

Form 59
Rule 29.02(1)

Affidavit

No. NSD103 of 2023

Federal Court of Australia
District Registry: New South Wales
Division: General

BRUCE LEHRMANN

Applicant

NETWORK TEN PTY LIMITED ACN 052 515 250 and another named in the schedule
Respondents

Affidavit of: **Craig Campbell**



Address: c/- 7PM Company Pty Ltd, Como Centre, Level 1, 620 Chapel Street, South
Yarra VIC 3141

Occupation: Executive Producer and Creative Director

Date: 18 October 2023

I, Craig Campbell, of c/- 7PM Company Pty Ltd, Como Centre, Level 1, 620 Chapel Street,
South Yarra VIC 3141 say on oath:

1. I am a co-owner of Roving Enterprises Pty Ltd, the holding company for 7PM Company Pty Ltd (**7PM**). 7PM is the production company that makes The Project.
2. The Project is a nightly current affairs program broadcast by Network Ten Pty Ltd and its affiliates (**Network Ten**).
3. The matters set out in this affidavit are based on my own knowledge, except where I have stated or qualified otherwise. When I have set out my recollection of conversations in this affidavit I have included the effect of the words spoken as I recall them.

Filed on behalf of (name & role of party) The First Respondent, being Network Ten Pty Limited
Prepared by (name of person/lawyer) Marlia Saunders
Law firm (if applicable) Thomson Geer
Tel +61 2 8248 5836 Fax _____
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Address for service Level 14, 60 Martin Place, Sydney NSW 2000
(include state and postcode)

[Version 3 form approved 02/05/2019]

4. Where I refer to a document in this affidavit, that document was produced to me at the time of swearing this affidavit and verified by me as a true copy of the relevant document.
5. When I refer to the fact of provision of legal advice in this affidavit, I am not authorised to and do not waive privilege in respect of its content.

Work history


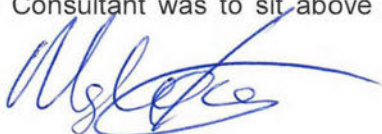
6. I have worked in television professionally for nearly 40 years.
7. I have worked in television as a cameraman, tape editor, presenter, producer, executive producer (EP) and host in this time.
8. Over my career I have worked on a number of different programs, including The Project (which I created in 2009), In Melbourne Tonight, Hey Hey It's Saturday, MTV, Rove Live / Rove, Rove LA, ARIA Awards, AACTA Awards, Before The Game, Real Stories, SkitHOUSE, Hamish and Andy's Caravan of Courage and others.
9. In January and February 2021, I was the Creator and EP of The Project. My co-EP was Chris Bendall.
10. My work email address during this relevant period was: [REDACTED].
11. I communicated extensively using my email account during the period of January and February 2021 in relation to the broadcast of the story which is the subject of this proceeding. I understand that from around 20 January 2021 to 15 February 2021, I sent, received and was copied into a large number of emails about the production of this story. Those emails were on a number of production-related topics, including:
 - (a) investigating the story;
 - (b) the commissioning of the story;
 - (c) the development of the story; and
 - (d) the editing of the story.
12. While I was EP of The Project at the time, I was not the EP in the chair or calling the show on 15 February 2021. "In the chair and calling the show" refers to the EP responsible for managing the show on the night (noting part of the show is recorded live with a studio audience). My involvement with the story the subject of this proceeding was:
 - (a) I had early meetings with Ms Wilkinson about the story and its potential;
 - (b) I commissioned the story; and
 - (c) I was generally involved in overseeing the development of the story until approximately 12 February 2021 before I went on sick leave.



13. I was off work sick from 12 February 2021. While I sent, received and was copied to emails from 12 to 15 February 2021, Mr Bendall was in charge of finalising and ultimately approving the story for broadcast.

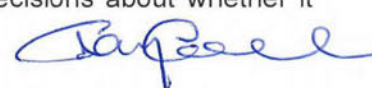
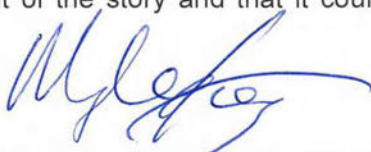
Commissioning the story

14. In January 2021, Lisa Wilkinson contacted me about a story. I believe Ms Wilkinson called me on my mobile. I cannot recall the date of this conversation, but I believe it was around 19 or 20 January 2021.
15. I cannot now recall exactly what was said in this telephone call, but I believe Ms Wilkinson told me, in substance:
- (a) she had been contacted by David Sharaz, who she had worked with previously at the Today Show;
 - (b) Mr Sharaz had told her that a young woman had been sexually assaulted;
 - (c) the sexual assault had happened while the woman was employed by the Federal Government;
 - (d) the sexual assault was alleged to have occurred in Australian Parliament House; and
 - (e) that the young woman wanted to do one television interview for broadcast with Ms Wilkinson and one print interview with News Corp journalist Samantha Maiden.
16. I know Ms Wilkinson to be a senior and experienced television presenter. I hold Ms Wilkinson in high regard.
17. After briefly considering what Ms Wilkinson told me, I believed the story was worth investigating. Asking someone to investigate a story or commissioning a story does not mean the story will be broadcast or published. Instead, it means the story will be investigated, produced and, if the EP deems it worthy, broadcast.
18. During my meeting with Ms Wilkinson, I recall discussing the appointment of producer Angus Llewellyn to the story. Ms Wilkinson asked for Mr Llewellyn to assist her in investigating and producing the story. Mr Llewellyn was the most experienced producer at The Project at that time. I believed Mr Llewellyn was the best person to assist Ms Wilkinson with investigating and producing this story.
19. Given the nature of the story, I expected Editorial Consultant, Peter Meakin, to play an important role in overseeing its investigation and production. Mr Meakin is a very experienced producer and manager having worked as the Head of News and Current Affairs for all three free to air networks. I hold Mr Meakin in extremely high regard. His role at as Editorial Consultant was to sit above the producers and oversee their work.



Given his experience and skill, I believe Mr Meakin was the best person to be overseeing the story's investigation and production.

20. As an Editorial Consultant, it was Mr Meakin's job to be the point of contact between the producer (who in this case was Mr Llewellyn) and the EP (which, at this point, was me).
21. I expected Mr Meakin and Mr Llewellyn to also work closely with the Head of Features, Laura Binnie.
22. I was very confident that Ms Wilkinson, Mr Llewellyn, Ms Binnie and Mr Meakin would thoroughly and carefully investigate and produce this story, and would only prepare it for broadcast if they believed it was important enough and ready.
23. I recall looping Network EP, Sarah Thornton in straight away. As Network EP, Ms Thornton is the conduit between 7PM and Network Ten. No major story decision was made without consultation and agreement from Ms Thornton.
24. I cannot recall whether I called her during or after the meeting with Ms Wilkinson, but I recall thinking that as this was a sensitive and important story she needed to be advised as soon as possible once it was commissioned. I recall telling Ms Thornton, in substance, that if this story checks out, meaning if we could satisfy ourselves that this woman was credible and what she was saying was true, it would be a huge story. I also recall Ms Wilkinson had briefed Ms Thornton directly.
25. I recall telling Ms Wilkinson that the production of this story would need to involve in-house lawyers from Network Ten. I worked with the lawyers from Network Ten on an almost daily basis as EP of The Project. In particular, Tasha Smithies and Myles Farley, who are in-house lawyers at Network Ten. The lawyers' views about this story, including the credibility of the woman making the allegations, would be an important consideration in the preparation and production of the story.
26. After my call with Ms Wilkinson, I formed the view that what Ms Wilkinson had been told had the potential to be a big story. I felt that if we conducted a thorough investigation into the story and were satisfied that what Ms Wilkinson had been told was true it would be very much in the public interest for the story to be told.
27. From the first time I discussed the story with Ms Wilkinson, I (along with the rest of the production team) went to great lengths to ensure Network Ten's in-house lawyers were involved with the development of the story. Nothing in this affidavit is meant to disclose the contents of any legal advice obtained by me or anyone else in the course of developing and ultimately broadcasting this story. Similarly, the involvement of Ms Thornton from the outset was intended to ensure that Network Ten was at all times across the development of the story and that it could make its own decisions about whether it



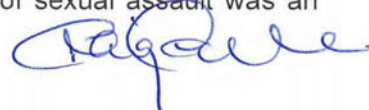
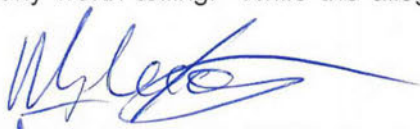
wanted to proceed with broadcasting the story. 7PM does not run independently of Network Ten, the Project is run in partnership between 7PM and Network Ten. 7PM would never run a story that it thought would embarrass Network Ten.

Development of the story

28. From the time Ms Wilkinson first told me about this story to the time it was broadcast, I had a number of phone calls and meetings with people like Mr Llewellyn, Mr Meakin, Ms Binnie, Ms Thornton and Ms Wilkinson about it. I do not recall each of these phone calls and meetings.
29. At 11.50am on 20 January 2021, I received an email from Ms Wilkinson which set out some further contact she had had with Mr Sharaz. Ms Wilkinson's email suggested she was going to be meeting with Ms Higgins and Mr Sharaz the following week and that Mr Sharaz was concerned about how many people would attend the meeting. Ms Wilkinson's email attached a "Timeline" document that Mr Sharaz had prepared [FRD.001.00000925].
30. As EP while I had to ultimately sign off on stories, my background is entertainment and we employ a very skilled team of journalists to ensure that the content of our shows is thoroughly investigated and accurate. Network Ten's lawyers are often used throughout the production of stories to assist with this process. My job was more to assess what would be good for television and good for The Project and to ensure we were authentic in our approach and on brand.
31. I responded to this email at 2.12pm on 20 January 2021 and expressed my view that only Ms Wilkinson and Mr Llewellyn should meet with Ms Higgins and Mr Sharaz. As Ms Wilkinson's email described Ms Higgins as "pretty fragile" I was keen to keep the first meeting with her as small as possible. I was confident Ms Wilkinson and Mr Llewellyn were sufficiently experienced and skilled to deal with any issues in the meeting, including forming the necessary assessment of the story's and Ms Higgins' credibility [FRD.001.00000001]. I recall it being agreed that the meeting with Ms Higgins should be recorded so that other members of the production team, as well as Network Ten's lawyers, could form their views about the strength of the story.
32. At 7.04pm on 20 January 2021 I received an email from Ms Wilkinson containing Mr Lehrmann's name and some photographs of him [FRD.001.00002207]. Mr Lehrmann's name or identity did not concern me. I felt it was highly unlikely at this early stage that we would name Mr Lehrmann. The main reason behind this was because it was Ms Higgins' story that we wanted to tell.



33. At 1.49pm on 25 January 2021, I received an email from Mr Llewellyn which talked about Mr Lehrmann's LinkedIn profile [FRD.001.00000939].
34. Mr Llewellyn and Ms Wilkinson had arranged to meet Ms Higgins and Mr Sharaz on 27 January 2021. I was copied into emails about travel arrangements being put in place for Ms Higgins and Mr Sharaz but was not otherwise involved in preparing for this meeting [FRD.001.00000930].
35. On 29 January 2021, I attended a "Field Debrief" meeting via Teams with Ms Binnie, Ms Thornton, Mr Llewellyn, Mr Meakin, Ms Smithies and Mr Farley about the development of the story. I do not recall the precise words spoken at the meeting but I believe that we discussed:
- (a) the state of the investigation into Ms Higgins' claims, including Mr Llewellyn's and Ms Wilkinson's views about Ms Higgins arising out of their meeting with her on 27 January 2021;
 - (b) that at this point, we were happy to proceed with the investigation because Mr Llewellyn and Ms Wilkinson had formed the view from having met with Ms Higgins over five hours on 27 January 2021 that she was a credible person and someone who was telling the truth;
 - (c) the fact Ms Higgins wanted to do one television interview with Ms Wilkinson and one print interview with Samantha Maiden from News Corp and that Ms Maiden's article would be published first; and
 - (d) that we would not name Mr Lehrmann in any broadcast. I do not recall how Mr Lehrmann was referred to during this meeting or during the whole pre-production stage, but expect he was referred to as "the perpetrator" or "the person involved".
36. I do not recall precisely when this story was "commissioned" but I expect it was at or after this meeting. While significant work had already been undertaken to investigate Ms Higgins' claims by this point, commissioning the story is effectively confirmation that the story is interesting or sufficiently in the public interest to be investigated further and produced.
37. As EP it was my job to commission stories. I have commissioned hundreds of stories as the EP of The Project.
38. This story was particularly easy to commission. From the time I was first told about it, I believed it was a big public interest story. I recall being particularly interested in the fact that the woman alleged the sexual assault had occurred in Parliament House and that the woman felt like an injustice had occurred. To me, Ms Higgins' sense of injustice is what made this story particularly worth telling. While the allegation of sexual assault was an



important part of the story, it was the involvement of the Federal Government and politicians that I felt gave this story a deep public interest. These sentiments are reflected in emails I received on 28 January 2021 from Ms Wilkinson and Mr Meakin [FRD.001.00000941]. These emails from Mr Meakin and Ms Wilkinson illustrate our preoccupation with the involvement of the Federal Government and politicians in this story and the broader issue of safety inside Parliament House.

39. After this meeting I believe I spoke to my co-EP, Mr Bendall about the story. I spoke to Mr Bendall nearly every day as we were always discussing The Project. I do not recall precisely what day this was. I believe I spoke to Mr Bendall in one of our offices. I believe I told Mr Bendall that I thought the story could potentially be quite explosive because it involved very serious allegations of sexual assault, but also of cover ups and potential injustices having occurred in Parliament House. I do not recall why Mr Bendall was not informed about this story earlier. I recall informing Mr Bendall face-to-face and believe Ms Thornton was also in the meeting on the telephone.
40. On 1 February 2021, I received emails from Mr Llewellyn about the interview between Ms Wilkinson and Ms Higgins which was scheduled for take place on 2 February 2021. Mr Llewellyn's emails also raised issues of Ms Higgins' health and wellbeing [FRD.001.00001620; FRD.001.00001622].
41. From the first time Ms Wilkinson spoke to me about this story, I was concerned about Ms Higgins' health and wellbeing. I felt she was a young woman who was all alone and that as we were in a position to assist her to tell her story, we should try and do that. More importantly, I felt that if Ms Higgins was going to tell her story she needed support because she would be subjected to a lot of pressure. I suspected that while Ms Higgins needed help in getting her story out there, she also needed help to deal with the pressure of potentially becoming a public figure overnight. I was not involved in providing any wellbeing or medical assistance to Ms Higgins. I was aware that others, including Production Manager Karen Bunting via Mr Llewellyn were dealing with her and that it was something that was a focus of the whole production team pre-broadcast and that assistance was also offered and given post-broadcast.
42. One measure I always expected would be in place was arranging for Ms Higgins to swear a statutory declaration confirming that what she had told us was true. I was not involved in preparing or arranging this. I expect Mr Llewellyn and Network Ten's in-house lawyers were involved in this process. It is a common practice to obtain statutory declarations from people who we interview as another way of satisfying ourselves that what they are telling us is true. I do not recall seeing a sworn statutory declaration from Ms Higgins prior to broadcast but always expected that this had been attended to.

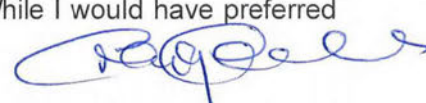


43. On 2 February 2021 at 7.10pm, I received an email from Mr Llewellyn providing an update on the interview Ms Wilkinson conducted with Ms Higgins that day [FRD.001.00002652]. I was given an oral update about the interview from Ms Wilkinson, and I expect also from either Mr Llewellyn or Mr Meakin and was told the interview had gone well and that there was a lot of content available.
44. At 3.20pm on 3 February 2021, I sent an email to Ms Binnie, Mr Meakin and Ms Thornton asking Ms Binnie and Mr Meakin to provide me with an update on the story, including when it would be broadcast [FRD.001.00000086]. I received updates from Ms Binnie and Mr Meakin [FRD.001.00001657, FRD.001.00002676]. These updates were important because The Project is often forward planned up to six weeks ahead. As I was now aware that the interview with Ms Higgins had gone well and that there was a lot of content for the story, I wanted to know when we would broadcast so I could start making arrangements for the show. Examples of such arrangements included ensuring that Ms Wilkinson was hosting the show that evening, as at the time she was normally hosting Sundays and Fridays, and advising other producers about moving or changing the date of broadcast for their stories and segments to allow us to broadcast this story.
45. At 3.35pm on 5 February 2021, I received an email from Mr Llewellyn about Ms Higgins health and wellbeing. Mr Llewellyn was concerned for Mr Higgins and described her as "quite fragile at the moment" [FRD.001.00001668]. Ms Higgins' health and wellbeing was a constant concern for me throughout this period. I believe I was regularly updated by Mr Llewellyn and other members of the production team on Ms Higgins' health.
46. On 5 February 2021, I was included in an email chain about promoting the story [FRD.001.00001680]. At 4.39 pm on 5 February 2021, I sent an email which said "*I don't believe we can promote it without blowing our advantage to get it to air uncontested*" [FRD.001.00001672]. I expressed the same view in follow up emails in this chain.
47. The fact that Ms Higgins had told Network Ten that she only wanted to do one television interview meant that, from a television perspective, we had the story exclusively [see, eg, FRD.001.00001747]. This was very important to us. It gave us a competitive advantage over other networks but also meant that we were in control of the story and could investigate and produce it the way we wanted to. That being said, as it was my understanding that Ms Maiden's article would be published first. I knew that once Ms Maiden's article was published, we had a limited window in which we could broadcast our story. This is because once Ms Maiden's article was published, Ms Higgins' story would be in the news cycle. As The Project is a news and current affairs program, it covers what is in the daily news cycle. It would be pointless for us to hold off broadcasting our interview with Ms Higgins once Ms Maiden's article had been published because it would



lose relevance and we would no longer be able to get the story to air uncontested. Put simply, while I did not believe we could promote this story without blowing our advantage to getting it to air uncontested, I always believed that we needed to broadcast it on the same day as Ms Maiden's article.

48. At 4.37pm on 8 February 2021, I received an update from Mr Llewellyn which set out his dealings with Ms Maiden [FRD.001.00001694]. In particular, Mr Llewellyn noted that Ms Maiden had told him that she would not be naming Mr Lehrmann in her story about Ms Higgins' allegations. I felt this was an important update. I shared this update with Ms Thornton and Mr Bendall because I felt it was important everyone was on the same page about how and when the story would break [FRD.001.00001698; FRD.001.00001701]. I sent an email at 6.49pm on 8 February 2021 setting out my views about why I did not see The Project's episode following Ms Maiden's as a problem [FRD.001.00001711]. Once I was told by Mr Llewellyn that Ms Maiden would not be naming Mr Lehrmann in her article, I felt this eased any editorial concerns we had about not naming Mr Lehrmann.
49. If Ms Maiden had told Mr Llewellyn she was going to name Mr Lehrmann, this would have put us in a difficult spot. As far as I was concerned, we had never intended to name Mr Lehrmann in this story. As is described below, while I always expected Mr Lehrmann to be contacted for comment and be given a chance to deny the allegations, our story was about Ms Higgins' allegations that she had been sexually assaulted in Parliament House and that she had suffered injustice when she tried to report the assault to her employer and the police. This was a story about Ms Higgins' pain and hurt over the way her allegations had been handled.
50. On 9 February 2021 I attended a meeting with Ms Smithies, Ms Thornton, Mr Llewellyn, Mr Farley, Mr Meakin and Mr Bendall. I do not recall precisely what words were used at this meeting, but I believe we discussed the following matters:
- (a) where the story was up to in terms of its production;
 - (b) the extent of the further investigations that I understood Mr Llewellyn, Mr Meakin and Ms Binnie would be doing as the producers on the story;
 - (c) Ms Higgins' wellbeing; and
 - (d) when we would broadcast the story, which would have included discussion about Ms Maiden and the article she was to publish.
51. On 10 February 2021, I exchanged emails with Mr Bendall about how our preference was for the story to air on Sunday 14 February 2021. Mr Bendall subsequently informed me that Ms Maiden believed the deal was for the story to air on Monday 15 February 2021, and that she had already given Ms Higgins that guarantee. While I would have preferred



it to air on 14 February 2021, I did not have an issue with the story being broadcast on 15 February 2021 [FRD.004.00000104].

Draft versions of the story

52. On 9 February 2021, I received emails from Mr Llewellyn containing draft versions of the script that he had prepared and work-in-progress (**WIP**) videos containing early versions of Parts One and Two of the story [FRD.001.00000968]. I clicked on the links to the draft script and WIP videos and reviewed the story. I recall thinking I was really proud of Darryl Brown's work as editor and the music edit that Drew Heriot had put together. As described above, while my role includes assessing the content of a story, it also includes reviewing and considering the production value of a story or the look and feel of a story. Given my background in editing, I believe this kind of fine tuning is where I add most of my value on stories and segments that I review.
53. I also recall feeling like the story looked and felt on brand for The Project. What I mean by this is that the story did not feel sensationalist or over the top. It felt factual, considered and measured. This is an important feature of The Project. The Project distinguishes itself from its competitors such as A Current Affair by striving to be authentic, sophisticated and not sensationalist. We don't chase villains down alleyways for comment. In my view, the villain in this case was the Government because of its lack of care for Ms Higgins. Instead, I felt like what was produced was a careful and considered story that detailed Ms Higgins' harrowing experience of being sexually assaulted inside her workplace and the struggles she had faced in reporting the incident to her employer and police.
54. On the morning of 11 February 2021, I received emails from Mr Llewellyn (and others) containing updated scripts and WIP videos for the story as well as comments on those versions [FRD.001.00000043]. At 10.50am on 11 February 2021, I sent an email to Mr Llewellyn and Mr Meakin setting out my thoughts on the WIP videos [FRD.001.00000990]. After sending this email, I received a response from Mr Llewellyn which contained links to further WIP videos [FRD.001.00000991]. I clicked on these links and watched these versions of the story [FRD.001.00000993].
55. In addition to sending emails about the script I expect I would have spoken to Mr Llewellyn, Mr Bendall, Mr Meakin and Ms Binnie about it on the telephone. It is my general practice to discuss draft stories over email, telephone and face-to-face.
56. On 11 February 2021, I exchanged emails with Mr Llewellyn about recording a piece-to-camera or "PTC" in Canberra, where Ms Wilkinson would read a script in front of Parliament House, and gave approval to the PTC [FRD.001.00001534].



57. At 5.23pm on 11 February 2021, I received an email from Mr Brown containing links to further WIP versions of the story [FRD.001.00001806]. I would have clicked on the links to the draft script or WIP videos and reviewed the story.
58. On and from 12 February 2021, I was sick and took sick leave, so I handed over EP duties to Mr Bendall. I continued to be copied into emails and I tried to keep generally across developments in finalising and promoting the story, but Mr Bendall took over the running of it.
59. As Mr Bendall was the EP running the show on 15 February 2021, he had ultimate sign off of the story.
60. I watched the broadcast on 15 February 2021 at home.
61. At 7.27pm on 15 February 2021, I sent a text message to Mr Llewellyn congratulating him and thanking him for his work [FRD.001.00000262].

Requests for comment

62. Seeking comment from persons named in or otherwise affected by a story is good journalism. As EP, it was something I always expected to be done by my staff. Ordinarily comment would be sought by the producer assigned to a story.
63. On 11 February 2021, I received emails from Mr Llewellyn and others about the requests for comment that Mr Llewellyn had drafted. I believe I had also discussed these requests with Mr Meakin and Mr Llewellyn prior to receiving emails about them [FRD.001.00001799].
64. I otherwise do not recall being involved in these requests for comment, aside from assuming that comment had been sought from affected or potentially affected persons prior to the broadcast on 15 February 2021, including Mr Lehmann.

Confidentiality

65. Given the potentially high-profile nature of the story, the fact we were preparing the story was not shared generally amongst The Project, 7PM or Network Ten. There were a number of measures in place to try and keep the story from leaking. From early on in the production phase of this story concerted efforts were made to keep the pool of people who knew about this story small.
66. Examples of such measure included:

- (a) not storing drafts of the story on the Network Ten or 7PM databases [FRD.001.00002644];



- (b) minimising the use of third-parties and ensuring that where that was to occur those people understood the matter needed to be kept confidential [FRD.001.00002653]; and
- (c) giving the story a codename "ENVIRO". I came up with this codename and sent an email to the production team at 7.54am on 9 February 2021 setting out the strict confidentiality regime that was in place [FRD.001.00000026].

67. As EP, I made the decision to keep this matter closely guarded and confidential because I wanted to make sure the story did not leak internally or externally.

Public interest

68. As set out above, I believe this was an important public interest story because it told the story of a vulnerable young woman, who I believed had had something terrible happen to her inside Parliament House, and the way in which the incident had been handled by the government. The story gave Ms Higgins the opportunity to put her version of events in the public domain. I believe our story chased and presented the facts of Ms Higgins' story in a sophisticated, measured and appropriate way.

Sworn by the deponent
at Melbourne
in Victoria
on 18 October 2023
Before me:

Signature of



An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law

Myles Edwin Finlayson Farley
Level 4, 620 Chapel Street, South Yarra 3141 Victoria
An Australian legal practitioner within the meaning of
the Legal Profession Uniform Law (Victoria)

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Signature of deponent

