



**THE HON ED HUSIC MP
MINISTER FOR INDUSTRY AND SCIENCE**

MS22-002241

Senator Jess Walsh
Chair of Economics Legislation Committee
Deputy Chair of Economics References Committee
Parliament House
Canberra ACT 2600

15 DEC 2022

Dear Chair *Jess,*

Pursuant to the Order of the Senate, 13 May 2009, Public Interest Immunity claims, I am writing with respect to a question asked by Senator the Hon. Matthew Canavan in the Budget Senate Estimates 2022-23 hearing of the Economics Legislation Committee on 10 November 2022.

Senator Canavan asked questions of CSIRO in relation to the research conducted by CSIRO that was identified in the Gain-of-Function Research Review Report released in April 2022 (www.nhmrc.gov.au/about-us/publications/gain-function-research-review-report) (the Report).

Also on 10 November 2022, Senator Canavan asked questions in the Community Affairs Legislation Committee of the Chief Executive Officer of the National Health and Medical Research Council (NHMRC), Professor Anne Kelso AO, in relation to the research identified in the report as being of a technical nature that caused it to be classified as 'gain-of-function research of concern'. In questions to NHMRC and to CSIRO, Senator Canavan has sought the names of the researchers whose research was identified in the review.

The NHMRC Report notes (at page 8):

Of the 17 research projects identified, 10 were funded by NHMRC and eight were conducted by the Commonwealth Scientific and Industrial Research Organisation (CSIRO); one project was both funded by NHMRC and conducted by CSIRO. Information about the projects is presented in general terms and, where appropriate, aggregated form. This approach is necessary to protect researchers from potentially serious threats to their personal and professional lives, as has been experienced by scientists around the world in the context of COVID-19.

In response to Senator Canavan's questions, Professor Kelso reiterated that during the pandemic, a number of people, working generally in virology and related topics as researchers around the country, have received serious threats and had their lives threatened. Reference 88 to the NHMRC Report provides information on this globally. Similar findings were reported by the Australian Science Media Centre on 14 October 2021 and the President of the Australian Academy of Science has stated that the Academy has received reports of researchers who have been bullied, harassed and the subject of death threats (see [Academy condemns trolling, bullying and harassment of scientists simply for](#)

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doing their job | Australian Academy of Science <https://www.science.org.au/news-and-events/news-and-media-releases/academy-condemns-trolling-bullying-and-harassment-scientists>

On 29 November 2022 the Minister for Health and Aged Care, the Hon Mark Butler MP, wrote to the Chair of the Community Affairs Legislation Committee in relation to the NHMRC response to Senator Canavan's Question and advised that he had concluded that it would not be in the public interest to disclose the information to the Committee and that it was in the public interest of protecting the physical safety of the researchers involved by not disclosing the details requested by Senator Canavan.

As Minister for Industry and Science CSIRO has referred this matter to me and I have also concluded that it would not be in the public interest to disclose information in relation to researcher details that was requested of CSIRO by Senator Canavan.

CSIRO has advised me that media speculation on the related topic of the origin of the SARS-CoV-2 virus has included CSIRO researchers and collaborators being identified and targeted individually.

As noted by NHMRC and Minister Butler and the Australian Academy of Science, during the COVID-19 pandemic scientists and researchers conducting research related to the SARS-CoV-2 virus have been subject to public vilification and serious threats of physical violence and harassment.

I am therefore making a claim of Public Interest Immunity on the ground that disclosing the names of researchers from multiple organisations who have been involved in CSIRO-led projects identified by the NHMRC would, or might reasonably be expected to, endanger the life or physical safety of those researchers.

CSIRO has indicated to me that in the interest of the public good and transparency, they will provide information about the nature of the gain-of-function research and its intended purpose, however will do so to the extent that the names of the researchers are not disclosed.

Yours sincerely

Ed Husic MP

15 /12/2022

CC: The Hon Mark Butler MP, Minister for Health and Aged Care