

FOUR CORNERS

VIDEO: Don't ask, Don't tell

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Transcript

BRITTANY HIGGINS: I was raped inside Parliament House by a colleague. And for so long, it felt the people around me only cared because of where it happened and what it might mean for them.

SEAN NICHOLLS, REPORTER: A few weeks ago, Brittany Higgins was an unknown staffer in the Coalition government, schooled in the tradition of Canberra politics, where party loyalty is everything.

BRITTANY HIGGINS: They were my social network, my colleagues and my family, and suddenly they treated me differently. I wasn't a person who'd just gone through a life changing traumatic event. I was a political problem.

SEAN NICHOLLS, REPORTER: Now she's become the face of a movement demanding to overturn politics as usual.

JOSIE COLES, FORMER COALITION STAFFER: I think that people in that building are hyped up on power. There's no checks and balances and they can get away with it. It's a place built on secrets.



and lies.

ZALI STEGGALL, INDEPENDENT MP FOR WARRINGAH: I find it really concerning the idea that they endorse a bit of a “don’t ask, don’t tell” kind of attitude.

SEAN NICHOLLS, REPORTER: The government is under rising pressure to explain who among the ministry and their advisers knew about the alleged assault.

HELEN HAINES, INDEPENDENT MP FOR INDI: If lots of people in senior positions knew parts of this very, very serious story but all the pieces didn't come together until it was exposed through the media then we've got some major gaps here.

SEAN NICHOLLS, REPORTER: Insiders are speaking out.

What did you think when you saw her lying there on the couch?

NIKOLA ANDERSON, PARLIAMENT HOUSE SECURITY GUARD: “Oh, God”. And I mean, “Oh, God,” because I've never come across anything like that.

SEAN NICHOLLS, REPORTER: The government is scrambling to contain the political fallout.

Why have you decided to speak out about this now?

NIKOLA ANDERSON: Because I'm fearful for my job. I am. I'm fearful for my job. And the truth does have to come out.

SEAN NICHOLLS, REPORTER: Brittany Higgins’s rape allegation has shaken the Morrison government and raised still unanswered questions about who knew what and when. Tonight on Four Corners, we investigate how her story was kept secret for almost two years. And why she felt her calls for help were stifled by the Canberra machine and expectations of party loyalty.

On the night of Friday, the 22nd March 2019, Nikola Anderson was getting ready for her shift at Parliament House in Canberra. She’d been working there as a security guard for the past 10 years.

NIKOLA ANDERSON, PARLIAMENT HOUSE SECURITY GUARD: I get in my car at 10:00 at night, drive into Parliament House, park in the car park, and go through the proper security screenings myself. And then I kit up... Well, as I worked to patrol that night I kitted up myself and got a handover from my colleague and prepared to start my shift.

SEAN NICHOLLS, REPORTER: A few minutes up the road from Parliament House, a group of Coalition staffers had gathered at this Canberra bar. A federal election was looming. The workmates were gathering for a last hurrah. Among them was 24-year-old Brittany Higgins.





KATHARINE MURPHY, POLITICAL EDITOR, GUARDIAN AUSTRALIA: She's the new arrival in the office in an office, in a government that is gearing up for an election that this government thinks it will lose.

SAMANTHA MAIDEN, POLITICAL EDITOR, NEWS.COM.AU: She's highly intelligent. She's very analytical. Uh, she's very impressive. And she's very dignified. She's also a bit of a perfectionist and she struck me as someone who wanted to please people, she struck me as the sort of person that if someone said to her, are you okay? She would go, yeah, I'm fine. Everything's great. Even if it wasn't.

SEAN NICHOLLS, REPORTER: Brittany Higgins was a junior staff member in the office of then Defence Industry minister Linda Reynolds. She'd started the job just a few weeks earlier. Also, among the group at the bar was one of her new colleagues, a young male advisor in Minister Reynolds' office.

BRITTANY HIGGINS, "THE PROJECT", NETWORK 10: I'd started that night with a different date. Li wasn't there for him at all. Um, and I invited him in a professional context. He was nice to me. I think, I think he was grateful that I invited him. I noticed that he was buying me a lot of drinks I was kind of, I just thought, job well done. I thought I was kind of broadly being rewarded in a weird way.

SEAN NICHOLLS, REPORTER: While Brittany Higgins and her colleagues were partying at the bar at Parliament House Nikola Anderson was starting her shift.

What exactly were your duties that night?

NIKOLA ANDERSON, PARLIAMENT HOUSE SECURITY GUARD: I was the ministerial patrol. Basically my duties for the night were to patrol the ministerial wing, make sure that the doors were all locked and that there was no one in the suites so that I could report back to the control room. Just do a normal, everyday check. Make sure fire doors and things are closed and make sure everything's secure, basically.

SEAN NICHOLLS, REPORTER: Brittany Higgins and her colleagues kicked on to a nightclub in Canberra's CBD. There were now just four of them - Higgins and the advisor, along with a press secretary for home affairs minister Peter Dutton and an adviser at the Defence department. By this stage they'd been drinking for several hours.

BRITTANY HIGGINS, "THE PROJECT", NETWORK 10: The thing that preempted being, deciding that I had to go home, um, I fell over in front of people. I pretty much face-planted. I had scuffed my knee and at that point I was like, "Okay, I'm really, I have to leave."

SEAN NICHOLLS, REPORTER: The advisor offered to drop her home in a taxi, but said he first had to swing by Parliament House. Nikola Anderson was on duty at the ministerial entrance when Brittany and the advisor arrived.



NIKOLA ANDERSON, PARLIAMENT HOUSE SECURITY GUARD: Well, it kind of took us by surprise because they walked in at 2:00 in the morning, and it was a Friday night, Sat... Well, Friday night Saturday morning. They basically walked in together. She was wearing a white cocktail dress. He noticed that she'd had grass stains down one side of her body on this pure white dress. He seemed to be quite dressed up as well. And it was just strange to us that they were there at that time of night together wanting to go into the office.

SEAN NICHOLLS: Did anybody ask them what they were doing there?

NIKOLA ANDERSON: My colleague had made a comment and said, "Jeez guys, couldn't this have waited until Monday?" And the man had replied, "Oh, not really." And with that, we continued to start the process of allowing them in.

SEAN NICHOLLS, REPORTER: Nikola Anderson says neither had their Parliament House access passes.

NIKOLA ANDERSON, PARLIAMENT HOUSE SECURITY GUARD: So because they didn't have their passes on them, we've had to look up their surnames. We've noticed that they're current, they're active, it's all good, so therefore we proceeded to sign them in individually on a positively identified green pass. She wrote her name on the piece of paper, he then wrote his name on that piece of paper, I handed them the passes and then they proceeded through the X-ray machine pretty sure that he went first. He's cleared himself, it's all good. She's then gone through, she's turned the machine off. I've asked her to go back. I've realised it was her shoes that were setting off the machine. She's taken her shoes off, put them through the machine. As she's gone to put her shoes back on after she's walked through and cleared herself, she couldn't get them on. That's how I realised how intoxicated this girl was because she just could not get her shoes on for the life of her. I then told her, "Make sure you put your shoes on when you get up to the suite," because we'd stood there for about five minutes waiting for her to try and get her shoes on.

SEAN NICHOLLS: And why at that point wouldn't a security guard have questioned whether or not they should be allowed into Parliament?

NIKOLA ANDERSON: Because it's not our job. They have the clearance, they have their passes, their passes were active. It's not our job to deny them entry. If they want to go in there, intoxicated or not, they have full rein to do so.

SEAN NICHOLLS: Is that a cultural thing in Parliament House? Or is an actual instruction to security guards?

NIKOLA ANDERSON: It's more of a cultural thing. We can't question what it is that they do. It's none of our business. As long as their passes are active and we know that they can be in there then that's it. That's our job done.

SAMANTHA MAIDEN, POLITICAL EDITOR NEWS.COM.AU: I think that it is a reflection of, I certain



Parliament House, and it's not even unusual necessarily from time to time to find people having sex in offices.

ZALI STEGGALL: I think the Australian public would expect Parliament House to be the most secure building in Australia. We have cameras everywhere, there's security, guards, and bollards at every entrance. I find it really concerning the idea that they endorse a bit of a, don't ask, don't tell attitude. If anything, I think it should be the opposite. This should be the place of highest standards possible.

SEAN NICHOLLS, REPORTER: Nikola Anderson took the pair upstairs to Minister Reynolds' office

NIKOLA ANDERSON, PARLIAMENT HOUSE SECURITY GUARD: Basically, I escorted them up to the ministerial room that they required entry into, and upon unlocking it that was it, that was my job done. I said, "Have a good night, guys." I've opened the door, I've called it in, I've walked away.

SEAN NICHOLLS, REPORTER: Inside the office Brittany Higgins lay down on the minister's couch and fell asleep. She told "The Project" she woke to the horrific realisation that she was being raped.

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. I was, I woke up mid-rape essentially.

SEAN NICHOLLS, REPORTER: A short time later, Nikola Anderson went to take over from a colleague who was going on a meal break.

NIKOLA ANDERSON: So basically, at 3AM, I went down to check on my colleague to give him his meal break. Then he informed me of the strange behaviour from the male. He said that, after I let him in to the suite, he left 20 minutes afterwards, and he seemed to be in a hurry. He seemed to not want to engage in conversation because my colleague had said to him, "Oh, are you finished, mate?" And he was like, "Yep," flicked the pass at him, and left Parliament House by himself. This guy just seemed to be in a hurry. He just wanted to get out of there. So that's what he thought, "Maybe we need to report this. Maybe we need to push it up the chain."

SEAN NICHOLLS, REPORTER: Nikola Anderson was asked by her team leader to do a welfare check on the young woman left alone in the minister's office.

NIKOLA ANDERSON: As I approached Minister Reynolds' office, I opened the door and announced myself. So yelling "Security. Hello. Security, security," top note, just so that she was aware that I was there. I got no response whatsoever. I then noticed that the minister's door was closed. So I approached the door again, I've yelled out, "Hello. Security. Hello." And I've opened the door. As I've opened the door, I've noticed that the female was lying on her back, completely naked, on the lounge that was adjacent to the door, for which I've gone, "Oh." The sound of the door or the breeze of the door opening has then made the female open her eyes, look at me. And then she rolled over onto her side. So therefore, my take on it was she's conscious. She's breathing. She's





SEAN NICHOLLS: What did you think when you saw her lying there on the couch?

NIKOLA ANDERSON: Oh, God. And I mean, "Oh, God," because I've never come across anything like that. So therefore, I've walked out of the office. I've then told my team leader what I've found. And I've asked him, "Would you like me to wake her up?" because it's a no-no to sleep in Parliament House. But given the nature of the situation and the fact that she was completely naked, I think his call on it was just let her sleep it off, leave her there.

SEAN NICHOLLS: Why didn't you do more than that?

NIKOLA ANDERSON: Because it's not my place. It's not my place to intervene. // I shut the door. I made sure her dignity was intact by shutting this door. Because as I said, staffers can come in any time of the day and night. And I didn't want anybody else to witness her completely naked. I was trying to do the right thing by keeping her dignity intact. Therefore, that was it for me.

SEAN NICHOLLS, REPORTER: Nikola Anderson noted the incident in her work diary:

"Incident happened. Naked in Reynolds's office." Just after 6am, towards the end of her shift, Brittany Higgins still hadn't emerged from Minister Reynolds' office.

NIKOLA ANDERSON: I then rang my team leader again and said, "Look, she still hasn't left," for which he then told me, "Right. What you need to do is pass it on to your relief. Be very discreet about it. Don't make it common knowledge." For which I went, "Okay, no worries." And then at seven o'clock in the morning, I concluded my shift and I left. Nothing more. Nothing more was said about it. I heard nothing more about this case until now.

SEAN NICHOLLS, REPORTER: Security checked on Brittany a second time before she left the building at 10am and went home. Later that day the Department of Finance, which manages the ministerial wing, sent in the cleaners.

SAMANTHA MAIDEN: I do know that a lot of the security guards had concerns about what happened afterwards. And so you have this situation where on the evidence we've been provided so far, that security tells the Department of Finance that they've found this woman sexually assaulted in the office that essentially people have come into the office after hours. And there's a bit of a situation. Department of Finance doesn't call the Australian Federal Police. On the evidence, what we know so far, they don't even call the minister. They call in the cleaners and they clean the office. Now, what does that tell you about how often they're called in to sort of fix up a bit of partying in some of these offices? I'm not saying that it happens all the time, but it clearly happens enough that the first instinct of the Department of Finance was not to say, we found a woman disorientated and half dressed, could this be a sexual assault situation? Their first instinct is to protect the institution, to protect the office and to ensure that there is a nice clean couch for Linda Reynolds to sit on when she returns to work on Monday.

TRISH BERGIN, FMR FIRST ASSISTANT SECRETARY, OFFICE OF WOMEN, DEPT OF PRIME MINISTER



tends to roll over these events, um, to keep them out of the public eye, to manage them. And that's not to say there's an intent to not listen to the victim, but it just gives me the sense that there is a machine that takes care of these things.

SAMANTHA MAIDEN: Ultimately that led to complaints to the AFP and investigation by the Australian federal police into whether it's essentially a crime scene had been tampered with. They formed the conclusion that that was not the case because neither the Department of Finance or the cleaners, or indeed at that stage the security guards had any idea that this was an alleged sexual assault.

SEAN NICHOLLS, REPORTER: On Monday, Brittany Higgins returned to work. The next day the advisor was called into the office of Linda Reynolds' Chief of Staff, Fiona Brown and told to pack his things.

PRIME MINISTER SCOTT MORRISON: I consider it a serious issue.

SEAN NICHOLLS, REPORTER: Prime minister Scott Morrison would later say the adviser was sacked over a "security breach".

JOURNALIST: Can you explain why the alleged perpetrator's employment was terminated, apparently before the Government knew that an alleged rape had taken place, and if you tell us it's because of a security breach, can you explain what was the security breach?

PRIME MINISTER SCOTT MORRISON: It was because of a security breach. That was the reason for it. As I understand it, it related to the entry into those premises.

JOURNALIST: After hours?

PRIME MINISTER SCOTT MORRISON: That's my understanding, but that's a matter of public record.

SEAN NICHOLLS: The prime minister has said that the man who was with Brittany Higgins was terminated due to a security breach. What's your response to that?

NIKOLA ANDERSON: What was the security breach? Because the night that we were on shift, there was no security breach. Because these two people worked for Minister Reynolds, they were allowed access in there, which is why we granted it.

SEAN NICHOLLS: So do you have any thoughts about why the Prime Minister would publicly state that this was a security breach and that's why the man was terminated?

NIKOLA ANDERSON: Because he's been given false information. Again, I'm really one of the only people that knows what happened and nobody has asked me anything, nobody has come to find me.



SEAN NICHOLLS, REPORTER: After the adviser cleared out his desk, Brittany Higgins was called in to Chief of Staff Fiona Brown's office.

KATHARINE MURPHY: Well, let's talk about Fiona Brown. Fiona Brown worked for Scott Morrison before the election. She worked for a period as Linda Reynolds's Chief of Staff, and then she returned to the Morrison office. So Brown is on the prime minister's staff, she managed Brittany Higgins in the immediate aftermath of the alleged assault. She knew everything.

SEAN NICHOLLS, REPORTER: Brittany told Fiona Brown she'd been raped. She says Fiona Brown gave her a brochure for the employee assistance program ... and told her to take the rest of the day off.

KATHERINE MURPHY: People, rightly or wrongly, may have thought that they were protecting Brittany Higgins's privacy. They may have actually thought that. And there, there is some validity to that because obviously if you are the victim of a sexual assault and you really don't want the entire world to know about it, then people do need to respect that. So perhaps that is a dimension. But I think there's also a political risk management dimension here that is deeply disconcerting.

SEAN NICHOLLS: What do you think should have happened at that point?

TRISH BERGIN, FORMER FIRST ASSISTANT SECRETARY, OFFICE OF WOMEN, DEPT OF PRIME MINISTER & CABINET: At that point I think there needed to be a much stronger response, both in terms of, um, care and concern for the individuals. So, psychological support, a social worker, that type of thing. So really to ensure the safety of, of the individual to support them in their decision-making. Um, but I think it really needs to be one of those things that is strongly encouraged for the person to speak up and be reassured that there is no, this is not about losing your job or, or anything like that, that the primary concern is to take care of the individual and investigate what happened as sensitively and as well as possible.

SEAN NICHOLLS, REPORTER: The same day, Brittany Higgins told a close colleague what had happened.

COLLEAGUE, TEXT MESSAGE: I hope you're ok. This is pretty serious, horrible stuff. You probably need to report this.

BRITTANY HIGGINS, TEXT MESSAGE: Fiona our COS knows. She followed up on the security report about it.

COLLEAGUE, TEXT MESSAGE: If I can do anything to help you, just let me know.

BRITTANY HIGGINS, TEXT MESSAGE: The only thing I really want is for this to not get out and become public knowledge.





SEAN NICHOLLS, REPORTER: The next day, Brittany says she was contacted at work by Australian Federal Police officers stationed in Parliament House, wanting to speak to her about the alleged assault. It's unclear who told the AFP. She gave them an informal statement.

KATHARINE MURPHY: Brittany Higgins says that this was a disconcerting process in a way, because the police seem to know more about what had happened to her than she did. She found that strange and slightly disconcerting. They were very helpful, professional I gather, but there was this weird sense that they knew more than she did.

SEAN NICHOLLS, REPORTER: Nine days after the incident, Linda Reynolds met with Brittany Higgins. Reynolds held the meeting in her ministerial office, the very place she claimed the assault had occurred. Brittany later described her distress over this in a conversation with a colleague which she recorded.

BRITTANY HIGGINS: The first time I had a conversation with Minister Reynolds about it, she brought me back into the room where it happened. And it was just the worst thing I can even describe to you. And so every time someone talks about it, it brings it up again. And it's this painful thing. And now that I'm at least far enough away to process it, I realise how wrong it all was.

SPEAKER: Minister for Defence, Senator Reynolds.

SENATOR LINDA REYNOLDS: When I first met with her in my office about the matter, I was not aware of the details and circumstances of what occurred. However, I deeply, deeply regret conducting the meeting in my office where the alleged incident had occurred.

SAMANTHA MAIDEN: So, let's look at Linda Reynolds's claim that she didn't know that this was a sexual assault. The problem with that is that on the Friday, before this meeting occurred the next week, her own Chief of Staff had sought formal written advice from the Department of Finance about how to handle a potential sexual assault, which crisis lines to call, which, uh, Employee Assistance Program could be expanded. Uh, the fact that it had to be her agency and she had to decide whether or not to go to police. So, it's very confusing to understand that somehow this written advice in the Department of Finance about how to handle an alleged sexual assault occurred on the Friday. And then by the early next week, when this meeting is occurring, Linda is telling us that she didn't know it was a sexual assault.

KATHARINE MURPHY: In politics, sometimes your boss needs to know things, other times your boss, most distinctly does not need to know things. And people exercise these judgments about what is necessary to know and what is not necessary to know. I genuinely hope that wasn't the judgement that was exercised.

SEAN NICHOLLS, REPORTER: Behind the scenes, Brittany's close colleague was trying to get some help for her from the prime minister's office, or PMO.



BRITTANY HIGGINS, TEXT MESSAGE: Yeah that would be potentially helpful if you wouldn't mind having a conversation.

SEAN NICHOLLS, REPORTER: The person in the Prime Minister's office he contacted was Julian Leembruggen ... Scott Morrison's trusted communications chief.

SAMANTHA MAIDEN: The suggestion is that a friend of Brittany Higgins called Julian Leembruggen to say, what the hell has been going on with my friend, she's had this bad experience. Uh, she needs counselling, something needs to be done.

COLLEAGUE, TEXT MESSAGE: Spoke to PMO. He was mortified to hear about it and how things have been handled. He's going to discuss with COS – no one else.

SAMANTHA MAIDEN: But Julian Leembruggen says that his memory of that phone call was that he was being asked to find her a job. He doesn't recall her, uh, any suggestion that there was a rape allegation.

SEAN NICHOLLS, REPORTER: The Chief of Staff was John Kunkel, the Prime Minister's closest adviser.

KATHARINE MURPHY: John Kunkel is Scott Morrison's most senior staff. He's the Chief of Staff in the Prime Minister's office. That, in any government, is the most powerful staff position in any government. He, again, John Kunkel is a highly experienced operative. He's been around a long time. His job is to see what's coming, anticipate what's coming, make sure the boss's interests are protected.

SEAN NICHOLLS, REPORTER: On Thursday April 4, Linda Reynolds and her Chief of Staff Fiona Brown met with the Australian Federal Police to discuss the sexual assault allegation. The following Monday, as the AFP investigation ramped up, Brittany Higgins visited the ACT Police sexual assault unit in Belconnen.

KATHARINE MURPHY: The police she was dealing with there said, look, we've already started to assemble footage from the evening from the bars you attended, the social functions you were at but we're getting pushback from Parliament House about getting the CCTV footage.

BRITTANY HIGGINS: Everyone else seems to have this information. All I wanted was the CCTV footage from back on the day and I never got to have that. So I just feel like I lost control and I can't control it. And I requested that CCTV footage, I can't even tell you how many times. And so it's just been this, it was never expressively said I couldn't do anything. But it felt like I couldn't. and I felt very pressured and very and I can't even, it was so difficult. (crying)

SEAN NICHOLLS, REPORTER: Nineteen days after the alleged rape, Scott Morrison called the election.



PRIME MINISTER SCOTT MORRISON: Morning everyone. Earlier this morning I visited the Governor General here in Canberra and he accepted my advice for an election to be held on the 18th of May.

SEAN NICHOLLS, REPORTER: Two days later Brittany Higgins told the AFP she didn't want to proceed with her complaint. She told them: "It's just not the right decision personally for me, especially in light of my current workplace demands." Later that day she flew to Linda Reynolds' hometown of Perth to begin work on the election campaign.

HELEN HAINES: What I see is win at all costs and being part of the gang and being loyal to the party. So, that's obvious to me and with that comes all sorts of repercussions I suppose that if you're not loyal to the gang then you become an outsider.

JOSIE COLES, FORMER COALITION STAFFER: It's hard to comprehend that people would just sit around and tolerate certain behaviour for a job, but it's more than a job. It's your life. In the end that's how it feels.

SEAN NICHOLLS, REPORTER: A couple of weeks into the campaign, the police were asking questions about why Brittany Higgins had dropped her complaint.

BRITTANY HIGGINS, TEXT MESSAGE: I had a weird call from the station chief of police in Canberra. He asked me if the party/[Chief of Staff] was pressuring me not to come forward.

COLLEAGUE, TEXT MESSAGE: Weird. Prob just doing his due diligence. It's fucked, but people have probably been pressured before not to say or do anything.

SEAN NICHOLLS, REPORTER: While Brittany Higgins continued working on the campaign, the man accused of raping her took a job as a political lobbyist with a prestige public relations firm. He landed the job with two references.

KATHARINE MURPHY: Was he given assistance by anybody in the government to find alternative employment? Now we know Linda Reynolds says that she didn't supply him with a reference. I believe she said that, but we don't know whether others in the government helped him in the aftermath.

PRIME MINISTER SCOTT MORRISON: I have always believed in miracles. (cheering)

SEAN NICHOLLS, REPORTER: After Scott Morrison's surprise election win, Brittany Higgins started a new job in employment minister Michaelia Cash's office. Her story remained a secret.

It's hard to believe though that people weren't gossiping, like security staff weren't gossiping about what had gone on that night.

NIKOLA ANDERSON: Well, that's true, because the rumour mill is so strong in that place. But because we were told to keep it under wraps and not to make it common knowledge, there was





SEAN NICHOLLS, REPORTER: Five months later an anonymous tip-off arrived in the email inbox a reporter at the Canberra times. The email to the Canberra Times reporter said a woman had been raped inside a ministerial office and that security guards had been told to keep quiet ab it. The reporter contacted the ACT Police who confirmed they were aware of an alleged assault but said the woman didn't want to make a formal complaint. The Canberra Tim dropped the story ... but when the government learnt of its enquiry, it went into overdrive. Linc Reynolds's office called Michaelia Cash's office. Brittany Higgins says she was called into a meeting and asked by a Reynolds staffer who she had told.

SAMANTHA MAIDEN: And she became highly distressed in that meeting because she felt that was essentially being accused of leaking it to the Canberra Times herself. And from her perspective was like, are you kidding? Like the last thing I want is for this to become an issue. I did not leak it. And you know, I'm highly distressed by all of this. Now, at some point, the Chief Staff says to her, well, I think we need to tell the boss, do you want to tell the boss, or will I tell boss? And she says, well, I think that's a you job. And so the Chief of Staff has a conversation w Michaelia Cash and Michaelia Cash brings her in and gives her a hug and says, we've got this under control.

SEAN NICHOLLS, REPORTER: That same weekend, Michaelia Cash left a voicemail for Brittany.

SENATOR MICHAELIA CASH, VOICEMAIL MESSAGE: Britt, it's Michaelia. Just checking up on you You looked absolutely gorgeous on Saturday. I really hope you had a lovely time at the, ah, fed council. Hoping everything's okay. Daniel's got everything under control, I promise you. And ju remember, we're with you every step of the way. Okay? Sleep tight. I'll see you tomorrow. Bye.

SEAN NICHOLLS, REPORTER: Minister Cash and her Chief of Staff Daniel Try told Four Corners t were not aware at this point that the incident was an alleged rape.

ZALI STEGGALL: Look, the phone message from Michaelia Cash would indicate there is a level c awareness of Brittany Higgins's circumstances and concerns around, whether it's her employment or her personal state of mind, and where things were at. To me, it just reinforces i belief that they do all know what's going on, and they're all in it, and I would actually argue tha why none of them are calling it out.

SEAN NICHOLLS: What does that voicemail tell you about Michaelia Cash's knowledge of the situation at that point?

SAMANTHA MAIDEN: Well, it doesn't necessarily tell me anything. It tells me that she thought t there was something very embarrassing that had happened. And Brittany Higgins certainly believed and understood her to know that this was an alleged rape.

SEAN NICHOLLS, REPORTER: Another five months passed and then there was another anonymc tip off. A letter to Labor senator Kimberley Kitching. The letter claimed that officials in the Department of Parliamentary Services, which employs the security guards, had tried to cover



the rape by altering reports and cleaning the Minister's office that afternoon. Senator Kitching passed it onto the AFP, who told her to take it to the Speaker of the House and the Senate president. They commissioned former inspector-general of intelligence and security, Vivienne Thom, to investigate the claims. Vivienne Thom's report has never been made public.

The Department said in a statement: "The report concluded that the evidence: Does not substantiate the claim that a senior official within DPS subsequently instructed staff to amend incident reports to minimise the event and remove key information; Does not substantiate the claim that a senior official within DPS instructed the Building Security Division to have the suit cleaned".

With the secret inquiry done and dusted, the Department thought it had drawn a line under the issue. On the 9th of November last year, the Four Corners program, "Inside the Canberra Bubble" went to air. The program questioned the conduct of some of Australia's most senior politicians:

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: The behaviour wasn't OK, and the culture is not OK. And there should be something done about it.

SEAN NICHOLLS, REPORTER: Brittany Higgins was watching.

SAMANTHA MAIDEN: When the Four Corners came out on the Canberra bubble there was a lot of bad mouthing and denigration behind the scenes of the women that participated in that. People trying to run down their professional capabilities and imply that they'd left not because they were sort of run out of town for having an extra marital affair with a married minister, but because they weren't up to the job. And I think that that made her angry.

SEAN NICHOLLS, REPORTER: Around this time, Brittany Higgins says the Prime Minister's principal private secretary, Yaron Finkelstein, called her to "check in". He denies this.

KATHARINE MURPHY: So Yaron Finkelstein is the Prime Minister's principal private secretary, which sort of makes it sound like he's a typist, actually he's not. He's one of the Prime Minister's most senior political advisors. Staff at that level in a prime ministerial office fix a bunch of problems for the boss. That's what they do. They need sixth sense of, of problems that are emerging coming at them and, and they work out how to fix them. And that's, that's the job.

SEAN NICHOLLS, REPORTER: Two months later, Brittany Higgins quit her job in Michaelia Cash's office. Minister Cash has said this was the first she knew about the rape allegation.

SENATOR MICHAELIA CASH: I only recently became aware. In fact, in relation to the alleged rape it was when a journalist contacted my office for comment. On Friday, 5 February, Brittany and I spoke, and she disclosed details of what had occurred.

SEAN NICHOLLS, REPORTER: Brittany spoke to a colleague about her decision to quit.





BRITTANY HIGGINS: Honestly, I don't think I can be connected to politics or connected to anything that happened. It's just, I can't. I can't even explain to you how difficult it was. It makes me feel gross and so sick and if this had happened in a park with a stranger and I'd somehow identified him and knew his name, I'm going to the police tomorrow and I would get him arrested. But because of all the weird party stuff and the pressures at the time and the hierarchy and whatever else, I felt like I couldn't. And that's a problem.

SEAN NICHOLLS, REPORTER: At the same time, Brittany contacted the AFP to say she was considering resuming her formal complaint. This triggered an alert from the AFP to Home Affairs minister Peter Dutton under its "sensitive investigations" guidelines. Minister Dutton later said the briefing didn't contain specifics.

MINISTER PETER DUTTON: As I advised the House yesterday and mentioned in the media today received a briefing from the AFP Commissioner on the 11th. There were media inquiries to the government on the 12th. My office, as a courtesy, on my advice to my Chief of Staff, contacted Prime Minister's Chief of Staff.

SEAN NICHOLLS, REPORTER: By this time, some of the Prime Minister's most senior advisers and at least three ministers knew about the story. But Scott Morrison has insisted he still hadn't been told.

HELEN HAINES: That tells me that we have some fundamental problems here. If lots of people in senior positions knew parts of this very, very serious story but all the pieces didn't come together until it was exposed through the media then we've got some major gaps here, which only mean that there was a serious problem for Brittany Higgins, but that other staff members are at risk of exactly the same thing happening to them.

SEAN NICHOLLS, REPORTER: Brittany was about to go public with her story. Journalists working on the story put questions to the Prime Minister's office about the case. The Prime Minister said he wasn't told about these either.

PRIME MINISTER SCOTT MORRISON: I hadn't seen her account...

SAMANTHA MAIDEN: At no point in that process, not when I put in the questions, not when Peter Dutton informed them about the AFP, not when the Chief of Staff, the former Chief of Staff in Linda Reynolds's office, the principal private secretary, Yaron, the head of communications, at least six or seven people in the Prime Minister's office spent a substantial period of time over the weekend drafting their responses, at no point did any of those people, they say, tell the Prime Minister.

SEAN NICHOLLS: How believable is that?

SAMANTHA MAIDEN: Well, that's what the Prime Minister says happens. And he's also said that he's unhappy with that, that it wasn't acceptable, that he wouldn't want that to happen again.





He was asked, do you run a “don't ask, don't tell” show? And he said, that was a very good question, but that he didn't. But the evidence would suggest that he does.

SEAN NICHOLLS, REPORTER: On Monday the 15th of February, the story broke.

LISA WILKINSON, “THE PROJECT”, NETWORK 10: Tonight, claims of rape, roadblocks to a police investigation and a young woman forced to choose between her career and the pursuit of justice...

SEAN NICHOLLS, REPORTER: Scott Morrison insists the first time he learned of Brittany Higgins's rape allegation was in those media reports.

PRIME MINISTER SCOTT MORRISON: I became aware of the alleged sexual assault at about 8.30 yesterday morning. That is true. That is when I became aware of it, Mr Speaker. The first time that my office became aware of an alleged sexual assault, I'm advised was on 5 April this year. Sorry, I misread that – apologies. It was 12 February 2021. That's when my office first became aware, I'm advised, of an alleged sexual assault.

TRISH BERGIN: With the grapevine that works in Parliament House I think that would be next to impossible that he didn't hear about it. As any manager, you've got a duty of care again and a leader to be open to hearing about these sorts of things. Otherwise you're breeding a culture that tells everybody, you don't disclose.

ZALI STEGGALL: I would say that's a don't ask, don't tell me, it's plausible deniability policy. And again, it's poor management and it's poor leadership. So I feel either way, it is not a good sign of leadership and wanting to take responsibility.

SEAN NICHOLLS, REPORTER: Two years after the alleged rape, security guard Nikola Anderson was contacted by ACT Police a week ago. She'll give them a statement about what she saw on that night.

Why have you decided to speak out about this now?

NIKOLA ANDERSON: Because I'm fearful for my job. I am. I'm fearful for my job, and I don't want to be used as DPS's scapegoat. And the truth does have to come out. I mean, I'm sick of seeing all of these news reports with inaccurate information, because it is wrong. It's so wrong.

SEAN NICHOLLS, REPORTER: Last week, tens of thousands of people around the country joined the women's March 4 Justice.

LISA WILKINSON: It is my enormous honour to introduce to you one of the most courageous women I know, Miss Brittany Higgins.

BRITTANY HIGGINS: These past few weeks on a personal level have been extremely difficult. I watched as the Prime Minister of Australia publicly apologised to me through the media while



to see my former bosses, people that I had dedicated my life to, deny and downplay my lived experience.

SEAN NICHOLLS, REPORTER: Brittany Higgins has renewed her sexual assault complaint with police. The Prime Minister has ordered four separate inquiries into the matter.

CROWD (chants): We believe Brittany! We believe Brittany!

SAMANTHA MAIDEN: If you think about what she's actually achieved, of all of the investigation that have been triggered. She put everything on the line, right? Her whole life, her whole image and our whole reputation, but she actually achieved something that hasn't been done before.



***Don't ask, Don't tell: The Brittany Higgins story, who knew what when***

*"I was raped inside Parliament House by a colleague. And for so long, it felt like the people around me only cared because of where it happened and what it might mean for them."*

*Brittany Higgins*

When former coalition staffer Brittany Higgins came forward to allege that she had been raped in a ministerial office in Parliament House, it horrified the country.

*"I think the Australian public would expect Parliament House to be the most secure building in Australia. We have cameras everywhere, there's security, guards, and bollards at every entrance." Federal member of parliament*

Her account of effectively being silenced for political reasons sparked outrage and condemnation of the culture of Canberra.

*"It's a vicious cycle and I suppose it's hard to comprehend that people would just stick around and tolerate certain behaviour for a job, but it's more than a job, it's your life." Former coalition staffer*

On Monday Four Corners investigates how and why Brittany Higgins' story was kept quiet for almost two years.

*"It gives me the sense that there is there is a machine that takes care of these things." Former senior public servant*

The program examines the key questions of who knew what, and when, and whether there's been a coverup.





*"I'm really one of the only people that knows what happened and nobody has asked me anything." Public servant*

New revelations call into question statements that have been put on the public record.

*"The truth does have to come out." Public servant*

With multiple inquiries under way and the government under pressure, those who have worked in the corridors of power say it is time to overturn "politics as usual".

*"I think that people in that building are hyped up on power. There's no checks and balances c they can get away with it. It's a place built on secrets and lies essentially." Former coalition staffer*

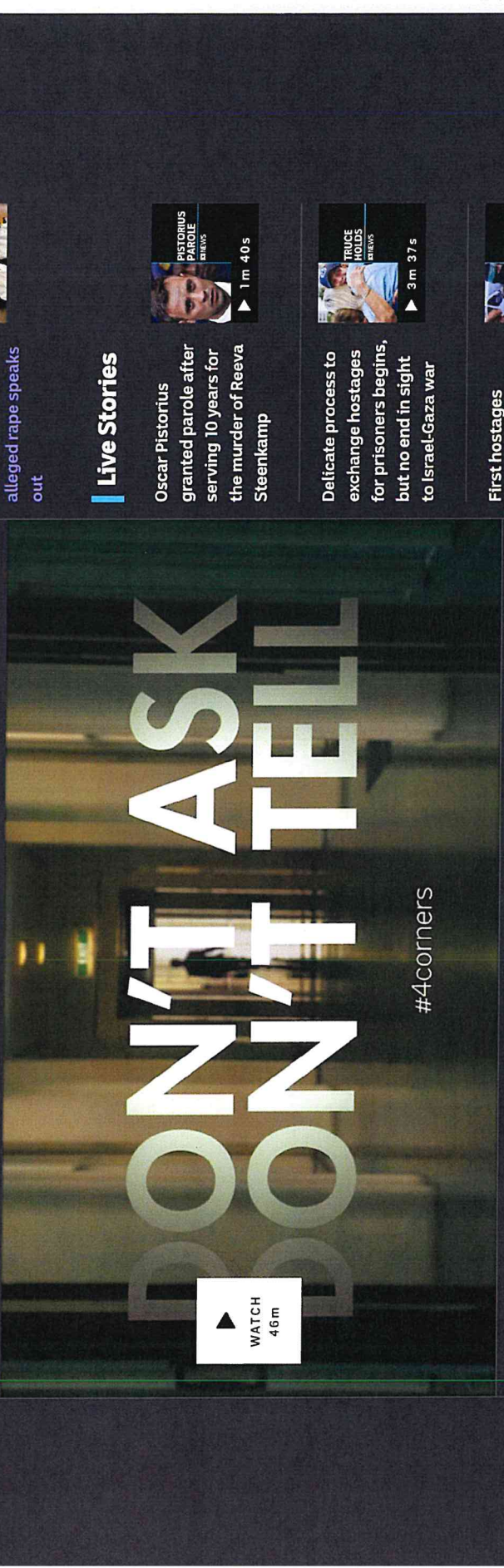
Don't ask, Don't tell, reported by Sean Nicholls, goes to air on Monday 22<sup>nd</sup> March at 8.30pm. It is replayed on Tuesday 23<sup>rd</sup> March at 1.00pm and Wednesday 24<sup>th</sup> at 11.20pm. It can also be seen on ABC NEWS channel on Saturday at 8.10pm AEST, [ABC iview](#) and at [abc.net.au/4corners](http://abc.net.au/4corners).



# VIDEO: Don't ask, Don't tell

FOUR CORNERS

Posted Mon 22 Mar 2021 at 8:30pm, updated Wed 14 Apr 2021 at 2:13pm



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