

**Transcript of 7NEWS Spotlight, Bruce Lehrmann Exclusive: Bombshell new interviews and evidence – 16 August 2023 (<https://www.youtube.com/watch?v=tEhuhkWNn9Em>)**

The speakers are:

- Michael Usher (host) (**Usher**)
- Liam Bartlett (journalist) (**Bartlett**)
- Bruce Lehrmann (**Lehrmann**)
- Linda Reynolds (**Reynolds**)
- Steven Whybrow (**Whybrow**)

There is audio from:

- Samantha Maiden (**Maiden**)
- Lisa Wilkinson (**Wilkinson**)
- Brittany Higgins (**Higgins**)
- David Sharaz (**Sharaz**)
- Katy Gallagher (**Gallagher**)
- Shane Drumgold (**Drumgold**)

**FEDERAL COURT OF AUSTRALIA**  
 Judge: Lee J Date:  
**Lehrmann v Network Ten**  
 File No. NSD103/2023  
**EXHIBIT/MFI: R44**  
 Description:  
 Return to: **AIDE MEMOIRE**  
 (party/non-party, if produced on subpoena)  
 Associate:

Higgins (voiceover)	I knew of knew that maybe he sort of liked me a little bit yeah, like I knew that, you know you just kind of know when someone kind of
Maiden	No but there was nothing to
Higgins (voiceover)	No
Voiceover	I've got two people going into Linda Reynolds' suite. Foxtrot four is taking them up.
Bartlett	Mr Sofronoff found that you did not get a fair trial. But that doesn't necessarily mean that Brittany Higgins is lying
Bartlett	Late last week, not long after Brittany Higgins drove out of this service station, she would post an explosive comment on her Instagram.  [Image of Instagram post by @brittanyhiggins_]  Clearly referring to Bruce Lehrmann as her rapist.  Her actions came at the end of yet another tumultuous week of recrimination surrounding the most controversial rape trial in Australian history.
Voiceover	The ACT Government will consider prosecuting Shane Drumgold, who led the failed trial, for misconduct.
Bartlett	The person who broke the original story was Samantha Maiden.  She's one of Australia's most respected journalists.  In 2022, she won the Gold Walkley for her report on Brittany Higgins' rape allegations.

Maiden (Walkley speech)	This is a huge honour and I'd like to thank the Walkley Foundation
Lehrmann	Samantha maiden was ground zero here really. I mean, Samantha Maiden got the story first.
Maiden (Walkley speech)	I'd love to stand here before you tonight and say that, Brittany Higgins and I knew when we first started that story, the impact that it would have.  I really didn't want to cry, I'm not gonna cry, but that I still remember her, you know, sitting in my lounge room and saying, is anyone gonna care about this story?
Maiden	If you want to do it, that's great. You don't owe anyone anything. You don't have to please me or Lisa Wilkinson, or anyone. Right?  So I just want you to feel like you've got control over the process.
Maiden (Walkley speech)	I do also need to say from the outset something that everybody in this room knows, which is that this is a matter that is before the courts, and that there is a man who has pleaded not guilty.
Higgins	Bruce, sorry, is, do, names?
Maiden	It doesn't matter. You can call him Bruce. You can call him whatever you like, you call him an asshole if you like.
Maiden (Walkley speech)	I'd like to thank our lawyers.
Maiden	Our lawyers are going to wet their pants over naming Bruce.
Higgins	Yeah
Maiden (voiceover)	But if we don't name Bruce in the story, two things will happen. One is we can just get story out beautifully. No problem. Two is people will know it's Bruce.
Lehrmann	03:09  You know what, I actually think she shouldn't hand the Gold Walkley back. She should keep it. Keep your awards because you just look like idiots.
Maiden (Walkley speech)	03:18  There's only one other person I think I would like to thank. Clearly it is Brittany Higgins for trusting me to tell her story.
Bartlett	Her story would eventually lead to the arrest of Bruce Lehrmann and his subsequent trial, as journalists in Australia and overseas...
Voiceovers (voicemails)	<i>Hello, you've reached the voicemail of Brittany Higgins.</i>  <i>Hello Brittany, Amanda Collins from Q&amp;A.</i>  <i>Hi Brittany, it's Barrie Cassidy calling.</i>  <i>Hi Brittany. My name is Olivia.</i>  <i>I'm a reporter with The New York Times.</i>

	<i>It's Michelle Grattan.</i>
Bartlett	... clamoured to speak to his accuser.
Voicemails	<i>Hi Britt, it's Erin Molan here. My apologies it has taken a few days to get back to you.</i>
Bartlett	But it would also raise questions about the conduct of some reporters.
Wilkinson	One of the most courageous women I know. Miss Brittany Higgins.
Bartlett	Did journalists get too close?
Maiden	What do you want me to ask you at the Press Club?
Bartlett	What wasn't revealed?
Maiden	Is there anything pissing you off that you need to talk to me about?
Higgins	Um, oh, Grace Tame's pissed me off.
Bartlett	And was impartiality and the presumption of innocence lost when it came to the accused man.
Higgins	They blocked him from even as a lobbyist from being able to get into parliament house so he can't get a pas anymore.
Maiden	Yeah, which presumably is shitty about
Higgins	Yeah I hope so.
Maiden	But yeah, so I think look what needs to happen now is we need to eat dumplings.
Higgins	Yeah.
Maiden (Walkley speech)	04:59 Thank you. I am so appreciative is a great honour. And I'd like to thank Brittany Higgins. Thank you.
Usher	05:09 I'm Michael Usher, welcome to spotlight. This week the scandal surrounding Brittany Higgins right delegation claimed another victim, Shane Drumgold. The former ACT Chief Prosecutor was forced to resign after the Sofronoff Inquiry into the handling of the case, found he engaged in gross misconduct and denied Bruce Lehrmann a fair trial.
Maiden	05:29 A man has been charged, he has pled not guilty

Usher	05:33 Tonight even more damning revelations and never before heard recordings.
Maiden	05:38 Do you not think that's weird?
Usher	As the senator...
Reynolds	05:41 It was clearly a setup from beginning to end.
Usher	The lawyer
Steven Whybrow	It was appalling. Bruce did not get a fair trial.
Usher	And the accused at the heart of the controversy speak out
Lehrmann	05:52 I mean, a resignation by Mr. Drumgold frankly is not enough.
Bartlett	06:09 To fully appreciate the impact this whole sorry saga has had on so many lives, we really need to return to ground zero.  So I want to take you back to the office of Senator Linda Reynolds.  Linda Reynolds was Australia's Defence Minister, and the boss of both Bruce Lehrmann and Brittany Higgins, at the time of the alleged rape.
Reynolds	We are at the office here the real the real work happens. And this is my office in here, come in.
Bartlett	Until now, until the findings of the Sofronoff Inquiry became public Senator Reynolds has been unable to speak.
Bartlett	I'm pleased to doing this.
Reynolds	Thank you. It's time. Thank you for doing.
Bartlett	06:58 Well, Senator, I know this has been a very rough ride for you. The decision to sit down and have a chat to us, not one you've taken lightly.
Reynolds	07:11 No, it's not. But now that we've had the criminal trial, this rather extraordinary civil payments. And now the Sofronoff Inquiry Report. I think it's time for the truth to be told.
Bartlett	07:25 Shane Drumgold painted you as a cold-hearted political manipulator



Reynolds	He did
Bartlett	Who couldn't care less about a vulnerable young woman in your own office. That's how you were put in the public light. Did that hurt?
Reynolds	07:41 It more than hurt.
Voiceover	Reynolds? Was that a tough day?
Reynolds	And I think that's one of the things that just completely devastated me was that the allegations that were aired about me.  You cannot think of anything worse, any worse allegation to make of any woman that you covered up the rape of a young woman and one in your in your office.  It was it wasn't true. It just simply wasn't true.
Higgins	08:12  We went up the left into a minister Reynolds suite
Reynolds	08:16  From day one. I told the truth.
Wilkinson	<i>How many security guards did you see on the way out?</i>
Higgins	08:22  I saw the two gentlemen when I saw
Reynolds	08:24  When I saw that footage with Lisa Wilkinson on that first day, to see her distress.
Higgins	So yeah,  I went to WA,
Reynolds	08:32  I just couldn't believe what I was seeing.
Higgins	It always sort of came back to sort of being a me issue. And if you can't deal with it, then then you can leave.
Reynolds	08:42  And don't forget Liam when it was reported to Fiona, my chief of staff and myself, three some three days after the incident, it was reported to us just as a security breach.
Lehrmann	08:52  Bruce Lehrmann here with Minister Linda Reynolds who have been requested to pick up some documents,

Reynolds	08:58  Because to staff going in after hours into a defence portfolio office, it was a huge security breach. So that's how we dealt with it.  What people possibly didn't know and what she wouldn't have known at the time is that that was Bruce's second security breach if you like incident.  And so after Fiona talked to him about that incident on the night, we let him go.
Maiden	09:32  So were there rumours or
Higgins	Everyone was weirded out that he suddenly left, no goodbye. He packed up a box and he was gone.
Reynolds	09:38  Brittany saw that. And then she went in afterwards. And she was quite rightly concerned for her job. But we made it clear that you know she had done the wrong thing. But if she wanted to stay, she could.
Higgins	09:53  We had an acting manager we call them Chiefs of Staff named Fiona Brown.
Reynolds	My Chief of Staff Fiona Brown has been utterly devastated by this. And she did everything right.
Higgins	10:05  So she came in on the Tuesday morning and asked if the senior colleague and I would go into the office and speak with her.
Wilkinson	10:13  So when did Minister Reynolds speak to you about what happened?
Higgins	10:17  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 we actually went into the room where it happened.
Bartlett	10:35  You wanted her to go to the police.
Reynolds	10:36  I did I in fact, there's only two people who I know of who who facilitated her going to the police. And that was myself and my Chief of Staff, Fiona Brown.
Bartlett	10:46  If you had your way, she would have gone straight to the police

Reynolds	10:49 <p>On that Friday before I'd even met her. Yes. And that was she hadn't said that she had been raped. She hadn't said there'd been a sexual assault. But my concern and Fiona's concern was, by the end of that week, she had said that she thought maybe something sexual had happened. In fact, the expression she used is he was on top of me.</p>
Higgins	11:10 <p>And all of a sudden, he was on top of me and I physically couldn't get him off of me.</p>
Reynolds	11:16 <p>Now the advice we got is that is not an allegation of rape.</p>
Bartlett	Well, she still didn't use the R word did she?
Reynolds	She never she never used the rape word, ever. And in fact, if you go back and have a look at one of the early stories, that on the first day when the story broke, she's quoted in that story saying she never used the rape word with us.
Bartlett	11:37 <p>Well, that was written by Samantha Maiden.</p>
Reynolds	It was
Maiden	11:40 <p>Did they offer you any counselling or anything?</p>
Higgins	11:44 <p>They gave me one of those EAP brochures. [laughing]</p>
Maiden	I love an EAP brochure.
Reynolds	11:49 <p>Fiona demonstrably counselled her provided her support, and taken her to the AFP, and then gave her an option to either stay working in Canberra because some of my ministerial staff were staying here. But others were coming back to Perth to campaign with me in Perth.</p>
Bartlett	12:08 <p>Brittany Higgins told Samantha Maiden that she was given an ultimatum by your office.</p>
Higgins	12:15 <p>It was one or the other so I can take the money and go home.</p>
Maiden	Right.
Higgins	Or I could just stay on board.

Maiden	It was a lot to give up for something that wasn't your fault
Higgins	Yeah.
Maiden	That's pretty f****ed up
Bartlett	12:26  So she could either take the money and go home, or stay and work on the election campaign. No counselling, no support. Is that true?
Reynolds	12:37  No.  Demonstrably not true.  And my Chief of Staff testified to that in the criminal trial.
Bartlett	12:44  Brittany also says, tells Samantha Maiden, without a shadow of a doubt, she tells her that you hated them.
Brittany	She hated me.
Maiden	Right
Brittany	12:56  Yeah, she's still to this day, hates having to be around me.
Maiden	Really?
Brittany	Yeah. So much
Maiden	You can tell?
Brittany	It's so awkward.
Reynolds	13:04  Of course, I didn't.
Bartlett	Well, you obviously gave her a second chance.
Reynolds	Absolutely gave her a second chance. Because, you know, bright, keen, you know, politically aware, exactly the sort of person that you know, we we want in here. I mean, that was me, you know, when I first started working here in this building, many years ago, you know that that was me.
Bartlett	13:28  The Sofronoff Inquiry has outlined the fact that the police have a list of what they call

	discrepancies, that they were worried about fibs, if you like that, she may have told 18 of them.
Reynolds	13:49  There were many discrepancies. I was aware of some of them from that first day, because and when I uttered, you know, the comments that were widely reported,
Bartlett	14:00  You called her a lying cow.
Reynolds	14:02  I did. But that was not about and this is why a lot of misunderstanding is that wasn't about what did or didn't happen on that night. Because there was only two people who knew what happened that night. And that was in dispute.
Bartlett	14:15  Is she still a lying cow?
Reynolds	14:18  I can't, you know, we've got settlements. And yeah, we've sort of agreed. So I
Bartlett	14:25  You've got a non-disparagement clause, have you?
Reynolds	14:28  So I think - our recollections today vary greatly.
Bartlett	14:37  That's a nice way of putting it.  Brittany sued you for defamation.
Reynolds	Yes
Bartlett	And you had to pay out of your own pocket.
Reynolds	I did.
Bartlett	You are now suing her.
Reynolds	14:48  I am.  The reason I'm doing that Liam is that for, you know, for nearly two and a half years...
Higgins	I'm worried what too many people...
Reynolds	... Brittany has had control of the narrative and it was designed to hurt.
Bartlett	15:01  So essentially, can I just paraphrase you've had enough.



Reynolds	I've had enough.
Bartlett	This all started early on before it became public, the pile on against you started very early on he did. One of the reasons we know that is true, Senator, is from the recordings that were made with Brittany Higgins and the crew from Channel 10. Can I just play you a little bit?
Reynolds	Please.
Bartlett	If you don't mind, just to refresh your memory.
Higgins	15:28  So Linda Reynolds hated me, it was very awkward.
Sharaz	She didn't want to be in photos with you?
Higgins	No, she kept me like an arm's length.
Wilkinson	15:36  I'm a great believer in people's time will come. I'm incredibly pleased.
Sharaz	Is it Linda's time? Please god let it be Linda's time.
Wilkinson	And if anybody wants to feel fired up about zeroing in on Linda Reynolds, I just found our private messages. Did you see our private exchange?
Higgins	I did I did it was very scary.
Wilkinson	So I said, you know, we she went for me publicly. And then I tried to come back reasonably. And then I thought, I'm not going to do this publicly. I'm trying to work out who this [fucking] woman is. Like, I've never heard of her, she's a nobody. I've never heard of her. I've so got her in my sights now, now that I've refreshed my memory on that.
Wilkinson	16:21  Lisa Wilkinson, I've got her in my sights now. That effing woman
Reynolds	16:28  A woman I've never met. And this is one of the, you know, where does where does that hatred come from? Where does that nastiness? It's, you know, it's visceral. And where does it come from? I'd never, I mean, I've never met Lisa. We had a private message exchange because she tweeted something rude about liberal women. She's not a big fan of liberal women. And we took it off privately. And we had a you know, an exchange. And that was it.
Bartlett	17:08  Well, you're clearly the target.
Reynolds	17:10  Yes. But why? i It's I don't I I don't understand it. And it's, you know, it hurts.
Bartlett	17:27

	How do you explain these things because she goes into detail about this. She says you avoided being in photos with her because you, quote, hated her out of hand.
Higgins	17:40  She avoided being in photos, she avoided being near me like I was toxic. She hated me out of hand.
Maiden	How, why?
Higgins	I don't know, because like she'd worked her entire life to finally get MINDEF and I was like it her first two weeks of MINDEF some little twit she doesn't know it just gets assaulted in her office and she hates it, and she hated me.
Maiden	Right
Higgins	Yeah
Reynolds	17:59  From my perspective, it is simply not true. There are plenty of photos. And in fact, I note that she had provided many of these photos of us together on a campaign trail, in Perth out and about campaigning with me with my team.
Bartlett	18:18  And you were happy with it.
Reynolds	Oh absolutely. She was young, smart, keen, enthusiastic, and she loved politics.
Bartlett	18:27  So why would she make this stuff up?
Reynolds	18:29  I cannot, I cannot put myself in her mind. But there was no outward sign to me that there was anything wrong, in fact.  [ringing]  Oh, am I gonna have to go?  Sorry just happens.  Can you just, sorry Rob, because I haven't got leave yet, so I might have to go for quick division. That's a real .Sorry. I have to go. I'll be back.
Reynolds	18:50  Can You just remind me Yeah, because when we came back here, I offered her a job. And she gave me flowers and thanked me for being a great boss.
Bartlett (voiceover)	19:03  Coming up, Shane Drumgold painted you as a political manipulator.
Reynolds	19:08

(voiceover)	Every good political hit job needs a villain
Voiceover	19:10 You're the person who has avoided answering any facts relating to this matter. Senator Gallagher. It's all about protecting yourself.
Reynolds (voiceover)	19:29 In politics and in a democracy, the truth has to matter.
Bartlett	19:37 The truth as it relates to Shane Drumgold. His conduct, grossly unethical. Yes.
Reynolds	Yes
Bartlett	I'll just go through a few of the headlines, serious malpractice
Reynolds	Yes
Bartlett	Knowingly lied to the Supreme Court. What should happen to Director Drumgold in your opinion?
Reynolds	19:54 I think that it was unfortunate that he was able to resign. I think the government should have had the courage, the ACT government, to have stood him down or sacked him.
Bartlett	20:07 Shane Drumgold painted you as a cold-hearted political manipulator?
Reynolds	20:13 He did. I was the perfect villain, although none of it was absolutely true. So every good political hit job, and every good story like this, and every social crusade needs a villain. And I've now learned a lot more about how that was set up through you know, through those recordings with Miss Higgins and Lisa Wilkinson.
Sharaz	Do you have friendly MPs? You know, that could fire questions at question time.
Wilkinson	Oh, certainly Albo. Tanya Plibersek definitely.
Sharaz	And then the Senate Estimates is in March and that's when I'm doing to talk to, I've got a friend in Labor, Katy Gallagher on the Labor side who will probe and continue it going
Gallagher	21:02 I've got some questions around the termination of a staff member from your office.

	And the meetings that were held across ministerial offices about that.
Reynolds	Senator Gallagher again those all go...
Gallagher	They are not subject...
Reynolds	it was clearly a setup from beginning to end with respect and Kimberly kitchen had told me about before it happened. So she warned me out of the ... she did a good thing to warn me about you know that in her words, the hell that Labor was about to rain on me to get to, you know, Scott Morrison
Bartlett	21:42  Explain this to me. How does a senator in Katy Gallagher, how does she tell the Senate of Australia that she didn't know about any of the details before this became public?  And we now learn that she did know, but she says that's not misleading the Senate. Explain that to me.
Reynolds	I can't
Gallagher	22:08  You're person who has avoided out of all of this, has avoided answering or providing information about your state of knowledge or any facts related to this matter
Reynolds	Senator Gallagher, that is absolutely not true
Gallagher	It is absolutely true.
Reynolds	22:21  Senator Gallagher, I did answer your questions to the point that you ground me to the ground, I ended up in hospital. But I'm back here. I'm answering questions. I'm answering questions. And I'm assisting, so I'm assisting the AFP with their enquiries. Senator Wong, please do not please do not talk over me Senator Wong. It's not appropriate to talk over me.
Reynolds	It achieved it's intent
Reynolds	I have full confidence that my then Chief of Staff and I, at all times acted in what we believed were in the best interests of Brittany.
Reynolds	Everybody could see I collapsed in the Senate,
Speaker	The minister representing the Minister for Home Affairs, Senator Reynolds
	And I've now been diagnosed that brought on a serious heart condition, which I'm now managing.
Reynolds	23:21  If I could ask, Mr. President, if I could have indulgence to answer this on Monday.  I think I'd be in a better position to answer this on Monday. I will, if you can just give

	me a minute. Or can I take it on notice. Thank you.
Reynolds	23:33  So Liam what I focus on now is where did this actually start? It didn't start with my team. It started with the Me-Too movement. It found the poster child for this. It found the cause célèbre for the Australian version of the Me-Too movement.
Footage	We believe Brittany, we believe Brittany
Bartlett	23:57  After her alleged rape, Brittany Higgins continued to work for Linda Reynolds, including later that year, the 2019 campaign that resulted in the re-election of the Morison government
Reynolds	24:13  Just before the election, it was coincided with my birthday and the end of the election. So I had all my staff and we had a really wonderful dinner.  And Britney was sitting next to me. And it wasn't until the trial that I realized she was in the white dress that she said she was in that night of the alleged incident.  And that floored me because I thought you know, just a handful of weeks afterwards. That dress was in Perth. And it was still being worn - that I could not understand.
Bartlett	24:50  Well, I think it became painfully obvious then from those photographs that her narrative on the white dress was not what actually happened
Reynolds	25:00  No. Because her recollection was at the time, it is understanding the court case, that she had wrapped it up and put it under her bed.
Bartlett	25:09  That's clearly untrue.
Reynolds	Well I think the photographic evidence demonstrates that there wasn't the case,
Bartlett	25:16  Which raises one of the major issues for me and for Australian taxpayers. And I'd ask you to comment on this. So she's paid millions of dollars in compensation, depending on who you believe between two and \$3 million. Let's call it two and a half million dollars in compensation for the way she was treated during her employment...
Reynolds	Yes,
Bartlett	with you ...
Reynolds	and Senator cash
Bartlett	... on the basis of a crime that may not have been committed.



Reynolds	Yes, and the reason that I'm going to be referring this claim to the national anti-corruption commission is that the Attorney General of this nation, through the government solicitors wrote to both myself and Senator Cash, and instructed us not to defend ourselves, and that we were not to attend the mediation. And we were not to do anything to impede the successful resolution of that mediation in one day.
Bartlett	26:11  Is it true that Attorney General Dreyfus told you and Senator cash, that if you did turn up, if you weren't part of that mediation process, that he would refuse to pay your legal bill?
Reynolds	26:23  Was the clear implication in the letter? Yes, very clear implication.
Bartlett	26:27  But how is it possible to have a mediation process on a claim that relates to employment, without the people who were the bosses of the employee being present?
Reynolds	26:36  It's inexplicable, which is why I'm referring it to the national anti-corruption commission.
Bartlett	26:41  So in short, it stinks.
Reynolds	Absolutely
Voiceover	26:48  Usher: Next  Whybrow: Bruce did not get a fair trial.  Bartlett: Did you feel as though you were being kept in the dark and trying to defend Bruce Lehrmann?  Whybrow: Absolutely.
Bartlett	27:09  One of the most experienced criminal defense lawyers here in the National Capital is Bruce Lehrmann's barrister, Steve Whybrow, is so incensed about what's been revealed this week in Canberra that he's chosen to sit down with me exclusively.  I know in your position, it's a significant decision to sit down and take questions.  Why have you finally chosen to do that publicly?
Whybrow	27:38  The criminal justice system is something that is very important to me in this report that Sofronoff has released and I've had a chance to read now is, contains some fairly

	significant findings.
Bartlett	You think it goes right to the heart of public interest?
Whybrow	27:53 Oh, absolutely.
Lehrmann	Did you print the whole thing?
Whybrow	I printed 200 pages. I did it as two to the page. There's about 800 pages. Imagine if he hadn't called for this report.
Lehrmann	Yeah it's a massive own goal. It's incredible
Whybrow	28:08 Well, I'm just more worried about how many other cases there might be? Well, you're going to be I suspect fairly traumatised by some of the things that were going on behind the scenes that we didn't even know about.
Lehrmann	Really, so there's more stuff?
Whybrow	It's the fix was in from the start.
Bartlett	28:25 We may never have known the full extent of the shady conduct behind the scenes of Bruce Lehrmann's rape trial if Chief Prosecutor Shane Drumgold hadn't demanded an inquiry.
Drumgold	28:40 Miss Higgins has faced a level of personal attack that I've not seen in over 20 years of doing this work.
Bartlett	28:45 Bizarrely, he's become its biggest scalp. Amid findings, he engaged in serious misconduct, knowingly lied to the trial judge and kept the defence in the dark about critical elements of the police investigation. Did you feel as though you were being kept in the dark and trying to defend Bruce Lehrmann?
Whybrow	29:10 Absolutely.
Bartlett	29:11 How do you describe his conduct?
Whybrow	29:14 Based on what was there it was appalling.
Drumgold	29:21

	<p>I've made the difficult decision that it is no longer in the public interest to pursue a prosecution</p>
Bartlett	<p>29:27</p> <p>And Drumgold's misconduct didn't end when the case against Lehrmann was abandoned, following a mistrial.</p>
Drumgold	<p>29:34</p> <p>There was a reasonable prospect of conviction. And this is a view that I still hold today.</p>
Bartlett	<p>29:40</p> <p>He has just denied in that one sentence effectively, your client the presumption of innocence.</p>
Whybrow	<p>29:46</p> <p>Well, that was our impression as soon as we heard what was said.</p>
Bartlett	<p>29:51</p> <p>Because he's telling the world that even though you can't have another trial, he still thinks Bruce is guilty.</p>
Whybrow	<p>29:57</p> <p>This statement will go with him forever with some people.</p> <p>We have all heard of cases where an individual police officer has become probably quite genuinely convinced of somebody's guilt and may have added some extra evidence in or knocked something out that didn't suit the case, genuinely believing in the guilt of somebody and then subsequently, it's found that they were not guilty all along.</p> <p>People are human beings, people get invested, they lose objectivity.</p> <p>I know I do at times.</p> <p>But, you know, even as a defence counsel, your primary obligation and duty is to the court.</p> <p>Yeah, somebody asked me, have you ever seen anything like this before? And I said only in a movie.</p>
Bartlett	<p>30:48</p> <p>So you've seen both sides of the law, haven't you, over a long career? I mean, you used to be a Shane Drumgold really in a sense, you used to prosecute rape cases?</p>
Whybrow	<p>Well I still do, I prosecuted one last month for the military.</p> <p>I worked in that office for 12 years.</p> <p>I only missed working with Mr. Drumgold by about three or four months.</p>

Bartlett	31:07 And given what a powerful position he was in, do you think Shane Drumgold effectively has abused his power?
	31:15 Well, in that case, for whatever reason, there was a loss of objectivity, and there was conduct which is inconsistent with the fair administration of justice. According to the Sofronoff report and my experience, Bruce did not get a fair trial.  Getting sick of having dinner with you Bruce.
Lehrmann	Did you see Bar Association statement today?
Whybrow	I haven't had a chance to see anything.
Lehrmann	Pretty damning.
Whybrow	Everything about this case has just had an element of surrealness to it
Lehrmann	Exactly.
Bartlett	31:50 Although the findings against Drumgold have offered Bruce and his legal team some cause for celebration, there remain ongoing concerns about the role some journalists played in seemingly convicting Lehrmann well before his criminal trial
Whybrow	32:10 There was not an aspect of this case that wasn't influenced by everything to do with the media.
Voiceover	32:18 Brittany Higgins interview, The Project.
Bartlett	Ironically, though, it was one of those journalists who may have saved to Bruce Lehrmann from going to jail.
Wilkinson	The most important work I have ever done.
Bartlett	When Lisa Wilkinson gave this ill-advised speech at the Logies last year, it ended up delaying the trial for three months, and gave Lehrmann's legal team that much needed time to uncover critical documents Shane Drumgold had been attempting to hide.  So safe to say, without that trial being delayed in that manner, Bruce may well have gone to prison
Whybrow	Given the pretrial publicity and now, the conduct that Sofronoff Inquiry has found was engaged in, you know, to some extent, it's extraordinary that that there wasn't a perverse guilty verdict.  The fix was in, you know, there was things happened. There was a, almost, I don't know how to explain it, but you know, we were up against it from the start. And this case, it already had a cause célèbre before we started. And it was, it was hard. It was

	hard.
Bartlett	33:45 In the past year, Steve Whybrow has become more than Bruce Lehrmann's legal counsel...
Whybrow	33:52 You'll take some comfort.
Lehrmann	That's good. All right.
Bartlett	33:55 In Bruce's darkest moments, he's also played the role of personal counsellor and continues to worry about his client's future. Even if he can't always show it outwardly
Whybrow	34:10 The thing that you've heard in the movies and in television and etc. that's actually true about law is, crime doesn't pay. And we're living proof of that by acting for you.
Lehrmann	Yeah, yeah.
Bartlett	34:27 Do you think Bruce is innocent?
Whybrow	34:30 Personally, you know, the correct, the correct answer is it's none of my business. And in this interview, that's a question that goes to an area that I'm, it's not appropriate for me to even express an opinion on and I still act for him in other proceedings, and it's not for me to express an opinion about that matter. Certainly not at this moment in time.
Bartlett	35:01 As you know, there was a lot of conjecture at trial as to why Bruce didn't take the stand. You relied on his police statement. Why did you choose or he chose not to do that, not to be cross examined.
Whybrow	35:20 That's one of the issues that has caused a great deal of angst to me about the way it's been discussed in the media, and has, in my view, undermined some of the fundamental concepts of the rule of law in Australia that anybody is entitled to the presumption of innocence. Everybody is entitled to have an allegation that's laid against them proved by the prosecution beyond a reasonable doubt. Nobody's under any obligation to say or do anything in their own defence.
Higgins	35:55



	<p>I was required to tell the truth under oath for over a week on the witness stand and was cross examined at length.</p>
Bartlett	<p>Brittany Higgins made a big deal out of that, in her speech afterwards, didn't she.</p>
Higgins	<p>My life has been publicly scrutinized, open for the world to see. His was not.</p>
Bartlett	<p>36:15</p> <p>So I was put on the stand, I had to answer all my questions. But he didn't.</p>
Whybrow	<p>36:20</p> <p>Well, again, I don't want to talk about the specific case. But there has been a, a lot of talk and a lot of uninformed talk. And it's been twisted as, because somebody doesn't give evidence in their own defence, therefore they are guilty.</p> <p>And that's just so dangerous because it inexorably leads to a train of reasoning, which is prove you are innocent.</p>
Bartlett	<p>36:43</p> <p>Well, where does your client, where does Bruce go from here then?</p>
Whybrow	<p>36:47</p> <p>I don't know. It's to many people, whatever happens in the rest of his life, he will always be the person who wrote Brittany Higgins.</p>
Voiceover	<p>37:04</p> <p>Coming up:</p> <p>Reynolds: That was a mistake. And he has acknowledged that that was a mistake.</p> <p>Lehrmann: Doesn't get much worse than that.</p> <p>Reynolds: It could have been handled so much better.</p> <p>Lehrmann: just...</p>
Usher	<p>37:24</p> <p>Welcome back.</p> <p>What began as a quiet evening out between government colleagues may end up costing taxpayers almost \$10 million.</p> <p>Brittany Higgins has already received a payment from the government rumoured to be between two and 3 million.</p> <p>Now the man she accused, Bruce Lerman, says he's launching legal proceedings for millions of dollars in compensation, following revelations that he was denied a fair trial.</p>
Voiceover	<p>Voiceover: I've got two people going into Linda Reynolds's suite.</p> <p>Higgins: I was raped inside Parliament House.</p>

	Lehrmann: There's only one truth.
Bartlett	Did you rape Brittany Higgins?
Bartlett	Well the results are in Bruce.
Lehrmann	They certainly are.
Bartlett	So let's look at the net result. Shane Drumgold has been disgraced. But where does that leave you?
Lehrmann	38:31 Well, still in no man's land. I mean, the responses so far have been insufficient. They've been unacceptable. If I or Steve or Joe Blow down the street and had done any of the things that this inquiry report has found him to have done, we would be hauled over the coals and I'd probably be sitting in a prison cell. Lying to the Chief Justice is... Doesn't get much worse than that.
Bartlett	38:57 But he's been forced out. He's lost his job.
Lehrmann	He should have been fired. He should have been fired
Bartlett	Well, with his job also goes his license to practice as it should. So he's in a world of hurt, but you want more do?
Lehrmann	39:09 Absolutely. I mean, there, on the face of it, there would appear to be some criminal conduct here.
Bartlett	39:19 But after all, you've been through the threat of jail, you know better than anyone is a pretty horrible thing.
Lehrmann	Absolutely.
Bartlett	You're quite happy to visit that upon Mr. Drumgold?
Lehrmann	Well, if a Federal Court judge can go to prison for a year for lying on an affidavit about a parking ticket, I mean, this isn't a parking ticket Liam. This is someone's life. My life.
Bartlett	Is there a hint of bitterness in there to Bruce?
Lehrmann	Yeah well I'm fired up, because he stuffed my life.
Bartlett	39:50 Samantha Maiden's article and Lisa Wilkinson's interview proved to be the catalyst that would turn Bruce Lehrmann's world up side down.

Police and Lehrmann (video recording)	40:00 Anything you say or do may be used in evidence. Do you understand that?  Lehrmann: Yes
Bartlett (voiceover)	He was formally questioned by police then arrested and finally put on trial. In the process Lehrmann lost his job, his reputation, and very nearly his liberty.
Bartlett Bartlett	40:23  Compensation, you're looking for millions of dollars?
Lehrmann	Oh, no, well, it will, it will have to be a multi million dollar claim, because I need to consider the very real possibility that I may never work again, not that I might have 40 years of economic loss, I will never ever be able to work again. So that needs to be factored in.
Bartlett	Well, who would employ you, Bruce?
Lehrmann	Exactly. I agree after being smeared and slammed, as I have been for the last two or three years now.
Bartlett	40:50  It was found that Director Drumgold denied you the presumption of innocence. But that doesn't mean that you are innocent, does it?
Lehrmann	Well, it well, I am innocent Liam as I said to you last time we sat down I mean this, this entire saga was made up. I mean, if we were able to have a fair trial and a trial at all, I'm entirely confident that it would have rendered a not guilty verdict. But Mr. Drumgold took that away from me.
Bartlett (voiceover)	41:20  On the day we interviewed Bruce Lehrmann, indeed, almost at the exact moment he was talking to us. Brittany Higgins was visiting her parents in Byron Bay and posted this provocative message on Instagram.
Bartlett	Despite all this, Britney Higgins is still saying you raped her
Lehrmann	That's completely false and I mean, I'm in a position where we really need to stop giving oxygen to this. I mean
Bartlett	But Bruce, it's it's very public. She has published on social media this morning and I quote, talking about the police involved in the case the Federal Police, these police never wanted to charge my rapist. That's you.
Lehrmann	42:10  Totally defamatory, totally defamatory.
Bartlett	So are you going to sue her for defamation?
Lehrmann	Well, as I, it is always a live option. There's a lot of trickery going on here. And I think there's some elements of poking the bear, so to speak

Bartlett	But she's still calling you her rapist? Does she think she can win in a civil proceeding?
Lehrmann	Well, I don't know. We'll I suppose we'll find out with the upcoming trial because I'm pressing ahead. We're going, I'm not backing down. I'm ready to go toe to toe.
Bartlett	42:42 You're talking about the Channel Ten defamation.
Lehrmann	Yeah.
Female voice over (cut to Higgins clip)	So what's happened to the man that you say raped you on Minister Reynold's couch? Higgins: He's fine. He's working in Sydney. He's, he's got a good job. People don't know why he left and I don't think he has suffered any consequences for it at all.
Bartlett	This is looking like a very, very bad train wreck. Brittany Higgins says she will never work again. Fiona Brown has never come back to work again. Lisa Wilkinson looks to never to go back to work again. Your virtually unemployable. Is there anyone else? I mean, well, Drumgold's lost his job.
Lehrmann	43:25 Well, let's talk about Drumgold and the list of people you've just talked about. He is central to the effects on all of those people you've just listed. You know, allegations of unethical treatment of Fiona Brown, how he treated Lynda Reynolds, even how he's treated Miss Wilkinson. I mean, I'm against her and another set of proceedings, but how she was treated by the Director is also pretty bad. So to varying degrees, we all we've all been touched by Shane Drumgold and his social justice crusade that he was on.
Bartlett	So you think he's the root cause of all this trouble?
Lehrmann	Absolutely. This case should never have gone to trial. The police said that and he's he he used it to ram it through the court system for his own agenda.
Bartlett	44:15 Don't you look back and wish to wish I had just gone home that night. I wish I had knocked on the door, woken my girlfriend up and said sorry, I left the keys in the office.
Lehrmann	Not even that Liam. I probably just should have had my dinner with Austin at the Kingo Hotel and pissed off back home.
Bartlett	There are some things that still troubled people. We know from the Sofronoff Inquiry Report the police listed something like 18 discrepancies in Brittany's evidence. 18 areas where they thought hang on a minute. The truth is not right.
Lehrmann	Yeah. And from a very early point
Bartlett	But but there are some discrepancies still in your evidence.
Lehrmann	And they did note that as well. And I explained in the last time we sat down the discrepancies in relation to my evidence
Bartlett	Can I ask you about one of those discrepancies again? Because in our original interview, you made the point to me that on the Monday morning back at work,



	<p>following the early Saturday morning alleged rape, you had sat down with Brittany Higgins and had a cup of coffee. Now we have since learned, we have discovered from a recording that was made between Samantha Maiden and Brittany Higgins, that Britney tells Samantha, that that morning, you didn't talk. She says, You didn't even look at each other.</p>
Voice recording clip between Maiden and Higgins	<p>45:51</p> <p>Maiden: So you went into work on the Monday? And was he there on the Monday?</p> <p>Higgins: Yeah.</p> <p>Maiden: And did you say anything to him?</p> <p>Higgins: We didn't talk. We didn't look at each other. It was really weird. It was obviously really tense. . But I still was in that shock space where you just like it's it's kind of like, you know, you have a hit an impact of a car crash and the whole world kind of goes fuzzy. It's like that sound. And I felt like that entire day. I just wasn't connected to anything else doing.</p>
Bartlett	<p>46.20</p> <p>What's the truth?</p>
Lehrmann	<p>Well, if what you're telling me is the case, that is entirely false. And the AFP did find that we ended up having coffee on the Monday. So that's just a plain lie.</p>
Bartlett	<p>That's black and white, isn't it? And then Brittany Higgins telling Samantha Maiden, you didn't talk, you didn't even look at each other.</p>
Lehrmann	<p>Because why, why would she say that we had a coffee. It doesn't look good for her then the on the Monday, the next Monday after. And after a night where nothing happened. You know, when she's trying to concoct this story</p>
Bartlett	<p>So you say she's telling a fib and Samantha Maiden swallowed it?</p>
Lehrmann	<p>47:00</p> <p>Absolutely. I mean, Samantha Maiden was ground zero here, really.</p>
Bartlett	<p>She also told Samantha Maiden that at the time, she was excited to learn that your defence was that nothing happened, as opposed to it was consensual.</p>
Voice recording clip between Maiden and Higgins	<p>Maiden: How are you going?</p> <p>Higgins: Yeah, I'm good. How are you?</p> <p>Maiden: Good. Look I just want to alert you to something.</p> <p>Higgins: Oh god.</p> <p>Maiden: No, it is what it is and I don't think you'd be surprised by it.</p> <p>Higgins: Yeah.</p> <p>Maiden: I've got a statement from his lawyers saying that he's going to fight the charges. He basically says my client absolutely and unequivocally denies that any</p>



	<p>form of sexual activity took place at all.</p> <p>Higgins: What?</p> <p>Maiden: He will defend the the charge.</p> <p>Higgins: Nothing happened.</p> <p>Maiden: Apparently not. What a charmer. We could have maybe named him, but my concern is that I just don't want to do anything that his lawyer is going to use to try and scuttle everything.</p> <p>Higgins: Yeah. Right.</p> <p>Maiden: And my discussions with other legal sources who shall remain nameless is that it's highly unlikely that he will be able to get a suppression.</p> <p>Higgins: Honestly, I'm just so excited to learn that his defence is that nothing happened. I thought that he would say that it was consensual. And that would be much like harder to defend. But the fact that he's trying to argue that nothing happened feels better. So thank you that actually made my weekend, I'm going to thank you. That's great.</p> <p>Maiden: Alright, that's good. If anything else you need, let me know.</p> <p>Higgins: Ok bye.</p> <p>Maiden: Alright bye.</p>
Bartlett	48:47  Why would she say that?
Lehrmann	Well, if again, if what you're telling me is the case, did people want me to say it was consensual and lie? Because no sex occurred. So, you know, is it the case that they wanted me to lie? Because it would sort of fit the story like I was never going to do that. No sex occurred. So of course, that was always going to be my defence
Video clip of Samantha Maiden speech	49:00  I do also need to say from the outset, something that everybody in this room knows, which is that this is a matter that is before the courts, and that there is a man who has pleaded not guilty. And as flawed and as imperfect as the justice system is. You know, I believe in it. And I don't want to say anything that would impact on that.
Bartlett	49.25  Samantha Maiden won a Gold Walkley from this story, Bruce. But it doesn't get any higher an award in journalism
Lehrmann	It's terrible. But you know what? I actually think she shouldn't hand the Gold Walkley back. She should keep it because the longer that these journalists keep their awards for these stories that they've peddled for the last two to three years. It really devalues these awards. So, quite frankly, keep your awards because you just look like idiots.
Bartlett	50.00  You see apart from you and Brittany Higgins, the only people that I can see that have

	paid the price in is is the poor old taxpayer. The trial cost how much Bruce, do you think?
Lehrmann	I I've heard estimations up to \$2 million. The inquiry up to about 4 million, 4 million plus.
Bartlett	There's 6 million.
Lehrmann	And the only people that went in all of this are the lawyers.
Bartlett	And then Brittany Higgins got almost 3 million in compensation. So that's 9 million. And you want what? How much from the ACT government and channel 10 and ABC. How much?
Lehrmann	50.33  Well, we haven't we haven't put we haven't put figures on it. But there needs to be some compensation for me.
Bartlett	All right. So you want at least four or 5 million? I'll put words in your mouth, maybe maybe 6 million. So we're up to 15 million.
Lehrmann	Yeah. It's extraordinary.
Bartlett	So we're left with a hole in the in the treasury. And your life's ruined and Brittany Higgins's life ruined.
Lehrmann	Well, this didn't need to happen.  [Sit down interview finished]
Lehrmann [Driving car interview]	51.10  I wish none of this actually happened. I wish that Mr. Drumgold was actually objective and not so politically influenced and didn't commence this in the first place. But I mean, I've got to make lemonade with the lemons. And that's what I'm trying to do. I'm studying law. I'm trying to get back on with things. And a big part of that has been in this report to shed some light on what we always suspected as the defence team.
Clip of Scott Morrison apology	51.40  I am sorry. We are sorry. I'm sorry to Miss Higgins, for the terrible things that took place here. This is a...
Bartlett	I mean, here's a guy got up on the floor of the House, as Prime Minister of Australia and apologized, apologized for an alleged criminal act that hadn't even been to trial yet.
Reynolds	52.03  That was a mistake, and he has acknowledged that that was a mistake.
Bartlett	Has he apologised since?
Reynolds	Yes. He has.

Bartlett	But you know, personally privately.
Reynolds	Yes. So
Bartlett	Not that that does here much good either.
Reynolds	Well, the thing, on reflection, it could have been handled so much better.
Lehrmann	52.25  The heart of him as well, to give that speech under the cover of parliamentary privilege, to grandstand in effect because he probably needed the women's vote or whatever, for the upcoming election. It just shows the character of the man and I've got no time for him.
Lehrmann's criminal barrister (Steven Whybrow)	52.40  12 months ago, never thought that I'd be potentially feeling sorry for Linda Reynolds or Michaelia Cash. There were things that were said and done about them that, you know, were just unacceptable.
Shane Drumgold SC (Video clip of Bord of Inquiry)	In retrospect it was a failing.
Bartlett	52.56  If we agree with Mr Sofronoff's findings, that Shane Drumgold acted unethically - for a man who was so experienced in the law. What was the reason that someone could be so emotionally invested in this case?
Lehrmann	Well, I don't think that will ever know because I think Mr Drumgold is too scared to step up to a lectern or sit down for an interview and explain his motives.
Bartlett	And yet, Shane Drumgold called the inquiry himself.
Lehrmann	53.25  Yeah
Bartlett	It was the ultimate kamikaze act wasn't it?
Lehrmann	That's just, I mean, this just goes to how deep his head was in the sand. I mean, he thought that the inquiry was going to be really good for him. Just phew
Lehrmann's criminal barrister (Steven Whybrow)	53.44  For whatever reason, this case has become almost like, what it must be like to barrack for a football team in Melbourne that you, you choose a team and you stay with it. And it doesn't matter what your team does, how well they go, how badly they go. Whether they misbehave, whether they're saints or sinners, you follow them through thick or thin and people have become very tribal in respects to this case and have chosen teams and there's a lot of people who it doesn't matter what the evidence is, or what the arguments are either way about any issue. Haven't got an open mind.

Bartlett	54.21 I have to ask you this. Did you ever get that Carla Zampatti jacket back?
Reynolds	No. I did not. You know, and this is one of the examples I didn't I just thought I'd lost it. And it wasn't until pre a criminal trial that I was showing the footage and asked whether it was my jacket.
Bartlett	We can see from the CCTV footage that Britney wears it home the next morning.
Reynolds	Yes, but no, I never got it back.
Bartlett	Sorry to laugh.
Reynolds	It was claimed in the in the court case when she was asked that she got it from a charity bin and it made me laugh because my charity bin was my wardrobe
Bartlett	I don't know too many charity bins that carry Carla Zampatti
Reynolds	But, no I haven't got the jacket back.