point 4 is similar in terms of capturing all staff and areas at the ABC. Searches could be better targeted if particular staff or areas of the ABC were noted in the scope.

You have stated your request is for documents "relevant" to points (i) and (ii) – based on our enquiries so far, it is likely that points 5, 6, 7 and 8 would capture what you appear to be seeking as related to (i) and (ii).

It would help progress the request consultation stage to speak by phone as the ABC noted in our email to you of 25 January 2024. This would remove potential delay and misunderstanding that may occur with written correspondence when complex requests are made. You may call from a private number and remain anonymous.

In light of the above, to progress your file, would you be happy to further consider narrowing the scope of your request? For example, would you be happy with progressing wording along these lines to start with

This request is made pursuant to the *Freedom of Information Act* (Cth) 1982, and seeks documents directly related to:

- i. The alleged termination of Antoinette Lattouf's employment with the ABC following her social media post or posts regarding the Israel-Gaza conflict.
- ii. Reports of a campaign organised via WhatsApp messages targeting the ABC, stemming from pro-Israel lobby groups.

Specifically, for the period 7 October 2023 to 19 January 2024, I seek a copy of:

[1]5. Letters received by the ABC calling for Ms Lattouf's dismissal.

[2]6. Complaints regarding Ms Lattouf from the Executive Council of Australian Jewry (ECAJ).

[3]7. Complaints regarding Ms Lattouf from any other lobby groups.

[4]8. Documents that contain the discussion and decision-making process related to the dismissal of Antoinette Lattouf.

These 4 points would likely require more than 5 hours of processing time. Please let us know what amendments you may require to this draft scope. To manage the size of the search results, any further narrowing of the scope, or potential processing charges, we encourage you to be specific about what you are seeking, which is why we have suggested the above wording as a starting point.

Something to consider in terms of the timeframe you have nominated is that Ms Lattouf was not engaged by the ABC in October or November 2023 to the knowledge of the FOI team. Your introductory paragraphs (numbered (i) and (ii)) appear to reference matters occurring in December and January.

Yours sincerely

**ABC FOI team**  
[ABC.FOI@abc.net.au](mailto:ABC.FOI@abc.net.au)