



## Statement of Claim

No. of 2023

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

**Bruce Lehrmann**

Applicant

**Network Ten Pty Limited ACN 052 515 250 and another**  
Respondents

The Applicant relies on the following facts and assertions:

### THE RESPONDENTS

- 1 The First Respondent is and was at all material times:
- (a) a company duly incorporated and liable to be sued in its own corporate name and style;
  - (b) the holder of a commercial television broadcasting licence in respect of the television station known as 'Channel 10';
  - (c) the broadcaster, and thereby the publisher, of the television programme called '*The Project*';
  - (d) the distributor of the television programme called '*The Project*', which it distributed for broadcast by affiliated television stations in the States and Territories of Australia;
  - (e) the owner and/or operator of the website located at the URL address [www.10play.com.au](http://www.10play.com.au) (the **10 Play website**), and publisher of material on that website.

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Filed on behalf of (name & role of party) Bruce Lehrmann, Applicant  
Prepared by (name of person/lawyer) Paul Svilans  
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(include state and postcode)

(f) the administrator and operator of The Project's YouTube channel on the YouTube website at <https://www.youtube.com/@TheProjectTV/featured> and publisher of material on that channel.

2 The Second Respondent is a presenter and/or journalist employed by the First Respondent or one of its related corporations for whose conduct the First Respondent is and was vicariously liable.

### FIRST MATTER COMPLAINED OF

3 On or about 15 February 2021, the Respondents published by television broadcast on *'The Project'* words and images of and concerning the Applicant in the Australian Capital Territory and every other State and Territory of Australia (a transcript of which is set out at Annexure "A" hereto, and the Applicant relies upon the images and accompanying words and text)(the **first matter complained of**):

- (a) The first matter complained of was published during the First Respondents' television program *'The Project'*;
- (b) The Second Respondent was the interviewer of Ms Brittany Higgins and presenter of the segment containing the interview of Ms Higgins;
- (c) The Respondents published the first matter complained of to audiences in the service area of television station Channel 10, being Sydney and its environs;
- (d) The Respondents also published the first matter complained of by broadcasting the matter itself and/or distributing the matter to its affiliates for broadcast throughout the rest of Australia;
- (e) The first matter complained of was viewed by over 500,000 persons;
- (f) The Applicant relies on the grapevine effect in relation to the publication of the first matter complained of;
- (g) Further particulars of publication of the first matter complained of will be supplied following discovery and interrogatories.

4 The first matter complained of, in its natural and ordinary meaning, was defamatory of the Applicant and carried the following defamatory imputations of and concerning him:

- (a) *The Applicant raped Brittany Higgins in Defence Minister Linda Reynolds' office in 2019;*
- (b) *The Applicant continued to rape Brittany Higgins after she woke up mid-rape and was crying and telling him to stop at least half a dozen times;*
- (c) *The Applicant, whilst raping Brittany Higgins, crushed his leg against her leg so forcefully as to cause a large bruise;*
- (d) *After the Applicant finished raping Brittany Higgins, he left her on a couch in a state of undress with her dress up around her waist.*

***Particulars of parts of the first matter complained of***

The Applicant relies on the whole of the first matter complained of as giving rise to each of the imputations pleaded. In particular, the Applicant relies on the following parts of the first matter complained of, adopting the paragraph numbering in Annexure "A" hereto, as follows:

- (a) Imputation 4(a): 2, 26, 27, 28, 29, 30, 31, 32, 33, 34, 56, 64 - 70, 89, 96 - 106, 107, 142, 143, 156 and 157;
- (b) Imputation 4(b): 2, 26, 27, 28, 29, 30, 31, 32, 33, 34, 56, 64 - 70, 89, 96 - 106, 107, 142, 143, 156 and 157;
- (c) Imputation 4(c): 2, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 56, 64 - 70, 89, 96 - 106, 107, 142, 143, 156 and 157;
- (d) Imputation 4(d): 2, 26, 27, 28, 29, 30, 31, 32, 33, 34, 43, 45, 56, 64 - 70, 89, 96 - 107, 142, 143, 156 and 157.

***Particulars of identification***

- (a) The Applicant worked in the office of Minister Reynolds in a position senior to Ms Higgins;
- (b) The Applicant had attended Friday night drinks organised by Ms Higgins on 22 March 2019;
- (c) The Applicant had started packing up his belongings on the Tuesday morning following a meeting with Fiona Brown;

- (d) The Applicant was working in Sydney in February 2021;
- (e) The Applicant was the person alleged by Ms Higgins to have sexually assaulted her;
- (f) Viewers of the first matter complained of, or some of them, were aware of the matters set out in paragraphs (a) – (e) above;
- (g) By reason of the matters set out in paragraphs (a) – (f) above, the Applicant was identifiable and identified in the first matter complained of, and such identification was reasonable in the circumstances;
- (h) Further, and/or in the alternative to the above, the Applicant was identified by the following persons who viewed the first matter complained of at the time of its publication and reasonably identified the Applicant:
  - (i) Commonwealth politicians, political assistants and staffers, journalists and other persons who worked at Parliament House Canberra;
  - (ii) Family, friends and acquaintances of the Applicant;
- (i) Further, and/or in the alternative to the above, the first matter complained of invited readers to speculate about the identity of the person accused by Ms Higgins of sexually assaulting her from the time of first publication, and such readers had already read and/or subsequently read social media posts and articles published on the Internet which named the Applicant as being the person accused by Ms Higgins of sexually assaulting her, including:
  - (i) [https://kangarocourtofaustralia.com/2021/02/27/were-young-women-sexually-assaulted-when-bruce-lehrmann-the-alleged-parliament-house-  
rapist-was-an-official-at-the-anu-un-conference/](https://kangarocourtofaustralia.com/2021/02/27/were-young-women-sexually-assaulted-when-bruce-lehrmann-the-alleged-parliament-house-rapist-was-an-official-at-the-anu-un-conference/)
  - (ii) <https://twitter.com/blakandblack/status/1363106005404549121?lang=en>
  - (iii) <https://blotreport.com/2021/02/17/did-morrison-almost-tell-the-truth/>
  - (iv) <https://twitter.com/PeterWMurphy1/status/1362759012719026177>
  - (v) <https://www.clownworldau.com/story/brittany-higgins/>
  - (vi) [https://twitter.com/peakhourimages/status/1363960533964128256?lang  
=en](https://twitter.com/peakhourimages/status/1363960533964128256?lang=en)

- (vii) <https://www.clownworldau.com/story/bruce-lehrmann-david-sharaz/>
- (viii) <https://www.youtube.com/watch?v=xqUjBWw1q9c>
- (ix) <https://www.townsvillemagpie.com.au/unfriendly-fire-the-real-reason-behind-the-facebook-ban-morrisons-lip-service-to-stiffen-ruperts-business-end/> .

## SECOND MATTER COMPLAINED OF

- 5 On or about 15 February 2021, the Respondents published of and concerning the Applicant on the 10 Play website words and images of and concerning the Applicant, in the Australian Capital Territory and every other State and Territory of Australia (a transcript of which is set out at Annexure "A" hereto, and the Applicant relies upon the images and accompanying words and text)(the **second matter complained of**):
- (a) The second matter complained of was published by the Respondents by uploading to and/or causing the uploading to, and thereby making the publication available and/or causing the publication to be made available for download and/or streaming to a large number of users in each State and Territory of Australia of the 10 Play website.
  - (b) The Second Respondent was the interviewer of Ms Brittany Higgins and presenter of the segment containing the interview of Ms Higgins;
  - (c) The publication was made available for download on and from 15 February 2021 at the web address <https://www.10play.com.au>;
  - (d) The second matter complained of was in fact downloaded and/or streamed and viewed in each State and Territory of Australia;
  - (e) The Applicant relies on the grapevine effect in relation to the publication of the second matter complained of;
  - (f) Further particulars of publication of the second matter complained of will be supplied following discovery and interrogatories.
- 6 The second matter complained of, in its natural and ordinary meaning, was defamatory of the Applicant and carried the following defamatory imputations of and concerning him:

- (a) *The Applicant raped Brittany Higgins in Defence Minister Linda Reynolds' office in 2019;*
- (b) *The Applicant continued to rape Brittany Higgins after she woke up mid-rape and was crying and telling him to stop at least half a dozen times;*
- (c) *The Applicant, whilst raping Brittany Higgins, crushed his leg against her leg so forcefully as to cause a large bruise;*
- (d) *After the Applicant finished raping Brittany Higgins, he left her on a couch in a state of undress with her dress up around her waist.*

***Particulars of parts of the second matter complained of***

The Applicant relies on the whole of the second matter complained of as giving rise to each of the imputations pleaded. In particular, the Applicant relies on the following parts of the second matter complained of, adopting the paragraph numbering in Annexure "A" hereto, as follows:

- (a) Imputation 4(a): 2, 26, 27, 28, 29, 30, 31, 32, 33, 34, 56, 64 - 70, 89, 96 - 106, 107, 142, 143, 156 and 157;
- (b) Imputation 4(b): 2, 26, 27, 28, 29, 30, 31, 32, 33, 34, 56, 64 - 70, 89, 96 - 106, 107, 142, 143, 156 and 157;
- (c) Imputation 4(c): 2, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 56, 64 - 70, 89, 96 - 106, 107, 142, 143, 156 and 157;
- (d) Imputation 4(d): 2, 26, 27, 28, 29, 30, 31, 32, 33, 34, 43, 45, 56, 64 - 70, 89, 96 - 107, 142, 143, 156 and 157.

***Particulars of identification***

- (a) The Applicant worked in the office of Minister Reynolds in a position senior to Ms Higgins;
- (b) The Applicant had attended Friday night drinks organised by Ms Higgins on 22 March 2019;
- (c) The Applicant had started packing up his belongings on the Tuesday morning following a meeting with Fiona Brown;

- (d) The Applicant was working in Sydney in February 2021;
- (e) The Applicant was the person alleged by Ms Higgins to have sexually assaulted her;
- (f) Viewers of the second matter complained of, or some of them, were aware of the matters set out in paragraphs (a) – (e) above;
- (g) By reason of the matters set out in paragraphs (a) – (f) above, the Applicant was identifiable and identified in the second matter complained of, and such identification was reasonable in the circumstances;
- (h) Further, and/or in the alternative to the above, the Applicant was identified by the following persons who viewed the second matter complained of at the time of its publication and reasonably identified the Applicant:
  - (i) Commonwealth politicians, political assistants and staffers, journalists and other persons who worked at Parliament House Canberra;
  - (ii) Family, friends and acquaintances of the Applicant;
- (i) Further, and/or in the alternative to the above, the second matter complained of invited readers to speculate about the identity of the person accused by Ms Higgins of sexually assaulting her from the time of first publication, and such readers had already read and/or subsequently read social media posts and articles published on the Internet which named the Applicant as being the person accused by Ms Higgins of sexually assaulting her, including:
  - (i) <https://kangarocourtofaustralia.com/2021/02/27/were-young-women-sexually-assaulted-when-bruce-lehrmann-the-alleged-parliament-house-rapist-was-an-official-at-the-anu-un-conference/>
  - (ii) <https://twitter.com/blakandblack/status/1363106005404549121?lang=en>
  - (iii) <https://blotreport.com/2021/02/17/did-morrison-almost-tell-the-truth/>
  - (iv) <https://twitter.com/PeterWMurphy1/status/1362759012719026177>
  - (v) <https://www.clownworldau.com/story/brittany-higgins/>
  - (vi) <https://twitter.com/peakhourimages/status/1363960533964128256?lang=en>

- (vii) <https://www.clownworldau.com/story/bruce-lehrmann-david-sharaz/>
- (viii) <https://www.youtube.com/watch?v=xgUjBWw1q9c>
- (ix) <https://www.townsvillemagpie.com.au/unfriendly-fire-the-real-reason-behind-the-facebook-ban-morrison-s-lip-service-to-stiffen-ruperts-business-end/> .

### THIRD MATTER COMPLAINED OF

7 On or about 15 February 2021 and thereafter the Respondents published of and concerning the Applicant, on The Project's YouTube channel on the YouTube website at the URL <https://www.youtube.com/@TheProjectTV/featured>, a video segment titled "*Former Liberal Staffer Speaks Up About her Alleged Rape in Parliament House*" containing words and images of and concerning the Applicant, in the Australian Capital Territory and every other State and Territory of Australia, (a transcript of which is set out at Annexure "A" hereto, and the Applicant relies upon the images and accompanying words and text)(the **third matter complained of**):

- (a) The third matter complained of was published by the Respondents by uploading to and/or causing the uploading to, and thereby making the publication available and/or causing the publication to be made available for downloading and/or viewing to a large number of viewers including subscribers of The Project's YouTube channel;
- (b) The Second Respondent was the interviewer of Ms Brittany Higgins and presenter of the segment containing the interview of Ms Higgins;
- (c) The publication was made available for downloading and/or viewing on and from 15 February 2021;
- (d) There were about 459,704 views of the third matter complained of;
- (e) The Applicant relies on the grapevine effect in relation to the publication of the third matter complained of;
- (f) Further particulars of publication of the third matter complained of will be supplied following discovery and interrogatories.

8 The third matter complained of, in its natural and ordinary meaning, was defamatory of the Applicant and carried the following defamatory imputations of and concerning him:



- (a) *The Applicant raped Brittany Higgins in Defence Minister Linda Reynolds' office in 2019;*
- (b) *The Applicant continued to rape Brittany Higgins after she woke up mid-rape and was crying and telling him to stop at least half a dozen times;*
- (c) *The Applicant, whilst raping Brittany Higgins, crushed his leg against her leg so forcefully as to cause a large bruise;*
- (d) *After the Applicant finished raping Brittany Higgins, he left her on a couch in a state of undress with her dress up around her waist.*

***Particulars of parts of the third matter complained of***

The Applicant relies on the whole of the third matter complained of as giving rise to each of the imputations pleaded. In particular, the Applicant relies on the following parts of the third matter complained of, adopting the paragraph numbering in Annexure "A" as follows:

- (a) Imputation 4(a): 2, 26, 27, 28, 29, 30, 31, 32, 33, 34, 56, 64 - 70, 89, 96 - 106, 107, 142, 143, 156 and 157;
- (b) Imputation 4(b): 2, 26, 27, 28, 29, 30, 31, 32, 33, 34, 56, 64 - 70, 89, 96 - 106, 107, 142, 143, 156 and 157;
- (c) Imputation 4(c): 2, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 56, 64 - 70, 89, 96 - 106, 107, 142, 143, 156 and 157;
- (d) Imputation 4(d): 2, 26, 27, 28, 29, 30, 31, 32, 33, 34, 43, 45, 56, 64 - 70, 89, 96 - 107, 142, 143, 156 and 157.

***Particulars of identification***

- (a) The Applicant worked in the office of Minister Reynolds in a position senior to Ms Higgins;
- (b) The Applicant had attended Friday night drinks organised by Ms Higgins on 22 March 2019;
- (c) The Applicant had started packing up his belongings on the Tuesday morning following a meeting with Fiona Brown;

- (d) The Applicant was working in Sydney in February 2021;
- (e) The Applicant was the person alleged by Ms Higgins to have sexually assaulted her;
- (f) Viewers of the second matter complained of, or some of them, were aware of the matters set out in paragraphs (a) – (e) above;
- (g) By reason of the matters set out in paragraphs (a) – (f) above, the Applicant was identifiable and identified in the third matter complained of, and such identification was reasonable in the circumstances;
- (h) Further, and/or in the alternative to the above, the Applicant was identified by the following persons who viewed the third matter complained of at the time of its publication and reasonably identified the Applicant:
  - (i) Commonwealth politicians, political assistants and staffers, journalists and other persons who worked at Parliament House Canberra;
  - (ii) Family, friends and acquaintances of the Applicant;
- (i) Further, and/or in the alternative to the above, the third matter complained of invited readers to speculate about the identity of the person accused by Ms Higgins of sexually assaulting her from the time of first publication, and such readers had already read and/or subsequently read social media posts and articles published on the Internet which named the Applicant as being the person accused by Ms Higgins of sexually assaulting her, including:
  - (i) [https://kangarocourtofaustralia.com/2021/02/27/were-young-women-sexually-assaulted-when-bruce-lehrmann-the-alleged-parliament-house-  
rapist-was-an-official-at-the-anu-un-conference/](https://kangarocourtofaustralia.com/2021/02/27/were-young-women-sexually-assaulted-when-bruce-lehrmann-the-alleged-parliament-house-rapist-was-an-official-at-the-anu-un-conference/)
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  - (iii) <https://blotreport.com/2021/02/17/did-morrison-almost-tell-the-truth/>
  - (iv) <https://twitter.com/PeterWMurphy1/status/1362759012719026177>
  - (v) <https://www.clownworldau.com/story/brittany-higgins/>
  - (vi) <https://twitter.com/peakhourimages/status/1363960533964128256?lang=en>

- (vii) <https://www.clownworldau.com/story/bruce-lehrmann-david-sharaz/>
- (viii) <https://www.youtube.com/watch?v=xgUjBWw1q9c>
- (ix) <https://www.townsvillemagpie.com.au/unfriendly-fire-the-real-reason-behind-the-facebook-ban-morrisons-lip-service-to-stiffen-ruperts-business-end/> .

## DAMAGE

- 9 The Applicant's hurt and harm occasioned by the publication of the matters complained of was aggravated by his knowledge of the following:
- (a) The Respondents were recklessly indifferent to the truth or falsity of the imputations carried by the matters complained of in publishing the assertions and allegations giving rise to the imputations without giving the Applicant a reasonable opportunity to respond;
  - (b) The evidence of Ms Brittany Higgins in the ACT criminal proceedings brought against the Applicant to the effect that the Second Respondent was "fighting" with Ms Samantha Maiden, the Political Editor at news.com.au, over exclusive publication of Ms Higgins' claims of sexual assault for the purpose of winning a Walkley award, from which it is to be inferred that the Second Respondent was seeking to exploit the false allegations of sexual assault as made by Ms Higgins for her own personal and professional gain;
  - (c) The publication by the Second Respondent on her Instagram account of her interview with Ms Higgins;
  - (d) The false assertions in the letter from the solicitors for the First Respondent to the solicitors for the Applicant dated 20 January 2023 that the matters complained of "*consistently make clear*" that Ms Higgins' statements were "*claims*" or "*allegations*" rather than proven facts, despite the matters complained of containing factual assertions including the following:

*Brittany Higgins: "The first thing that sort of awoke me was... I was in a pain. My leg was kind of being crushed. The senior staffer was on top of me. He was clearly almost finished [...] I woke up mid-rape essentially. I don't know why I knew he was almost finished but I'd felt like it had been*

*going on for a while or that he was almost done. He was sweaty. I couldn't get him off of me. At this point I started crying."*

*Lisa Wilkinson: "What did you say to him?"*

*Brittany Higgins: "I told him to stop."*

*Lisa Wilkinson: "Did he?"*

*Brittany Higgins: "No."*

*Lisa Wilkinson: "How many times would you estimate you said to him to stop?"*

*Brittany Higgins: "I felt like it was on a loop endlessly. At least half a dozen. I was crying the whole way through it."*

*...*

*Lisa Wilkinson: "What was her tone towards you until you told her that you had been raped?"*

*[...]*

*Brittany Higgins: "She asked me to recount the events of the night [...] that was sort of the first time I'd vocalised that I'd been raped. And I think as I was telling it, it was the first time I had sort of pieced it together myself what had happened was an assault..."*

*Lisa Wilkinson: "We now return to our interview with Brittany Higgins, the young Liberal staffer who tells us she was raped inside Parliament House."*

*Lisa Wilkinson: "So you had just told a senior advisor to Prime Minister Scott Morrison that you had been raped on Minister Reynold's couch in her private office?"*

*Brittany Higgins: "Yes."*

*Lisa Wilkinson: "That's a serious crime." [Emphasis added]*

*Brittany Higgins:* "Yeah."

*Brittany Higgins:* "It felt like everyone had all this information on my own assault and I didn't have any..."

...

*Lisa Wilkinson:* "So what's happened to the man that you say raped you on Minister Reynold's couch?"

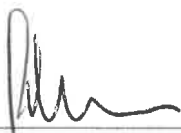
...

*Lisa Wilkinson:* "If everything that you say is true, it sounds to me like the easiest place in this country to rape a woman, and get away with it, is Parliament House in Canberra."

*Brittany Higgins:* "Yeah."

- (e) The encouragement by the First and Second Respondents for readers to read and/or share by social media the second and third matters complained of;
- (f) The conduct of the First and Second Respondents in presenting the publication of the matters complained of in an over-sensationalised manner indicating intent to injure the Applicant;
- (g) Further particulars of aggravated damages will be provided in due course.

Date: 7 February 2023



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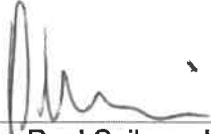
Signed by Paul Svilans  
Lawyer for the Applicant

This pleading was prepared by Mark O'Brien and Paul Svilans, solicitors and Matthew Richardson SC and Steven Whybrow SC

**Certificate of lawyer**

I, Paul Svilans, certify to the Court that, in relation to the Statement of Claim filed on behalf of the Applicant, the factual and legal material available to me at present provides a proper basis for each allegation in the pleading.

Date: 7 February 2023

A handwritten signature in black ink, appearing to read 'Paul Svilans', written over a horizontal line.

Signed by Paul Svilans, Lawyer for the Applicant

“A”

1.		[Photograph of Brittany Higgins’s Parliament of Australia identification card]
2.	LW	<p>Welcome back to this special edition of The Project.</p> <p>Tonight claims of rape, roadblocks to a police investigation and a young woman forced to choose between her career and the pursuit of justice, and it all happened right in the heart of our democracy.</p> <p>Brittany Higgins says the government betrayed her. I sat down with her for this exclusive television interview. And, a warning, this story contains confronting allegations.</p>
3.	LW	26-year-old Brittany Higgins has worked as a Media Advisor to three liberal ministers over the last two years. First, Steve Ciobo the Minister for Defence Industries, but he lost that portfolio.
4.	BH	So, on the basis of Steve being demoted, I immediately lost my job.
5.	LW	But Brittany was one of the fortunate few who found a place with new Minister Linda Reynolds.
6.	BH	I think three of us out of a team of twenty made it into Minister Reynolds’ existing team.
7.	LW	Can you describe how you were treated professionally by one of the senior male advisors to Minister Reynolds?
8.	BH	Yeah. So immediately it became clear that this person was quite...um, had a special bond with the Minister. It was very clear that he was sort of her go-to person, and he was really quite territorial of that position. It was difficult, you know, I was just grateful to have a job. I didn’t care. I was just gonna do it. I didn’t, I didn’t really care how they treated me I was just grateful.
9.	LW	So, he was a bit of a favourite of Minister Reynolds?
10.	BH	Yeah. Very much so. Um, he had been advising her in the home affairs portfolio prior to that. He had a lot of friends everywhere. He was considered one of the, sort of, rising stars.
11.	LW	On the 22 <sup>nd</sup> of March 2019, less than three weeks after she’d started in Linda Reynolds’ office, Brittany organised Friday night drinks with contacts and colleagues in Defence.
12.	LW	So, how did this senior male colleague act towards you?
13.	BH	He was nice to me. I think, I think he was grateful that I invited him. I was kind of happy that I had an opportunity to, kind of, demonstrate some value to the team, I guess. I noticed that he was buying me a lot of drinks and I was kind of...I just, sort of... (unclear) job well done. I thought I was, kind of, broadly being rewarded in a weird way.
14.	LW	So would you say you were drunk when you decided to go home?

15.	BH	Oh, absolutely. I um, the, sort of, the thing that pre-empted me deciding that I had to go home, um, I fell over in front of people. I pretty much face-planted. Um, I had scuffed my knee and at that point I was like "okay. I'm really... I have to leave"
16.	LW	Did you at any point in that evening to the best of your knowledge indicate to him that you were in any way interested in him romantically or sexually?
17.	BH	No. Not at all. I started that night with a different date. Like. I wasn't there for him at all. Um, and I invited him in a professional context, so I just...no.  My, uh, senior male colleague, he was actually quite a help in terms of getting me into a cab on the basis that I really couldn't walk. I mean, I don't specifically remember the exact conversation, but the general tone was "we live in the same direction, but I've gotta stop somewhere first"
18.	LW	Where was that somewhere?
19.	BH	Parliament. So he wanted to go to Parliament House.
20.	LW	Why?
21.	BH	He just had to pick something up. Some vague non-descript something. He paid the fare. He got out. It felt better to go into the building than stand outside in the dark by myself.  I just remember we went through the Ministerial entrance, which is the back entrance. And it's the only entrance you can get into Parliament out of hours. And then you go through to another checkpoint, and this is where physical security guards are. It's like airport security, you've gotta, sort of, take off all your metal things, take off your shoes, go through. And I think at this point I remember him saying something to the effect of "just...just be quiet"
22.	LW	So once you passed through security, where did you go?
23.	BH	We went up the lift, into Minister Reynolds' suite.
24.	BH	I remember that he was taking a really long time with something so I got to the point where I don't know if he guided me there or if I went there myself, but I ended up laying down and passing out on the Minister's couch.
25.	LW	So what's the next thing that you remember happening?
26.	BH	The first thing that, sort of, awoke me, was I was in a pain, my leg was kind of being crushed. The senior staffer was on top of me. He was clearly almost finished. Um.
27.	LW	Sorry. Was there sexual intercourse going on?
28.	BH	Yeah. I was, I was. I woke up mid-rape, essentially. Um I, I don't know why I knew he was almost finished, but I, I'd felt like it had been going on for a while, or that he was almost done. He was sweaty, I couldn't get him off of me. At this point I started crying.
29.	LW	What did you say to him?



30.	BH	I told him to stop.
31.	LW	Did he?
32.	BH	No.
33.	LW	How many times would you estimate you said to him to stop?
34.	BH	I felt like it was like on a loop endlessly. Um, at least half a dozen. I was crying the whole way through it. And we, he didn't speak to me the entire time. I just remember him eventually...he stopped. And he got up. And he looked at me and I kind of looked at him, and I couldn't get up, and then he left.
35.		[Photograph of a leg with bruise on upper thigh – white circle indicating bruise]
36.	LW	You have a photo that you took of a bruise that developed from that night. What does that photograph show?
37.	BH	It's quite a large bruise. It's just the weight, obviously of his leg pinning me down.
38.	LW	So, you've since learned that a security guard did come into the room after the alleged rape took place.
39.	BH	Yeah
40.	LW	Can you understand how someone whose job it is to keep Parliament House secure would not call for medical help?
41.	BH	No. I wrestle with it myself all the time. Um. Yeah. I don't know.
42.	LW	So when you finally woke up...
43.	BH	They were sort of yelling out to the office, just checking, cause they broadly, sort of, had an understanding that something had happened. Um.
44.	LW	Can you describe what state you were in?
45.	BH	My dress was up around my waist, the straps were kind of down. I was pretty dishevelled. I was scared that I was at work. My first thought was "oh my god, I'm at work", um.
46.	LW	How many security guards did you see on the way out?
47.	BH	I saw the two gentleman at the, um, ministerial entrance on the way out.
48.	LW	Did any of those security guards ask if you were okay?
49.	BH	No... No.
50.	LW	What happened when you got back to your apartment?
51.	BH	My roommate thought it was kind of weird and I was acting weird. Um, but I just sat in my room all day and cried.

52.	LW	Monday morning, Brittany went to work as usual. So did her senior colleague, the alleged rapist, but no one raised the weekend security breach. That came on Tuesday morning.
53.	BH	So, immediately the tone in the office had changed and we had an acting manager, we call them Chiefs of Staff, named Fiona Brown and she had been seconded from the Prime Minister's office and she is the Director of Operations, so, um, she came in on the Tuesday morning and asked if the senior colleague and I would go into the office and speak with her.  So, she originally brought in the senior colleague and they were probably in there for about 45 minutes.
54.	LW	So, this colleague came out.
55.	BH	Yeah. So he immediately walked out of the office and started packing up his things.
56.	LW	So what was her tone towards you, until you told her that you had been raped?
57.	BH	It was very procedural. It felt like a disciplinary meeting. It was... "we've been made aware of the events and that you guys were here after hours and you know that's not acceptable", um, and then she made me rescind this thing called the Ministerial Code of Conduct... and it's...
58.	LW	Why was that?
59.	BH	I don't really know. I think I guess because we were acting in a way that was out of...um, not in accordance with the code of conduct. She asked me to just recount the events of the night. I started from the start and I went all the way through. And that was sort of the first time I'd vocalised that I'd been raped, and I think as I was telling it, it was the first time I'd sort of pieced it together myself, what had happened was an assault and that was when the entire, sort of, tone changed I think. Yeah. Then she, sort of, moved into sort of, a different hat came on and she wasn't disciplining me, it was more about managing a situation.
60.	LW	What does that mean?
61.	BH	It felt like it became...this was like, immediately became sort of like the political problem. It felt like that immediately. It wasn't a staffing problem, it wasn't a HR problem, it wasn't a human problem, but it, it immediately was like "okay. We have an issue".
62.	LW	Coming up... How the government responded to Brittany's shocking claims and held a meeting in the same room that the alleged incident took place.
63.	BH	This is where it's happened, it's right there. It was unfathomable that they would put me in that space again.
[break]		
64.	LW	Welcome back. We now return to our interview with Brittany Higgins, the young liberal staffer who tells us she was raped inside Parliament House.
65.	LW	So, you had just told a senior advisor...

66.	BH	Yeah
67.	LW	...to Prime Minister Scott Morrison that you had been raped on Minister Reynolds' couch in her private office.
68.	BH	Yes
69.	LW	That's a serious crime.
70.	BH	Yeah.
71.	LW	What support were you given by Fiona Brown?
72.	BH	Um. We have an employee assistance program, and I remember she gave me a brochure for the employee assistance program, and I think she told me that day that I could take the rest of the day off. And I, I did.
73.	LW	So what was in the brochure that you left with?
74.	BH	Oh uh, A phone number. I, I did call it. Um, I think it was like a two month wait to speak to a psychologist.
75.	LW	Did she call the police?
76.	BH	She said internal mechanisms were already at play.
77.	LW	What does that mean?
78.	BH	Inside of Parliament House, it's it's own unique AFP unit, and so they act independently from the ACT Police and they're a brand to the federal police. Apparently, it was this automatic sort of series of events that had been triggered on the basis that there'd been a breach of security in the Minister's office.
79.	LW	The fact is different rules apply in the building behind me. The internal police force answers to politicians, Parliament's presiding officers, rather than the bosses at the Australian Federal Police.
80.	GW	Parliament jealously guards its protections. It doesn't like outside interference. And as a result sets up systems and laws that preserve its ability to function free of interference.
81.	LW	Constitutional lawyer, Professor George Williams
82.	GW	It does mean we need to be weary sometimes, because there's a lot of vested self interest in making sure that politicians protect themselves, protect their party members and the like, and that can be an impediment to actually getting just outcomes on the law enforced properly.
83.	LW	Brittany was interviewed by the Parliament House police unit.
84.	LW	Did you ask to see the CCTV footage of you on that night into the morning?
85.	BH	Yeah.
86.	LW	Do you know how far that CCTV followed you?

87.	BH	It, it went from the very front entrance of uh where the taxi would have stopped, all the way through going through security, all the way up to suite.
88.	LW	Because at this point, you knew that quite a few people had seen this CCTV footage.
89.	BH	Yeah... Yeah. I knew that Fiona had seen it, um, I knew that, sort of, one of my other colleagues had seen it from Defence, and so it was this strange thing where it felt like everyone had all this information on my own assault and I didn't have any and I, I desperately wanted to. I asked at least half a dozen times to see that CCTV and um, she always said no.
90.	LW	Who's she?
91.	BH	Uh Fiona.
92.	LW	How did that make you feel?
93.	BH	Um. It hurt. It really hurt. It felt like a betrayal for them to, sort of, withhold this one really small thing that I, I needed just personally for myself to process, to move on. Um, Or just to understand what had happened to me. Um. Yeah, it really hurt. I don't know why. It really upset me.
94.	LW	So when did Minister Reynolds speak to you about what happened?
91A		[Video of Phone showing message chain, panning from Fiona Browns name and the date '31 Mar 2019' at the top of the screen to a message stating "Linda just wants to catch up with you to see how you are as you've not caught up, look forward to seeing you, a busy week ahead!!! Best, Fiona" sent at 4:06pm]
95.	BH	So I got a WhatsApp from Fiona Brown indicating that Minister Reynolds would like to have a meeting with me and Fiona on the following Monday and I kind of expected to walk into Fiona's office, where we'd been having all of our other meetings and um, we actually went into the room where it happened and, it was just like a white-out in my mind, cause it's the first time I'd ever had to go back there. And so, between, sort of, me and their table was the couch and I just remember feeling so... I'm sure they were saying words but I barely remember a single word they said during that entire process, cause I was just so cognisant of... this is where it's happened. It's right there. That's exactly where it... and it was just this loop playing in my mind of this trauma that I had just, sort of, come to terms with, and I just thought it was unfathomable that they would put me in that space again.
96.	LW	Did Minister Reynolds know that that was the couch that you alleged the rape happened on?
97.	BH	There's no way she wouldn't. She knew it was in her office. I, I felt like I was reliving it every second of being in that room.
98.	LW	So what did she say to you?
99.	BH	She was apologetic. She was, She was nice. She did say nice words. She was apologetic, she asked how I was, um, and then pretty quickly the conversation turned to sort of... the police. And if I chose to go to the police, we would support you and it was this sort of... it felt like a weird

		sort of HR ticking a box moment. It was never sort of, overtly stated but any sort of mental help leave or when I spoke about needing time off to go speak to the officer, it always became a quite a different sort of issue in the office. I could tell that it made Fiona uncomfortable. I could tell that...
100.	LW	It made Fiona Brown uncomfortable if you brought up anything that referred, at all...
101.	BH	To the incident.
102.	LW	...to the alleged rape.
103.	BH	Yeah...yeah. And so it became a topic that was really hard to raise with her and she was sort of my only point of contact in terms of HR or anything. She was my only sort of, person I could go to. The Minister clearly didn't want to hear about it anymore. She didn't broadly want to see me anymore. And so Fiona was like, my sort of, um, the only person I could talk to and it was dismissed. It was played down. And it was, it was made to feel it was my problem, and so I would....and so I would, I would try and raise it and I would try and bring it up and it was always...it always came back to sort of being a me issue, and if, if you can't deal with it then you can leave.
104.	LW	Coming up...the very different career outcomes for Brittany and her alleged rapist.
105.	LW	So what's happened to the man that you say raped you on Minister Reynolds' couch?
106.	BH	He's fine. I don't think he suffered any consequences for it at all.
[break]		
107.	LW	This special edition of The Project. A Federal Government spokesman admits that the meeting between Brittany Higgins and Senator Reynolds should not have taken place in the office where the alleged assault occurred. But, he insists that Minister Reynolds and Fiona Brown encouraged Brittany to speak to the police and guaranteed there would be no impact on her career.  Today the Prime Minister was questioned, questioned in Parliament about the assault and he endorsed the way the case had been handled by Government officers, including Fiona Brown.
108.	SM	The Government has aimed to provide Ms Higgins with her agency. To provide support, to make decisions in her interests, and to respect her privacy. This offer of support and assistance continues.
109.	LW	But for Brittany, the alleged assault left her feeling she had to choose between her career and seeking justice.
110.	LW	Who called in the AFP?
111.	BH	The internal Parliament House decided to elevate it to them. So that's when the Belconnen, um, Sexual Assault Crimes Unit got involved.

112.	AFP	Oh, hi Brittany it's ***** from AFP. We're just trying to organise an appointment for tomorrow probably after 11am when our detectives will be available.
113.	BH	And they actually came and picked me up from Parliament House and that was the first time I had a real counsellor. I had a lady from the Canberra Rape Crisis Centre there with me, and I had two officers there, and they were very proactive. They had already started acquiring footage from the venues we'd been at earlier in the night, but immediately she raised the fact that she was already having difficulty with Parliament House, getting copies of the CCTV footage. She said that this would be a bit of a battle. She didn't know if she'd be able to get it.
114.	LW	And she was so concerned she elevated it to her superior.
115.	BH	Yeah. That's correct.
116.	LW	And did her superior have any luck getting that CCTV?
117.	BH	Not to my knowledge.
118.	LW	So this all happened just weeks before the Federal election of 2019 was called...
119.	BH	Yeah
120.	LW	... and I believe that Fiona Brown from the Prime Minister's office gave you two choices on how to proceed.
121.	BH	Essentially, I could...I could go home. They'd pay me. I would technically be employed. In six weeks' time our contracts were all going to expire anyway, and I could just sort of take leave and I could just sort of just process what had happened to me, and I could just go home.
122.	LW	To try and heal?
123.	BH	Yeah. Um. And I asked "so what's the process of coming back?" and she said "Well, you wouldn't" and that was the really clarifying moment for me where I fully sort of internalised that this is a political issue. My job is on the line for this, I don't really have a choice.
124.	LW	So what did you choose?
125.	BH	This is my dream job. I had worked my entire life to get here. I wanted this future. I wanted to be a part of it for my entire, sort of, working life. So yeah, I went to WA
126.	LW	What was in WA?
127.	BH	I was, sort of, just a part of Minister Reynolds', sort of, WA-based team in this...up in a hotel room, but we were sort of working seven days a week. I was pretty suicidal, to be honest, at the time. Because you're just alone. It's really hard.
128.	LW	Did you think it was a curious option to send someone, who had just alleged rape, to the other side of the country with no support network around her at all?

129.	BH	Yeah. I thought it felt intentional. ....Sorry.
130.	LW	How did Minister Reynolds treat you during those six weeks?
131.	BH	I mean, she was never outright rude to me but um she did sort of actively try and avoid me as much as possible. She didn't like me coming to her events, she didn't like me going to things with her. I think I made her uncomfortable.
132.	LW	Why did you decide not to pursue the case with the AFP at that point?
133.	BH	Because we were already coming up against so many blockades and I realised my job was on the line. I didn't feel like I had a choice.
134.	LW	Did you feel pressured in any way whatsoever not to proceed with the case with the police?
135.	BH	Oh, absolutely. There is a strange culture of silence in the parties and you just, you don't, the idea of sort of, speaking out on these sort of issues, especially around a campaign is just... it's like letting the team down. You're not a team player.
136.	LW	After the election, Brittany accepted a job from Employment Minister Michaelia Cash. In July 2019, Minister Cash was asked about two other claims of sexual assault within the Liberal Party.
137.	MC	These are serious allegations and I would say to the parties concerned, um, that they should be referred to the appropriate authorities.
138.	BH	I was actually down the hall from her when she'd said that. I was in the press gallery at the time. And yeah, it was hard to hear that because I knew that, you know, even if you go down the right pathway, they're not gonna.... they... the party isn't willing to help or support you.
139.	LW	Brittany believes Michaelia Cash found out about her experience three months after the remarks in the corridor, and that the information came directly from Linda Reynolds, breaching her privacy. Michaelia Cash's office disputes this, saying that she only recently found out the specifics.
140.	LW	Did Minister Cash have any words of advice on how you should deal with the trauma that you were going through?
141.	BH	Yeah. I was having difficulties actually coming through the entrance of Parliament House. It was that, that same entrance where the incident happened and so I felt, every time I'd walk through it I'd get quite panicky and I sort of, I said that I was having difficulties just coming in and at that point she was like "well you, you're just going to have to sort of suck it up" essentially. And it was, it's that same idea of "you deal with it, or you leave"
142.	LW	So, apart from Fiona Brown, has anyone else from the Prime Minister's office been in touch with you over the assault?
143.	BH	Yeah. So I've had, Yaron Finkelstein sort of broadly, in proximity around it during the actual week after the event.
144.	LW	Who is Yaron Finkelstein?

145.	BH	He is the Principal Secretary to the Prime Minister, I think is his official title, but essentially, he's sort of just the fixer. He fixes problems. Not just people, but other issues. But he's, he's the fixer.
146.	LW	Did you hear from Yaron Finkelstein after that initial period?
147.	BH	I did, I did. It was just like a, strange sort of, check in essentially. But those happened to me kind of pretty regularly.
148.	LW	And what was the timing of that check in?
149.	BH	There was some sort of story. But it was, it was another sort of liberal women issues Four Corners...
150.	LW	The Canberra Bubble story on Four Corners?
151.	BH	Yeah. That's correct.
152.	LW	And what did he say?
153.	BH	Just checking in.
154.	LW	Is it normal for a junior staffer to get a call from the Prime Minister's chief fixer?
155.	BH	No. No, it's not normal.
156.	LW	So what's happened to the man that you say raped you on Minister Reynolds' couch?
157.	BH	He's fine. He's working in Sydney, he's, he's got a good job. Everyone... people don't know why he left, and I don't think he suffered any consequences for it at all. I think he just kind of got to keep going.
158.	LW	Are you able to keep working in this environment?
159.	BH	No.
160.	LW	Have you resigned?
161.	BH	Yeah.
162.	LW	Are you at all concerned that maybe by resigning that you've just taken this problem out of your boss' hands? Out of the government's hands?
163.	BH	No. I think that resigning is the only thing I can personally do to sort of say that I don't think that anyone else should go through what I went through.
164.	LW	If everything that you say is true, it sounds to me like the easiest place in this country, to rape a woman and get away with it, is Parliament House in Canberra.
165.	BH	Yeah..... yeah...
166.		[Photograph of Ms Higgins's Parliament of Australia identification card]



167.	LW	<p>We of course approached all the people named in our story, and all our requests for interviews were declined. Those requests remain open. Full statements on behalf of the Prime Minister's office, Fiona Brown, Linda Reynolds, Michaelia Cash, and the Australian Federal Police can be seen on our website. But there is some good news for Brittany tonight, after almost two years, Parliament House authorities have finally told us the CCTV will be available to investigators.</p> <p>And of course, if this story has raised any issues for you, national 24 hour counselling and support can be found at 1800-RESPECT which is 1800-737-732 and of course, crisis support is available 24/7 through Lifeline on 131114.</p> <p>That's it for tonight's show, please join us again tomorrow night for more Project at 6:30. Goodnight.</p>
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