

## The Project

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### Statements Regarding Our Story On 15 February

**Statements from the Federal Government, ACT Policing, a spokesperson for Minister Michaelia Cash and and the Federal Parliament's Presiding Officers.**

#### FEDERAL GOVERNMENT SPOKESPERSON

The Government takes all matters of workplace safety very seriously. Everyone should feel safe in a workplace.

Reports today of an alleged sexual assault in 2019 in a Minister's office are deeply distressing. Throughout the entire process the overriding concern for Government was to support Ms Higgins' welfare in whatever way possible.

We understand this matter is under consideration by the police. This is an important step that the Government has consistently supported from the outset and we will await the outcome of this process.

At all times, guidance was sought from Ms Higgins as to how she wished to proceed, and to support and respect her decisions. This important best practice principle of empowering Ms Higgins is something that the Government has always sought to follow.

The Government has aimed to provide Ms Higgins with agency, provide support to make decisions in her interests, and to respect her privacy.

On Tuesday, March 26, 2019, senior staff in Minister Reynolds' office became aware the office was accessed after hours and that an incident had occurred. This incident involved two staff. It was initially treated as a

breach of the Statement of Standards for Ministerial Staff.

After further consultation with Ms Higgins over the following days, it became clear to senior staff that there were previously unknown elements of the incident that may be of a more serious nature.

Ms Higgins was notified that should she choose to, she should pursue a complaint, including a complaint made to the police, and that to do so was within her rights. She was informed that she would be assisted and supported through that process.

Ms Higgins was told that if she did choose to pursue a complaint, she would have the full and ongoing support of the office and the Minister. This offer of support and assistance remains.

During this process, Minister Reynolds and a senior staff member met with Ms Higgins in the Minister's office. Given the seriousness of the incident, consideration should have been made to the location of the meeting with Ms Higgins, and in hindsight that oversight is regretted.

Minister Reynolds reiterated to Ms Higgins that whatever she chose to do, she would be supported. Minister Reynolds stated to Ms Higgins that her only concern was for her welfare and stated there would be no impact on her career.

Minister Reynolds encouraged Ms Higgins to speak with the police in order to assess the options available to her. At this meeting, Ms Higgins indicated she would like to speak to the Australian Federal Police, which Minister Reynolds supported and her office facilitated.

The Minister and her office continued to provide support to Ms Higgins through this period.

As part of this process, the Prime Minister's office provided support to Minister Reynolds and her office in assessing a breach of the Statement of Standards for

Ministerial Staff by the other staff member involved in the incident.

It is important that Ms Higgins views are listened to and respected. The Government regrets in any way if Ms Higgins felt unsupported through this process.

#### **ACT POLICING SPOKESPERSON:**

ACT Policing received a report in April 2019 in relation to an alleged assault at Parliament House. ACT Policing investigators subsequently spoke to the complainant who chose not to proceed with making a formal complaint. ACT Policing's investigation remains open but did not progress at that time as a result. As part of initial enquiries, ACT Policing also liaised with Department of Parliamentary Services.

Victims always have a say in how far a police investigation goes, can determine that a matter not proceed to prosecution, and can withdraw from the process at any time. It is not uncommon for an investigation to halt, not proceed to prosecution, or to be recommenced at a later time, at the request of a victim.

ACT Policing follows the governing principles set out in the *Victims of Crime Act 1994* (Australian Capital Territory) when investigating sexual assault and acts of indecency allegations. The principles provide that a victim should be dealt with at all times in a sympathetic, constructive and reassuring manner, and with due regard to his or her personal situation, rights and dignity. It can often be a traumatic experience being a victim of crime. ACT Policing understands that sexual assaults or acts of indecency disempower victims, taking control away from them. How an allegation is reported and how police investigate can have an impact on a victim's recovery, and potentially cause further trauma by taking away a victim's power and their sense of self. ACT Policing does not want to compound existing impacts of trauma on individuals.



ACT Policing respects a victim's right to privacy and empowers them to report, by providing them with opportunities to report an allegation should they wish to.

ACT Policing has continued to engage with the complainant throughout the investigation and also provided details of support services such as Canberra Rape Crisis Centre. If the complainant wishes to proceed, ACT Policing will assess the case and make a decision about whether there is sufficient evidence. This is done in accordance with the ACT Director of Public Prosecutions guidelines and often in consultation with the Office of the ACT Director of Public Prosecutions.

12.40pm Monday:

ACT Policing liaised the Department of Parliamentary Services early in the investigation. CCTV, following the allegation being reported to ACT Policing, has been secured by the Department of Parliamentary Services. Should the CCTV footage be required for the ACT Policing investigation, it will be provided at our request.

The CCTV footage has been viewed by AFP National as part of an analysis of the security breach.

#### **SPOKESMAN FOR MINISTER MICHAELIA CASH**

Ms Higgins commenced employment in the Minister's office in June 2019.

The Minister and Chief of Staff (COS) were not aware of any alleged staff incident occurring in Ms Higgins' previous employment.

In October 2019, a journalist made a media inquiry that involved Ms Higgins and her previous employment.

When the Minister and COS raised this with Ms Higgins she informed them that she did not want to discuss the issue other than it involved her and a former staff member in Minister Reynold's office.

When asked for further details, she said the matter was dealt with at the time and she did not want the matter

taken any further. She said the other staff member no longer worked in the building.

Her concern was that a journalist was making inquiries about her former employment and that upset her.

The Minister and COS said that they would respect Ms Higgins wishes for privacy but if she needed anything she should come to them. The COS and Ms Higgins discussed the Employee Assistance Program and Ms Higgins confirmed she accessed it.

At the end of January this year, Ms Higgins advised the Minister and COS that the March 2019 matter had become an issue and that she wished to resign and leave Canberra.

Both the Minister and COS advised that they wished for Ms Higgins to stay on in her role as she was good at it and they would do whatever they could to support her including relocating her job to Queensland, if she wished. Ms Higgins was grateful for the offer but declined.

Ms Higgins confirmed on 5 February 2021 that she would prefer to resign and leave Canberra.

#### **STATEMENT FROM THE FEDERAL PARLIAMENT'S PRESIDING OFFICERS**

After ongoing consultation with ACT Policing, the Presiding Officers are aware of an investigation which commenced into an incident at Parliament House in 2019.

Access to the secure areas of Parliament House is provided to authorised pass holders.

In the case of staff, they are nominated by their employing member, senator or minister. It is the responsibility of passholders and sponsors to ensure compliance with the conditions of access. Access to individual offices is determined by the employing senator, member or minister.

The entry of passholders is recorded, and security footage and records are retained in line with specific policies.

The relevant security camera footage of that evening, which was viewed by the Australian Federal Police in 2019, has been stored on an ongoing basis at the direction of the Presiding Officers and with the agreement of ACT Policing for their access as required for any investigation.

As a consequence of this issue now being under active investigation, further queries should be addressed to ACT Policing.



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