

THE AUSTRALIAN

Christian Porter's defamation barrister Sue Chrysanthou faces legal action

By **NICOLA BERKOVIC**, LEGAL AFFAIRS CORRESPONDENT

6:20AM MAY 13, 2021

Christian Porter's high-profile defamation barrister is facing legal action to stop her representing the former attorney-general in his case against the ABC.

Jo Dyer, director of the Adelaide Writers Week, is seeking orders to stop Sue Chrysanthou SC from representing Mr Porter.

Ms Chrysanthou, who has previously represented actor Geoffrey Rush and Greens senator Sarah Hanson-Young, has been accused of having access to confidential information related to Mr Porter's case against the ABC provided to her by Ms Dyer.

Ms Dyer was a friend of a woman, known as Kate, who alleged she had been raped by Mr Porter in 1988 when she was 16 and Mr Porter was 17. She committed suicide in June last year.

Mr Porter, now Industry Minister, is suing the ABC and journalist Louise Milligan over an online article published on February 26, which reported that an unnamed cabinet minister was facing historical rape allegations.

Mr Porter, 50, outed himself as the unnamed minister five days later and launched the defamation action on March 15.

In a statement on Wednesday, he said it had been "widely known for two months" that Ms Chrysanthou was acting for him in the case and he was concerned about the timing of Ms Dyer's action, ahead of a key hearing in his defamation case against the ABC.

Barrister Michael Hodge SC, representing Ms Dyer in her bid to oust Ms Chrysanthou from the defamation case, told the Federal Court on Wednesday that Ms Chrysanthou had confidential information that was relevant to the dispute provided to her in the course of a "lawyer-client relationship" with Ms Dyer.

Ms Chrysanthou had reviewed a legal letter sent on November 26 to The Australian, on Ms Dyer's behalf, claiming an opinion piece written by columnist Janet Albrechtsen had defamed her.

The column criticised an ABC Four Corners program about sexism in parliament, broadcast earlier that month, as "a poorly executed political hatchet job".

Ms Dyer was quoted in the program criticising Mr Porter for his conduct as a young man and describing him as having "an assuredness that's perhaps born of privilege".

The program did not air any rape allegation against Mr Porter.

The legal letter said Kate had disclosed to Ms Dyer "an extremely serious allegation against Christian Porter regarding events that she alleged had taken place in January 1988" and Ms Dyer had agreed to be interviewed for the Four Corners program because she believed she had a responsibility to her late friend.

The letter — well before Milligan reported the rape claims — said Kate had told many people of the allegations and this "must have come to the attention of The Australian". "It does not seem plausible that information concerning (Kate)'s allegations had not reached senior editorial staff at the Australian," it read.

The criticism of Ms Dyer's appearance should not have been published because The Australian should have been aware the interview was for the purpose of sharing Kate's story, the letter read.

While the ABC argues that the publication of the allegations in February did not defame Mr Porter because the broadcaster did not name him, he will only need to show at least one person who had read it reasonably understood it referred to him to show that he had been identified.

Mr Hodge, dubbed the "baby-faced assassin" during the banking royal commission, told Federal Court judge Thomas Thawley there were two possible grounds for preventing Ms Chrysanthou from acting for Mr Porter — "misuse of confidential information" and "apprehension of an interference with the administration of justice".

Ms Dyer's court application, filed on Monday, seeks an order that Ms Chrysanthou be restrained from acting for Mr Porter "on the grounds that the order is necessary to prevent prejudice to the proper administration of justice and to preserve confidentiality and legal professional privilege".

Ms Chrysanthou, one of the nation's leading defamation lawyers, has not yet been restrained from acting for Mr Porter.

Justice Thawley agreed to join Mr Porter as a party to the proceedings. Mr Porter is being represented by Bret Walker SC and Nicholas Olson in relation to Ms Dyer's legal action.

Mr Olson told the court it was a "bit rich" that Ms Dyer was bringing the action now when she'd known of Ms Chrysanthou's engagement for months. Ms Chrysanthou is scheduled to appear at a hearing relating to the defamation matter on June 1.

Ms Chrysanthou's barrister, Noel Hutley SC, told the court that Ms Chrysanthou had "no substantive recollection" of any confidential information provided to her by Ms Dyer.

"My client's position is ... she will do anything which the court thinks she ought do," he said.

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'No delay' on Christian Porter barrister complaint, says Jo Dyer

By **NICOLA BERKOVIC**, LEGAL AFFAIRS CORRESPONDENT

10:18PM MAY 13, 2021

A friend of the woman who accused Christian Porter of rape has hit back at suggestions she had not acted quickly to try to stop a high-profile Sydney barrister from acting for him in his case against the ABC.

Lawyers for Jo Dyer, director of the Adelaide Writers Week, said any suggestion she had not acted in a timely manner was “false”.

Ms Dyer [launched legal action in the Federal Court on Monday](#) to restrain barrister Sue Chrysanthou SC from acting for the former attorney-general.

This was on the ground that Ms Dyer had given Ms Chrysanthou confidential information in the course of a lawyer-client relationship relevant to Mr Porter’s defamation case against the ABC.

Mr Porter, now Industry Minister, is suing the ABC and journalist Louise Milligan over an online article published on February 26 that reported an unnamed cabinet minister was facing historical rape allegations.

Mr Porter outed himself as the unnamed minister five days later while vigorously denying the allegations and launched the defamation action on March 15.

On Wednesday, Mr Porter said it had been “widely known for two months” that Ms Chrysanthou was acting for him, and he was concerned about the timing of Ms Dyer’s legal action ahead of a key hearing in his defamation case against the ABC starting on June 1.

Marque Lawyers managing partner Michael Bradley, representing Ms Dyer, said his client became aware Ms Chrysanthou was acting for Mr Porter on March 15 and that day “expressed her objection ... on the basis of an alleged conflict of interest”.

Ms Dyer was a friend of the woman, known as Kate, who alleged she had been raped by Mr Porter in 1988 when she was 16 and he was 17. She committed suicide in June last year.

Mr Bradley, who had also acted for Kate, said Ms Dyer's lawyers had been "in continuous correspondence" with Ms Chrysanthou's solicitors since March 15 "attempting in good faith to resolve this dispute without the need for court proceedings".

"Those attempts having failed, Ms Dyer commenced proceedings against Ms Chrysanthou in the Federal Court on May 10," he said in a statement. "Any suggestion Ms Dyer has not acted in a timely manner or not in good faith is false."

Ms Chrysanthou had [reviewed a legal letter](#) — sent by Mr Bradley on Ms Dyer's behalf — to The Australian on November 26 that claimed an opinion piece written by columnist Janet Albrechtsen had defamed Ms Dyer.

University of Tasmania professor of law Gino Dal Pont, an authority on legal professional responsibility, said ethically there was no reason for barrister Ms Chrysanthou to step aside from the case unless the Federal Court restrained her from acting for the former attorney-general.

"Just because someone would like to restrain doesn't mean their action will necessarily succeed ... Remaining counsel of record is not a breach of ethics as such," Professor Dal Pont said.

Ms Dyer would need to convince the court that any confidential information she provided to Ms Chrysanthou was directly relevant to the case and could be used to Ms Dyer's detriment.

"We shouldn't make the assumption automatically that this is a case where there may be a potential misuse of confidential information," he said. Ms Dyer would need to convince the court it was necessary to remove Ms Chrysanthou for the appearance of justice because her continuing to act for Mr Porter would "not look right to an ordinary person aware of relevant facts".

Ms Chrysanthou is due to represent Mr Porter at a hearing on June 1 and 2 to decide whether substantial parts of the ABC's defence should be struck out.

Ms Dyer is pushing for the Federal Court to hear her action urgently.

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PUBLIC STATEMENTS OF MS DYER

Image:

Four Corners

Inside the Canberra Bubble

Posted Mon 9 Nov 2020, 9:30pm

Updated Sun 29 Nov 2020, 6:29pm

Expires: Tuesday 7 October 4758 9:30pm

"It is vitally important that all politicians, whether they are backbenchers or ministers, or leaders, maintain the highest possible standard of proper conduct and integrity." Liberal Senator

Parliament House in Canberra is a hotbed of political intrigue and high tension. Leadership challenges and tightly fought votes are covered exhaustively by the media, but what happens after hours has long been governed by the idea that what happens in Canberra stays in Canberra.

"One of the problems with the culture in Canberra is that you've got all of these people, you know, politicians, staffers, away from home, a stressful environment, late hours, too much alcohol...and I think people often lose sight of the fact that there are standards of behaviour and conduct which have to be maintained." Former Prime Minister

It's known as the "Canberra Bubble" and it operates in an atmosphere that seems far removed from how modern Australian workplaces are expected to function.

"I've been in politics a long time and sexism, unfortunately has been a feature of it for all that period." Labor Senator

On Monday, this Four Corners investigation questions the conduct of some of the most senior politicians in the nation.

"This isn't about party politics. This is about the nation's Parliament." Greens Senator

Inside the Canberra bubble, reported by Louise Milligan, goes to air on Monday 9th November 8.30pm. It is replayed on Tuesday 10th November at 10.00am and Wednesday 11th 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.

Response from the Attorney-General, Christian Porter:

Malcolm often summoned Ministers in frustration about the amount of detail leaking from Cabinet. I had one such meeting in early December 2017, where Malcolm put to me a rumour that I leaked to journalist Sharri Markson about the Banking Royal Commission and towards the end of that meeting he queried whether there was any accuracy to what he described as another story he had heard, the answer was no to both these things. Malcolm then promoted me to Attorney-General about two weeks after. In my time as AG I never had any complaint or any suggestion of any problem from Malcolm regarding the conduct of my duties as AG until the last week of his Prime Ministership when we had a significant disagreement over the Peter Dutton citizenship issue.

Transcript*plusminus*

Four Corners

9 November 2020

Inside the Canberra Bubble

JO DYER, NATIONAL SCHOOLS CHAMPION DEBATING TEAM, 1987: All political parties need to think about the type of people that they have in positions of power and authority. And Australians need to think about the type of people that they want representing them.

CONCETTA FIERRAVANTE-WELLS, LIBERAL SENATOR: Whether you're the first law officer, or you're the prime minister or you're the premier, that expectation is that one conducts oneself with the highest degree of integrity.

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: Ministers, Cabinet Ministers in particular, have got to really be very conscious of the fact that when you're out in public you have to make sure that you're not doing anything that that you know, could expose you to compromise.

SARAH HANSON-YOUNG, GREENS SENATOR: This isn't about party politics. This is about the nation's parliament. I think a big part of the problem is that women have been forced to stay silent on these things. And silence doesn't help anyone.

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.

LOUISE MILLIGAN, REPORTER: There's a strong but unofficial tradition in federal politics of what happens in Canberra, stays in Canberra. Politicians, political staff and media operate in what's known as 'The Canberra Bubble'. Along with the political gamesmanship, there's a heady, permissive culture and that culture can be toxic for women. Tonight on Four Corners, we go inside the Canberra Bubble, with an investigation that questions the conduct of some of the most senior politicians in the nation.

KRISTINA KENEALLY, LABOR SENATOR: I've been in politics a long time and sexism, unfortunately has been a feature of it for all that period. I just think it's quite regrettable that younger women and people who are in a more vulnerable position are still experiencing sexist overtures or sexual harassment, quite frankly.

SARAH HANSON-YOUNG, GREENS SENATOR: Whether it's the sexist slurs and the bullying and intimidation that I've stood up against, or a young staffer feeling intimidated or put upon in, in an office, it's part of the same problem.

LOUISE MILLIGAN, REPORTER: For the women who work inside the Canberra bubble, it can be a dispiriting place.

SARAH HANSON-YOUNG, GREENS SENATOR: It is a... It's a man's world that we still haven't cracked open.

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: One of the problems with the culture in Canberra is a that you've got all of these people, you know, politicians, staffers, away from home, a stressful environment, late hours, too much alcohol. It's not a healthy working environment, and it's a very isolated one. If you think Canberra is a bubble, Parliament House is a bubble inside a bubble and so it's not a great working environment and I think people often lose sight of the fact that there are, you know, standards of behaviour and conduct which have to be maintained. The attitudes to women and the lack of respect to women, of women in many quarters in Canberra reminds me of the corporate scene, you know, 40 years ago. It is, it's just not modern Australia – it really isn't.

LOUISE MILLIGAN, REPORTER: Do you think there's a view by some of the blokes in Canberra that what happens on tour stays on tour?

CONCETTA FIERRAVANTE-WELLS, LIBERAL SENATOR: Well that's Louise a question that I would direct to the blokes. But certainly, if one conducts oneself with an appropriate standard of conduct and integrity, then whatever may have happened on tour ought to be a matter for public disclosure.

LOUISE MILLIGAN, REPORTER: In Australia, the private lives of politicians have traditionally been considered off-limits. But many women working in Canberra believe this culture of silence allows sexist behaviour to thrive.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: I think a lot of MPs and senators get into the kind of trap of thinking that Canberra's a place where they can come and kind of do whatever they like, because there'll be no scrutiny, they're out of their electorate, they're away from their family.

LOUISE MILLIGAN, REPORTER: Rachelle Miller worked at Parliament House as an adviser to Liberal Party MPs and Ministers for nine years. She believes it's time to blow the whistle.

LOUISE MILLIGAN, REPORTER: Why are you here?

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: Look, I think for two reasons. One of the reasons is that I really strongly believe that the standard that you walk past is the standard you accept, and I saw a lot of really poor behaviour in my time in parliament and I feel I let down a lot of women. As a senior staffer, I could have done a lot more to stand up for people. Instead, there was a culture of kind of just putting your head down and not getting involved. And I think that it's really important now for me to be able to speak out and say that this behaviour wasn't okay, and that if you are experiencing this behaviour and still working in parliament, it's not okay. And, you should know that.

LOUISE MILLIGAN, REPORTER: The Liberal Party has been grappling with what's been described as a "women problem" for several years, with accusations of endemic sexism.

LINDA REYNOLDS, LIBERAL SENATOR, 23 AUGUST 2018: "I do not recognise my party at the moment. I do not recognise the values. I do not recognise the bullying and intimidation that has gone on."

JULIE BISHOP, DEPUTY LIBERAL LEADER, 2007-2018, 5 SEPTEMBER 2018: "It's evident that there is an acceptance of a level of behaviour in Canberra that would not be tolerated in any other workplace."

JULIA BANKS, LIBERAL MP, 27 NOVEMBER 2018: “Often, when good women call out or are subjected to bad behaviour, the reprisals, backlash and commentary portrays them as the bad ones – the liar, the troublemaker, the emotionally unstable or weak, or someone who should be silenced.”

NEWSREADER, 2 JANUARY 2019: Prime Minister Scott Morrison has begun trying to win back female voters, and he's using some of the same female MPs who recently accused blokes in the Liberal Party of being bullies.

SCOTT MORRISON, PRIME MINISTER: There are seven women now in cabinet. That is the highest number of women ever in a federal cabinet.

LOUISE MILLIGAN, REPORTER: Do you think that the Liberal Party has a woman problem?

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: Well I think women have got a problem with the Liberal Party. It's probably a better way of putting it. I think the party, ah, does not have enough women MPs and Senators. I think it is seen as being very blokey. That's a real that is a, that look, that is wrong. That is, that is wrong, full stop. Politically, it's also very mistaken.

LOUISE MILLIGAN, REPORTER: Women remain underrepresented on the government benches.

KELLY O'DWYER, MINISTER FOR WOMEN, JOBS & INDUSTRIAL RELATIONS, 3 SEPTEMBER 2018: Well, look, there's no question that the Liberal Party can and should do better when it comes to getting more women into parliament and we need to do a lot better at keeping them there.

LOUISE MILLIGAN, REPORTER: Seven of the 30 current government ministers are women. There are fewer Liberal women sitting in the Lower House than there were 20 years ago, while the number of Opposition women has doubled.

SCOTT MORRISON, PRIME MINISTER, 8 MARCH 2019: “We want to see women rise. But we don't want to see women rise, only on the basis of others doing worse.”

LOUISE MILLIGAN, REPORTER: A Gender and Politics report released just last month by Liberal think-tank, The Menzies Research Centre, found the party has a long way to go.

NICK CATER, MENZIES RESEARCH CENTRE, 28 OCTOBER 2020: If we believe that everybody should have an equal opportunity in life, and as Liberals we believe that passionately, then there's no reason why women should not be better represented in parliament.

NICOLLE FLINT, LIBERAL MP, 28 OCTOBER 2020: We know that there are there are barriers to women putting their hand up for preselection and being elected, and then staying elected is the other part of it as well which is why we still need to see far more women in safe seats.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: I don't feel like there's equality in the Liberal Party at the moment and it's really concerning for me. It's one of the reasons why I've thought recently seriously about giving up my membership of the Liberal Party. It's one of the reasons why I've been quite discouraged in pursuing a career with the Liberal Party. There's plenty of women working in staffing roles in parliament at the moment, but the experience is, you need to be like a male to cope, to survive.

LOUISE MILLIGAN, REPORTER: Senior Liberal women including current Cabinet ministers, have despaired at the sexism of some of their male colleagues in a private WhatsApp message group obtained by Four Corners.

WHATSAPP MESSAGE: "It is passed [sic] time for us to get organised and collectively stand up. After listening in party room ... to bikini judging commentary enough is enough. [angry emoji]"

WHATSAPP MESSAGE: "We, each of us inspire young women to aim for leadership, how do we continue to do this in the face of puerile back-stabbing from male party members whose sole aim is to count numbers and take our place? This leads to huge party discontent and loss of loyal liberals who feel terribly betrayed..."

LOUISE MILLIGAN, REPORTER: It's not just sexism that women face in this highly-charged atmosphere. There is also a pattern of inappropriate sexual behaviour which is tolerated and condoned.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: I don't for a moment kind of say that all the men were predators and all the women were victims, but it was a highly sexualised environment at times and I think that's a consequence of the stress. It's kind of that 'work hard, play hard' mentality that I've seen before early in my career in industries like advertising. And there is a kind of, an almost gung-ho kind of mentality by a lot of the senior males that they're kind of almost beyond reproach, like they can just get away with things. And...I... and they can, because nobody calls that behaviour out.

LOUISE MILLIGAN, REPORTER: The annual mid-winter ball at Parliament House is one occasion where politicians, staffers and journalists like to let their hair down.

KRISTINA KENEALLY, LABOR SENATOR: I attended the 2017 midwinter ball in my capacity as a Sky News presenter. I was a host of one of the Sky News tables. It was a work event for me, but you know, I was looking forward to a fun evening. I can only describe what I witnessed and experienced and quite frankly, that was some men who were clearly on the make at that event. And I know people are going to think this might sound partisan, but let's remember I was a Sky News presenter in 2017, I wasn't a member of parliament. And you know, what I experienced was some Coalition men trying to have a crack. And it, it was clumsy, it was easily fobbed off. No harm was done to me, but it did make me feel uncomfortable. I hadn't particularly experienced that at a function like that before and it made me wonder what kind of environment is this, where men think they can just have a crack at it? You know? I'm a public figure and I'm pretty publicly well-known to be married. And I was really surprised and taken aback by that. In fact, I went back and told one of my colleagues at Sky: "I'm not going to that event again without my husband. Not because I need him to protect me, but I just felt that a woman there alone had a kind of a sign on her neck that said she was available. This was an event with hundreds of people. If this is what is happening in the federal parliament in a relatively open way, what's going on behind closed doors? Particularly, if you've got men who've got a sense of power and entitlement. I just have to wonder what's going on for many of the young women in this building?"

LOUISE MILLIGAN, REPORTER: Media advisor Rachelle Miller was also there for her first Midwinter Ball that night in 2017. She attended with her boss, then-Human Services Minister Alan Tudge.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: I had a really lovely dress that I'd found, which was like a floor length red dress and the girls did a really good job with my hair and makeup. So it was nice to dress up and feel nice and feel that you looked, you know, you look nicer than the usual suit that you wore every day.

LOUISE MILLIGAN, REPORTER: Both married with children, Rachelle Miller now admits she and Minister Tudge were having an affair. She was terrified they would be found out.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: I was walking with Alan and I was chatting to him and I intentionally dropped back because I didn't want to walk in with him. I mean I wasn't his guest. I wasn't his partner. And I didn't want to be on camera. And he stopped and he turned around, he said, 'no, I want you walking with me' and I'm...I was really surprised by that. I have a feeling that my appearance had a bearing on why, Alan would want to walk in with me on his arm. And I felt at that time a lot like an ornament, and that I was being used as an ornament.

LOUISE MILLIGAN, REPORTER: That feeling continued later, at the after-party, when Rachelle Miller remembers bumping into Mr Tudge's friend, now-Attorney-General Christian Porter, who was with another MP.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: Yeah so Minister Porter was obviously quite drunk at Public Bar after the ball. And they came up to me, and they said 'Oh, you know, you look really great, you look really hot. And of course, Alan being the media tart that he is, would want to have you on his arm when he walked into the ball, with all the cameras there, you know. And he's a total media genius, you know, thinking that, you know, to have you walk in with him.' And it really felt quite demeaning.

LOUISE MILLIGAN, REPORTER: Alan Tudge has publicly represented himself as a social conservative and an advocate of traditional marriage.

ALAN TUDGE, MINISTER FOR HUMAN SERVICES, 6 DECEMBER 2017: “My reservations about changing the Marriage Act to include same-sex couples was my view that marriage as an institution traditionally has been primarily about creating a bond for the creation, love and care of children. And I was concerned that if the definition is changed to be purely one about recognising love, rather than a foundation for the raising of children, then the institution itself would potentially be weakened.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: That was his his public image absolutely. Look I think it's hypocrisy and I've told him that. I, you know, I'm probably I'm a moderate Liberal and it really upset me to hear him particularly during the same sex marriage debate actively speak in parliament, and you know have and express a view that for children to have the right upbringing they need they need to have a mother and father and a traditional kind of family environment. And I just thought ‘wow!’.

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: There's no question that some of the most trenchant opponents of same-sex marriage, all in the name of traditional marriage, were at the same time enthusiastic practitioners of traditional adultery. As I said many times, this issue of the controversy over same-sex marriage was dripping with hypocrisy and the pools were deepest at the feet of the sanctimonious.

LOUISE MILLIGAN, REPORTER: Conservative Liberal senator, Concetta Fierravanti-Wells, believes Ministers should live the values they espouse to the public.

LOUISE MILLIGAN, REPORTER: I understand that you can't make specific comments about any specific ministers but generally, how do you feel about ministers who publicly to their electorates portray themselves as conservative family men, married men, and then when they are in Canberra, lead a different life? You know, carousing with staffers and so on?

CONCETTA FIERRAVANTE-WELLS, LIBERAL SENATOR: Well, values and beliefs are very important in politics. When we stand for office, when we stand for preselection and when we stand before the electorate, we stand on a set of values and beliefs. And there is an expectation, that whether it is to our preselectors, whether it is to our electors that we abide by those values and beliefs because ultimately we will be judged by them.

LOUISE MILLIGAN, REPORTER: Is it appropriate for a Minister to have a relationship with a staffer?

CONCETTA FIERRAVANTE-WELLS, LIBERAL SENATOR: It's not appropriate. And we've seen instances of that happened, happen and different leaders of both political persuasion have taken the, have taken appropriate action. As I said, it's notwithstanding the different pressures that do exist in this place, we have to maintain a high level of conduct.

LOUISE MILLIGAN, REPORTER: Rachelle Miller says her affair with Alan Tudge, now Acting Immigration Minister, was completely consensual... but she has lived to bitterly regret it.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: I lost a lot of self-confidence because I didn't feel I had any power at all to be able to stand up for myself. I was just exhausted, you know, really exhausted. So what I'm trying to do by speaking to you is stand up for myself and say 'This isn't okay. The behaviour wasn't okay. And the culture is not okay. And there should be something done about it'.

LOUISE MILLIGAN, REPORTER: She constantly had to manage the rumours about the affair that circulated in the press gallery.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: Alan put a lot of pressure on me and quote-unquote, asked me to 'war-game' the lines that I was going to give the journalists to try and kill the story. And so when I'd call it'd be all like, 'Make sure you don't talk, make sure you get your lines straight, make sure you don't answer your phone, actually it would just be better if you don't answer your phone at all.'

LOUISE MILLIGAN, REPORTER: After the affair ended, Rachelle Miller left Alan Tudge's office and went to work for another minister. She says she was later demoted in a restructure. She felt she had no choice but to leave politics.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: I knew I was leaving a job that I really loved, but I didn't see that there was any other way out. And look, the culture is very much like that. It's very much, 'You sacrifice yourself for the good of the party'. You know, I actually at that time viewed myself as damaged goods and I was really worried about this coming out and impacting our chances at the election.

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: It's really important to emphasise that this sort of relationship has not been acceptable in the big banks or the big corporations for years, decades. And then you move into parliament and ministers' offices – who are absolutely public property – who are living in a fishbowl, ah who have enormous responsibility. There is always a power imbalance between the boss and somebody who works for them, the younger and more junior they are, the more extreme that power imbalance is. And of course, ministers essentially have the power to hire and fire their staff, so they've got enormous power. This is again one of the reasons why these types of relations in those offices are just not acceptable.

LOUISE MILLIGAN, REPORTER: Alan Tudge did not respond on the record to Four Corners' request for an interview or provide answers to our detailed questions.

NEWSREADER, 14 FEBRUARY 2018: Good evening, Juanita Phillips with ABC News. We begin tonight with dramatic developments in the Barnaby Joyce affair. For full coverage we go to parliament house.

LOUISE MILLIGAN, REPORTER: In February 2018, Prime Minister Malcolm Turnbull made an extraordinary announcement, in response to news that his deputy, Barnaby Joyce, was having an affair with a staffer.

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: 'Barnaby made a shocking error of judgement. He has set off a world of woe for those women and appalled all of us.'

LOUISE MILLIGAN, REPORTER: Under his infamous 'Bonk Ban', Mr Turnbull declared that Ministers could no longer sleep with their staff.

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: 'Ministers must behave accordingly. They must not, I don't care whether they are married or single, I don't care, they must not have sexual relations with their staff. That's it.'

LOUISE MILLIGAN, REPORTER: What the public didn't know was that as well as his deputy, the PM also had other ministers including Alan Tudge in his sights.

LOUISE MILLIGAN, REPORTER: Was the Bonk Ban then just about Barnaby Joyce?

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: No. No. Well I mean, Barnaby's case triggered it and look it may, it may not have happened at that time had it not been for the Barnaby issue, but it went much further than that.

LOUISE MILLIGAN, REPORTER: Did some of the ministers think that it was acceptable to sleep with staff?

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: Oh I think there was, I think there was a quite a widespread view in parliament that this sort of thing was entirely a private matter.

LOUISE MILLIGAN, REPORTER: Another cabinet minister whose conduct had come to the attention of the-then Prime Minister, and helped inspire the bonk ban, was the man who now holds the office of Commonwealth Attorney-General, Christian Porter.

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: There had been some reports about Christian. Ah, I think he recognised that his conduct had not been up to the right standard. Ministers, Cabinet ministers in particular, have got to really be very conscious of the fact that when you're out in public, you have to make sure that you're not doing anything that that, you know, could expose you to compromise or that could be represented in a way that could expose you to compromise.

NEWSREADER: The Attorney-General Christian Porter has ordered his department to look into sexual harassment allegations made in the media by an unnamed woman who worked as an assistant on the Royal Commission.

LOUISE MILLIGAN, REPORTER: The Attorney-General's role, as the nation's chief law officer, includes implementing rules to protect women.

CHRISTIAN PORTER, ATTORNEY-GENERAL, 24 JUNE 2020: "No-one should have to suffer sexual harassment at work, or in any other part of their lives, for that matter. It's very, very serious, the Commonwealth Government takes it very seriously."

CHRISTIAN PORTER, ATTORNEY-GENERAL: "I think being in a good suburban Australian family is a real leveller."

LOUISE MILLIGAN, REPORTER: Like many of his Cabinet colleagues, the Attorney-General promotes himself as a family man.

CHRISTIAN PORTER, ATTORNEY-GENERAL: "I've got a daughter, I'm married to a lovely person who is a lawyer and has been involved in male-dominated professions for a long time. So, it's something that's constantly on your mind, and it's something that I talk to my staff about and from time to time, of course, is a subject matter of conversation with your colleagues. But this is about every individual, I think holding themselves to high standards..."

JOSH BORNSTEIN, EMPLOYMENT LAWYER: Look the reason the Attorney-General occupies a pretty unique role in our political system is because the Attorney-General's role is as the first law officer of the country. And as a Attorney-General you are meant to be above reproach, you are meant to be able to articulate the proper role of the courts, the proper role of the legal system, while also occupying a position as a politician. In other words to be impeccable in terms of personal and political behaviour.

LOUISE MILLIGAN, REPORTER: Serious questions are now being raised about the Attorney-General's conduct... And they go back over decades.

LOUISE MILLIGAN, REPORTER: Why are you here?

KATHLEEN FOLEY, BARRISTER: I'm here because, for a long time, Christian has benefited from the silence around his conduct and his behaviour, and the silence has meant that his behaviour has been tolerated and after a certain amount of time, the silence means that it's condoned and that it's considered acceptable. And I'm here because I don't think that his behaviour should be tolerated, and it is not acceptable.

LOUISE MILLIGAN, REPORTER: Christian Porter was always destined for political leadership. A private school boy from Perth, he had a proud Liberal pedigree. His father was an Olympian who had become a king-maker in Western Australian politics. Young Porter was a champion debater who was selected for Australia's national schools team.

JO DYER, NATIONAL SCHOOLS CHAMPION DEBATING TEAM, 1987: We met CP in 1986, um, for the first time. He was very charming. He was very confident. Um, we were all quite confident back then. He had that assuredness that's perhaps born of privilege. But he was, you know, brash, blond and breezy. Christian was quite slick, in some ways. And he had an air of entitlement around him that I think was born of the privilege from which he came.

LOUISE MILLIGAN, REPORTER: Christian Porter studied Arts/Economics and then Law at the University of Western Australia. He was at UWA for the better part of a decade.

KATHLEEN FOLEY, BARRISTER: I've known Christian since I was sixteen years old. I was a member of the WA state debating team and he was brought in to assist coaching, as a lot of university students were at the time. And I knew him later when I was at the State Solicitors' Office in Western Australia and he was at the DPP. So I've known him for a long time. For all of that time, I've known him to be someone who was in my opinion, and based on what I saw, deeply sexist and actually misogynist in his treatment of women, in the way that he spoke about women.

LOUISE MILLIGAN, REPORTER: Kathleen Foley is a barrister who also sits on the Victorian Bar Council. She did Arts and then Law at UWA in the nineties, where she collected prizes for her academic achievements. She spent a lot of time with Christian Porter as she too was a champion debater.

KATHLEEN FOLEY, BARRISTER: He was a really powerful figure. He was a dominant personality and many people at the law school looked up to him because they felt that he was going to really be a powerful person one day. He spoke about the fact that he wanted to be Prime Minister. People knew that his father was a Liberal Party powerbroker. So he carried a lot of weight and he threw that weight around.

LOUISE MILLIGAN, REPORTER: Christian Porter's nickname on campus was 'Chilla', after his Olympian dad. He gained a reputation as a hard-drinking party boy and womaniser.

KATHLEEN FOLEY, BARRISTER: Christian's persona, particularly at UWA, was the sidelining of women in any kind of forum in which they wanted to be involved. They were treated as a joke, they were objects of ridicule. The only point to women, as far as I could tell from Christian's way of treating women, was for him to hit on them, or for women to be made fun of, particularly for the way that they looked.

LOUISE MILLIGAN, REPORTER: Chilla was a frequent contributor to the Law students' magazine, Briefs, where he's quoted as saying: "I'm going to smut my way through law school". He joked about his drinking and his "rowdy"

behaviour... particularly at the so-called 'R U Barking?' pub crawl competition, which he attended six times.

KATHLEEN FOLEY, BARRISTER: They would have plastic bags tied to their wrists and as they did the pub crawl, you would vomit into these plastic bags that were tied to your wrist. So you would be going through the streets of Perth, vomiting into bags and carrying the vomit around. It was really extreme. I never did it, because it wasn't the kind of thing that I was into, but the commentary around that, the way that the men spoke about that, and the way that the women who participated in that were talked about and treated, was really off-putting.

LOUISE MILLIGAN, REPORTER: Porter wrote of what he called the "chick teams", that they were "about as gratuitous and off-putting display of female sensuality that has ever occurred on R U Barking."

LOUISE MILLIGAN, REPORTER: Writing about a debate on whether "Lawyers are just well-dressed prostitutes", Porter said: "Our opposition's case had more holes than Snow White's hymen". A graduation profile of Porter when he was 26 said he'd be remembered for: "Vomiting all over himself – on the dance floor!" It predicted that in 10 years time, Porter would be: "Running for PM. Being kicked out of the Liberal Party for being a fat, unattractive, sexist, political power-broker who tried to stick his tongue in a secretary's ear."

KATHLEEN FOLEY, BARRISTER: The fact that they're talking about him being sacked for putting his tongue in a secretary's ear. Everyone knew what kind of guy he was. Everyone knew how he felt about women and how he treated women.

LOUISE MILLIGAN, REPORTER: After he graduated, Christian Porter was nominated for Cleo magazine's Bachelor of the Year in 1999. In the article, he was asked what song he'd choose to serenade a woman. He selected "Another One Bites the Dust" by Queen. His self-portrait for the magazine was a stick figure, which had to be censored because he'd drawn it with large genitals.

KATHLEEN FOLEY, BARRISTER: I would see Christian around the traps, at functions and we moved in some of the same social circles at the time. He didn't change at all. Christian remained exactly who he had always been. I remember distinctly a couple of things that he said the time. I remember him commenting that he would never date a woman who weighed over 50 kilograms. That stood out to me. I also remember a relationship of his that ended and he commented that the woman involved was thin enough, but she didn't have big enough tits and the next woman that he was going to date needed to be as thin, but have bigger tits.

CHRISTIAN PORTER, 8 JUNE 2005: 'Well look many cases of theft of people in positions of trust relate to solicitors and accountants, but our submissions have always been ...'

LOUISE MILLIGAN, REPORTER: In his thirties, Christian Porter became a Crown Prosecutor... He married his first wife, but left her for a junior colleague. While Christian Porter was a prosecutor, he worked part-time at the University of Western Australia as a lecturer in the law of Evidence. Four Corners has spoken to some of his former UWA students

who described incidents of inappropriate behaviour. They included sexualised comments about female students and a gratuitous focus on violent and sexually graphic material in the legal cases he taught.

LOUISE MILLIGAN, REPORTER: Christian Porter's political ambitions were realised first in WA state politics, then with a move to federal politics in 2013.

CHRISTIAN PORTER, 9 DECEMBER 2013: I would also like to thank all of my new Coalition colleagues. Genuinely, the welcome here has been collegiate and very warm. I am intent to bask in this warmth before people get to know me and it grinds to an inevitable halt.

LOUISE MILLIGAN, REPORTER: Christian Porter was quickly promoted to the front bench as Social Services Minister. His language on women changed, as he spoke up strongly on domestic violence policy.

CHRISTIAN PORTER, 25 NOVEMBER 2015: If we can change the attitudes and make sure that young boys understand what a respectful relationship is, understand what are the proper boundaries, understand what is acceptable and not acceptable, they will go on to be good fathers and good husbands and good partners and we won't have to have as many men's programs as we presently need.

LOUISE MILLIGAN, REPORTER: He was long touted to one day become prime minister.

REPORTER: His reputation is one of a rising star, very competent. A man who has a great capacity, and a man who as a child was referred to by his own father as a future prime minister.

LOUISE MILLIGAN, REPORTER: But in the corridors of Canberra, Christian Porter was developing a reputation. In late 2017 his behaviour came to the attention of then Prime Minister Malcolm Turnbull.

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: On 6th December 2017, I had a meeting with Porter in my office and I told him that I had had reports of him being out in public, having had too much to drink, and in the company with young women. And he, he acknowledged that, he didn't argue with that. And I just said, 'Look, this is unacceptable conduct for a Cabinet minister, and it exposes you to the risk of compromise'.

LOUISE MILLIGAN, REPORTER: The incident that prompted the Prime Minister's concern occurred at Canberra's Public Bar in Manuka. It was a Wednesday night – when politicians, staffers and journalists head to Public Bar for drinks and gossip. One of the people there was Liberal media advisor, Rachele Miller who was out for a drink with her boss, Minister Alan Tudge.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: So we often on a Wednesday night would go out to some of the bars that were just around Parliament House. During a sitting week, there would be always at Public Bar lots of journos, lots of staffers, lots of Ministers, MPs.

LOUISE MILLIGAN, REPORTER: Rachelle Miller spotted Christian Porter with a young woman. At the time, Mr Porter was tipped to soon become the next Attorney-General. He had a wife and toddler at home in Perth.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: When we were at the Bar I noticed that Minister Porter was with someone in the corner, and they were clearly very intimate, they were cuddling, they were kissing. It was quite confronting given that we were in such a public place. And we're in a place where we had multiple press gallery journalists, multiple MPs and senators. And I was quite surprised by the behaviour and while, you know, we all like to go out and have a drink and sometimes people drink too much, I thought that this was probably a step, well it was definitely a step too far.

LOUISE MILLIGAN, REPORTER: Mr Porter's companion was a young female staffer who was working for another Cabinet minister.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: They were kissing and cuddling, and I remember turning around Alan and just going 'oh my god, like, cannot believe I'm seeing what I'm seeing, what are we going to do?' And we you know, I sort of switched right into media advisor mode and kind of scanned the room to see, well who else is seeing what I'm seeing? And who is in the room?

LOUISE MILLIGAN, REPORTER: Four Corners has spoken to five other people, including Coalition staffers, who were at Public Bar that night and who saw Minister Porter's behaviour with the young woman, and they were shocked by it. One man who witnessed it was a public servant. He thought Minister Porter was opening himself up to compromise. He picked up the phone of a journalist and he took a photograph.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: We spotted a group of journalists and I said I said to Alan, 'Look, you know there's a group of journos over there, looks like someone's taken a picture'. I saw somebody with their iPhone out. I was concerned from a work perspective. I suppose it sounds quite unfeeling, but I was really worried about it ending up in the papers. It would do a lot of damage to the government. It would be a scandal that we didn't need.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: We were completely really stressed out by it and we sorta hatched a plan to you know, head over there and actually confront them and say, 'Look, you know, you're taking photographs'. So Alan did head over and he asked the person taking photographs to stop taking photographs.

LOUISE MILLIGAN, REPORTER: Alan Tudge angrily demanded that the journalist delete the photo of his friend Christian Porter.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: He was certainly quite firm and kind of demanded that 'Hey, this is not what we do on Wednesday nights, this is an off the record environment, we don't take photos of each other', and he was quite angry about it.

LOUISE MILLIGAN, REPORTER: Mr Tudge later contacted the journalist, again insisting that the photo be deleted to erase the evidence. The news travelled back to the Prime Minister's office. Malcolm Turnbull delivered Christian Porter a stern ultimatum.

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: I noted that I had heard reports of him being out in public having had too much to drink in the company of young women. I reminded him that Canberra was full of spies, ah not all of them worked for us. And of course in the age of the smartphone, you know, pictures can be taken by anybody. So it is just not acceptable. And he knew that I was considering appointing him Attorney-General, which of course is the first law officer of the Crown, and has a seat on the National Security Committee, so the risk of compromise is very very real. You know, it's not just the stuff of spy novels. People who put themselves into positions where they can be compromised or blackmailed are really taking risks, and unacceptable risks.

LOUISE MILLIGAN, REPORTER: What was his reaction?

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: He clearly didn't enjoy it. Nobody enjoys a discussion like that, but he took it on board and noted it. And I you know. The message was very clear that if there was, ah, you know, reports like that emerged in the future, that would have a very, very severe consequences for his role in the ministry under my leadership.

CONCETTA FIERRAVANTE-WELLS, LIBERAL SENATOR: At a time when there is a strong debate about foreign influence and foreign interference, most especially in a place like Canberra, the risk I think of compromise, is far greater. And that's why it's incumbent on all politicians, irrespective of whatever position they hold, to ensure that their conduct is one of the highest standard.

LOUISE MILLIGAN, REPORTER: Greens Senator Sarah Hanson-Young volunteered this story to Four Corners about a young Liberal staffer who confided in her one Wednesday night at Public Bar about a secret relationship with Christian Porter. Sarah Hanson-Young did not name the young woman she spoke to. Four Corners believes it was the same woman seen with Christian Porter at Public Bar.

SARAH HANSON-YOUNG, GREENS SENATOR: One particular conversation I remember went from being a general chat to a pretty, um, distressed young woman who was very upset about what had been going on in the office she worked in. And how she was being treated as a result of people finding out.

LOUISE MILLIGAN, REPORTER: So this young woman was talking about Christian Porter?

SARAH HANSON-YOUNG, GREENS SENATOR: Yes.

LOUISE MILLIGAN, REPORTER: What did she say happened?

SARAH HANSON-YOUNG, GREENS SENATOR: She told me that she'd found herself in somewhat of a relationship. And that clearly, had found herself in a position that, at some point, she didn't want to be there. I'm not going to speculate why or how. But when she was talking to me about it, she was clearly very distressed, and she was in a situation she didn't want to be in. And I think, you know, that's a terrible, that's a terrible position for any young woman to find themselves in. To feel, um, to feel like you have to question your job, your abilities, your skills – who you can talk to, who you can trust in your workplace. The sense that I had from her was that she felt pretty isolated. She was very guarded about what she'd said. But she started crying. And it was quite clear to me that there was a lot more going on, than she felt she could say.

LOUISE MILLIGAN, REPORTER: There will be people who say, this was a consensual relationship between two adults, shouldn't it just remain private?

SARAH HANSON-YOUNG, GREENS SENATOR: Well, that's not really, that's not my business, of course. If people are in consensual relationships, that's fine. What I saw, and I can only speak from what the experience I had, was that this young woman was really, was not happy about the situation she was in, was distressed about it, and she spoke about, she spoke about feeling caught, that she was caught in this situation.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: Where there's significant power imbalances with senior ministers and perhaps junior staff, I think that absolutely there needs to be an acknowledgement that that sort of behaviour is not okay. And in fact I would say that given I've spent two years since coming out of parliament in the private sector, that sort of behaviour is not tolerated on any level.

LOUISE MILLIGAN, REPORTER: Ten days after Malcolm Turnbull delivered his warning to Christian Porter, Mr Porter posted this video with his family on his website.

CHRISTIAN PORTER: Our local community is such a great place to raise a family and I'm really looking forward to working with all of the members of my local community to put some big projects and plans together for 2018.

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: Ministers should be very conscious that their spouses and children sacrifice a great deal to support their political career, and their families deserve honour and respect. Ministers should recognise they must lead by example. Values must be lived. Politicians are entitled to private lives, of course they are. But in the workplace they should, and in public, they should hold themselves to a really high standard. You know, you can't get away from the fact that people look up to their leaders, they look up to politicians, and if they see politicians doing the wrong thing in any regard, that undermines faith in the system. It undermines, it just sets a bad example. I mean, it's kind of obvious, isn't it?

LOUISE MILLIGAN, REPORTER: The Public Bar incident remained inside the Canberra bubble – it never leaked. Christian Porter did not respond to Four Corners’ multiple requests for an interview or answer our detailed questions. He provided a brief statement about his meeting with Mr Turnbull in December 2017. Mr Porter said that in the meeting Malcolm Turnbull “queried whether there was any accuracy” to the story Mr Turnbull had heard. According to Mr Porter, “the answer was no”. Mr Porter’s statement continues: “Malcolm then promoted me to Attorney-General about two weeks after. In my time as AG I never had any complaint or any suggestion of any problem from Malcolm regarding the conduct of my duties as AG until the last week of his Prime Ministership when we had a significant disagreement over the Peter Dutton citizenship issue.”

SPEAKER: The Leader of the House.

CHRISTIAN PORTER: Mr Speaker, I present...

LOUISE MILLIGAN, REPORTER: Last year, Scott Morrison promoted Minister Porter to become Leader of the House of Representatives.

CHRISTIAN PORTER, 21 OCTOBER 2020: Thankyou. And the next stage for an Integrity Commission will be a consultation phase and that will be detailed and it will be extensive..

LOUISE MILLIGAN, REPORTER: Minister Porter has maintained his party boy reputation. This footage was taken at a Lawyers Weekly function in Sydney last year. In January, Minister Porter released a statement announcing his separation from his second wife.

LOUISE MILLIGAN, REPORTER: In the course of this investigation, Four Corners has spoken to dozens of former and currently serving staffers, politicians, and members of the legal profession. Many have worked within, or voted for, the Liberal Party. And many have volunteered examples of what they believe is inappropriate conduct by Christian Porter – including being drunk in public and making unwanted advances to women.

KATHLEEN FOLEY, BARRISTER: The Attorney-General is the first law officer of the Crown. The Attorney-General is at the pinnacle of the legal profession, to put it in those terms. It would undermine the entire legal system if the Attorney-General is someone that doesn’t share the values that the legal system shares. Equality before the law and non-discrimination is an essential part of our legal system. So to have an Attorney-General who treats women and thinks about women in the way that Christian does is, to me, profoundly problematic.

LOUISE MILLIGAN, REPORTER: You’re someone who has had a long career in the law. Tell about what it is, what is it that’s so special about the role of Attorney-General? And why, perhaps, that role has to be held to, you know, a higher standard than even some of the other ministerial colleagues?

CONCETTA FIERRAVANTE-WELLS, LIBERAL SENATOR: The Attorney General is the first law officer of this country. And it is incumbent on all of us, whatever the ministerial role was, the highest level of integrity and the highest level of appropriate conduct. And, whether you're the first law officer, or you're the prime minister or you're the premier, that expectation is that one conducts oneself with the highest degree of integrity. The higher the office, the higher the responsibility. When we sign up to this job, we sign up for public service, we sign up as service to the Australian public. And so therefore, there is an expectation that in service of the Australian public, we abide by the highest possible conduct and integrity.

LOUISE MILLIGAN, REPORTER: Four Corners does not suggest only Liberal politicians cross this line. But the Liberal Party is in government. And the Liberal politicians in question are Ministers of the Crown. All ministers must now abide by Ministerial Standards set down by Prime Minister Scott Morrison in 2018. They say: "Serving the Australian people as Ministers ... is an honour and comes with expectations to act at all times to the highest possible standards of probity." They also prohibit Ministers from having sexual relations with staff.

SARAH HANSON-YOUNG, GREENS SENATOR: You know, this isn't just about whether a um, this is a good look, for a Minister to be doing this, or MPs to be behaving badly, it ends up on the front page of the newspaper, whether that's a, that's a bad look for the government. This goes right to the heart of how we, what type of environment our staff work in, we work in as a group of politicians, the culture that we are promoting, and, ultimately, how we treat women. And how that place treats women.

LOUISE MILLIGAN, REPORTER: Politicians make ethical and legal judgements that govern how the rest of society should operate, including the treatment of women. For the members of the Liberal Party we spoke to, that means the least the mostly-male Ministers of the Crown can do... is to act with propriety and with respect for the women they work with... And live the lives they say they do.

RACHELLE MILLER, LIBERAL STAFFER, 2010-2018: Australians elect these people to represent them in parliament. They pay for their salaries and there's a certain expectation of a level of integrity that Australians expect from their leaders. And while you could argue that 'well that's his personal life it's got nothing to do with work', I think that that attitude is quite outdated.

MALCOLM TURNBULL, PRIME MINISTER 2015-2018: No-one is conscripted to be a politician or a minister. If you choose to take a position like that you have to recognise that your life, your private life, is going to have to be perhaps more circumspect than it would have been or might have been if you were in a different line of work. It's as simple as that.

CONCETTA FIERRAVANTI-WELLS, Liberal Senator: It comes down to that basic concept of trust, and ensuring that the people that put you here, or the people that elect you, continue to have trust in you and your conduct and the things that you say. Mean what you say and say what you mean, is so important.

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Vested interests cornered by shoddy ABC hatchet job

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By **JANET ALBRECHTSEN**, COLUMNIST

12:00AM NOVEMBER 14, 2020 •  709 COMMENTS

Monday night's Four Corners story was not a public interest expose about the secret sex lives of Liberal ministers Christian Porter and Alan Tudge. The poorly executed political hatchet job by Four Corners has backfired dreadfully on women and kicked an own goal for the #MeToo movement.

A base level of intellect could have predicted this. By airing a string of nebulous claims by women against Porter and Tudge that lacked detail, let alone slam-dunk evidence of wrongdoing, Four Corners host Louise Milligan and executive producer Sally Neighbour invited curious viewers to wonder about the possible motivations of those who appeared in the program, including Malcolm Turnbull.

The Four Corners program started with Jo Dyer, described as a member of the 1987 national schools champion debating team. Her claims against Porter date back decades: He was "very charming" and "very confident". He had an "assuredness that's perhaps born of privilege". He was "brash, blond and breezy". He was "quite slick" with an "air of entitlement".

That's it. Without evidence, we are entitled to wonder why Dyer offered gratuitous personal criticisms of Porter?

Four Corners did not mention that Dyer was a failed Labor candidate for preselection. Nor that she has said "my political views are not exactly secret". Nor that, as incoming director of Adelaide Writers' Week, Dyer attacked the state Liberal government for having "no f..king idea" and predicted "they will flog off everything ... to their corporate mates".

That background could help explain why she filled out a bingo card of progressive words and phrases when speaking against Porter.

Melbourne barrister Kathleen Foley, who also made claims about Porter, says she knew him from the age of 16. She accused him of being “deeply sexist” and “actually misogynist” in how he treated women and spoke about them.

And the evidence? Foley offered this: “Everyone knew what kind of guy he was.” And this: He drank a lot and expressed a preference for women who are thin and have big breasts.

If this is public interest journalism, ABC schedulers must immediately set aside entire days every week to shame high-profile Australian men who drank a lot at university and prefer skinny women with big breasts. In the name of gender equity, an equal number of days must be set aside to shame Australian women who overindulged and fancy toned men with other particular physical attributes.

Foley, an accomplished lawyer, should know that making accusations with no clear evidence of wrongdoing is dangerous. Viewers might wonder if she has different political beliefs to Porter too? This week Foley lost her bid for re-election to the Victorian Bar’s governing council. Her platform included gender equity.

Four Corners did nothing to boost that cause, or Foley’s credibility, by airing hearsay and hazy claims overlaid with spooky music and blurred recreations of nothing in particular. Lame journalism loses control of its story.

Four Corners claims that Porter snogged a Liberal staffer at a pub in Canberra in late 2017. The woman at the centre of the claim did not feature on the program. When contacted by Four Corners, she reportedly denied the claims.

Milligan did not tell viewers this. She told ABC radio this week she did not want to talk about off-the-record conversations with people who did not want to go on camera. That’s curious. Milligan breezily mentioned “dozens” of other people she spoke to — all unnamed — who made claims off camera against Porter.

Four Corners interviewed Greens senator Sarah Hanson-Young, who offered the ABC more hearsay evidence against Porter. Hanson-Young claims she spoke to the young woman who “found herself in somewhat of a relationship” with Porter. The Greens senator says the woman

was “very upset about what had been going on in the office she worked in and how she was being treated as a result of people finding out”.

“It’s a man’s world,” said Hanson-Young, ominously.

This is not quality journalism.

There will be cases of legitimate public interest for the public to learn about the private lives of politicians. For example, where a foreign minister or defence minister becomes close to a suspected foreign agent. But presenting hearsay claims “volunteered” by Hanson-Young is not even close to serving the public interest.

Four Corners has done a serious disservice to women in particular. Look at how the program presented claims by Rachelle Miller, and still failed to move beyond a poorly executed political hatchet job.

Miller was a media adviser who had an affair with her boss, minister Tudge. Both were married, with children. Speaking to Four Corners, Miller appeared troubled. It is clear her relationship with Tudge did not work out. Yet, the precise claims she airs about him on camera are hard to pin down. A few days later, in what seemed like an orchestrated leak, we learned that Miller has lodged formal claims of bullying against Tudge and others. Those will be dissected by this column next week.

Sticking to the ABC’s shoddy effort, Miller told Four Corners she lost self-confidence, was exhausted, and “the behaviour wasn’t OK”.

What behaviour? They entered a consensual relationship. Miller was not a junior staffer. She did not appear to take responsibility for her role.

Where was an ounce of nuance from the ABC to reflect the reality that when a man behaves badly, often a woman is behaving badly too?

Miller complained that Tudge wanted her to walk next to him as they entered parliament’s Midwinter Ball. Would she have been more or less offended if he told her to walk two metres behind him?

Miller says she was shifted to another office, and then demoted. Demotion may not be fair. But did Miller expect that someone else would be demoted to make way for her? That is not fair

either.

Office affairs can be a bloody mess for everyone, not just the lovers. But no one should imagine that they all fail; many women marry men they work for. And the power relationship is not all a one-way power trip for the boss.

When a female staffer sleeps with her boss, she will often secure closer access to him at work too, invited into extra meetings and on travel. It changes how an office works. Office romances should be disclosed. And if there is to be a ministerial code of conduct, there should also be a staffers code of conduct because these relationships involve consenting adults with responsibilities to their office.

None of that was canvassed by the 56-minute political hatchet job by Four Corners. It was no surprise to see Labor's Kristina Keneally saying little more than some blokes "were on the make" at the Midwinter Ball in 2017. God forbid, maybe some women were on the make too.

Melbourne lawyer Josh Borstein loves a camera, too. He pointed out that the A-G occupies a unique place in our political system. Given he offered no evidence of wrongdoing by Porter, his presence concentrated the political bias of the program. Borstein is a Labor luvvie, trade union lawyer and partner at a law firm that rakes in fees from class action lawsuits — an industry that Porter, and the Morrison government, want to regulate to better protect plaintiffs.

Concetta Fierravanti-Wells added a conservative flavour with more vague comments, again lacking evidence of wrongdoing. Why was she there? Maybe the methodical researchers at Four Corners had not heard that the Liberal senator fancied being A-G before the role was handed to Porter by then prime minister Malcolm Turnbull.

It is bad enough that a bloated Four Corners team spent many months to produce a handful of discontents that might have an axe to grind. When the national broadcaster used taxpayer money to turn Four Corners into a full-throttle vengeance vehicle for Turnbull, it reinforced that politics, not public interest principles, drove its content.

Turnbull was invited to pontificate about the behaviour of two Liberal ministers who turned against him at the fag end of his leadership. As someone tweeted on Monday night, revenge is best served cold — and on TV. And then repeated.

Turnbull offered no evidence of wrongdoing that made this a public interest story either. Tudge's affair with Miller, and the allegations against Porter, predate Turnbull's "bonk ban" that

prohibited sex between ministers and staffers.

Oh, the sweet irony that Turnbull wants a royal commission into the Murdoch media. During his dripping-wet interviews on the ABC this week, on Insiders, Four Corners and Q&A, obvious questions about his motivations went unasked.

They will be asked in Murdoch publications.

The upshot is that Turnbull, a group of apparently disgruntled women and other political junkies, have exposed a far more serious cultural problem than anything within the Liberal Party. They showcased how the revenge culture formalised by the #MeToo movement continues to backfire against women. Evidence of wrongdoing stands alone. Claims not backed by evidence invite us to check the motivations of accusatory women.

JANET ALBRECHTSEN, COLUMNIST

Janet Albrechtsen is an opinion columnist with The Australian. She has worked as a solicitor in commercial law, and attained a Doctorate of Juridical Studies from the University of Sydney. She has written for n... [Read more](#)





Jo Dyer

@instanterudite



Why will no-one will discuss the clear inconsistencies in Porter's statement and that of many witnesses to his alleged behaviour in the Public Bar and the careful way he has parsed his words when denying relationships with staff? [#insiders](#)

9:19 AM · Nov 15, 2020 · Twitter Web App

9 Retweets **27** Likes





Jo Dyer

@instanterudite



Not sure why we expect this Government to do anything substantive about sexual assault when it ignores allegations that one of its members is guilty of the same thing. [#BrittanyHiggins](#) [#whatyouwalkpast](#) [#weremember](#) [@Milliganreports](#) [@samanthamaiden](#) [@annabelcrabb](#)

11:32 PM · Feb 17, 2021 · Twitter for iPhone

8 Retweets 50 Likes



51



Jo Dyer Retweeted



Louise Milligan  @Milliganreports · Feb 24

Hi Adelaide readers, it's 1 year since I was at [@adelwritersweek](#) for this incredible event, the last festival I attended in person since world turned upside down. Since then I wrote Witness & went Inside the Canberra Bubble. Delighted to return this weekend to tell all.  

 **Louise Milligan**  @Milliganreports · Mar 5, 2020

Huge crowd for David Marr & I, expertly moderated by [@stickwithricksa](#), hugs, tears, support for standing up for the truth & for children. And a lovely little posy a lady picked for me from her garden. Thank you, #adlww for a truly special event. Love your fair city & its people.



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Friends of woman who accused Cabinet Minister of rape call for inquiry into allegation

Four Corners / By Louise Milligan

Posted Mon 1 Mar 2021 at 3:24pm, updated Mon 1 Mar 2021 at 4:54pm



Writer Nick Ryan is an old friend of the woman at the centre of the allegation. (*Four Corners*)

Friends of the woman who made a historical accusation of rape against a current Cabinet Minister have spoken up to urge Prime Minister Scott Morrison to hold an inquiry into the allegation.

The woman, who took her own life in June last year, travelled in circles of highly accomplished people, many of whom went on to be leaders in their chosen fields.

Her friends have told Four Corners she was someone whose intellect and vitality as a teenager far eclipsed the rest of them.

"[Many of our friends] have gone on to fairly prominent and successful careers around the place, in politics or media or banking and various things ... but [she] was always the best of them," said her old friend Nick Ryan, a wine writer.

"Take me back to 1988 ... to place a bet on which horse in this race is really going to go and succeed — my money would have been on [her]."

Another friend, Jo Dyer, who is now a literary festival director, knew the woman since they were 15.

Key points:

- Five friends of the now-deceased woman who made a historical accusation of rape against a current Cabinet Minister have urged the PM to take action
- They describe her as "smart" "forthright" and an "extraordinary" human being who they thought would achieve great things
- A friend who was with the woman on the night of the alleged rape has offered to make a statement to police

"She had such charisma and we all imagined that her life would be one of skyrocketing success, of achievement," said Ms Dyer.

"[In our circle], there were many stars shining in the firmament, but [she] really shone the brightest, or certainly one of the brightest."

Jeremy Samuel, an entrepreneur and former Liberal candidate, knew the woman for many years.

"I think it's important to keep in mind that we're dealing with a really wonderful and special person, whose life went off the rails, and that's extremely sad," he said.

Many of those who knew her have told Four Corners that everyone assumed when she was growing up that she would be Australia's first female prime minister.

"She was a star, really," Ms Dyer said.

"She was a girl with sharp intelligence, rigorous intellect, she was warm, she had a compelling eloquence."

The woman last year alleged that in 1988, when she was 16, she was raped by the man who is now a Cabinet Minister, long before he entered politics.

In February 2020, she reported the alleged rape to NSW Police.

[As Four Corners revealed on Friday](#), last week another of the woman's close friends wrote anonymously to Prime Minister Scott Morrison, urging him to set up an independent investigation into the woman's claims, similar to that commissioned by the High Court into allegations of sexual harassment against former Justice Dyson Heydon.

Friend with the woman on the night of alleged rape offers to make police statement

NSW Police set up a task force to manage the highly sensitive allegation — codenamed Strike Force Wyndarra — but their plan to travel to Adelaide to take a formal statement from the complainant was stymied when COVID-19 broke out in Australia in March 2020.

Her friend Matthew Deeble has contacted NSW Police to offer a statement in the case. He was with the woman and the man named in the anonymous letter earlier on the night that she alleges the rape took place.

Sexual assault support services:

- [1800 Respect national helpline](#): 1800 737 732
- [Lifeline \(24 hour crisis line\)](#): 131 114
- [Beyond Blue](#): 1300 224 636



Jeremy Samuel, who has twice stood for Liberal preselection, is urging the Prime Minister to commission an independent investigation into the allegation. (Supplied: Four Corners)

Mr Deeble, a non-profit executive, was supporting her through the process.



Matthew Deeble says he is willing to make a statement to police. (*Four Corners*)

"She knew what she was going to be putting herself through by coming forward, with nothing to gain as a result of doing this," he said.

"She was on a path to give her statement to the NSW Police, who were going to travel to South Australia to be with her and take that statement and move the matter forward.

"COVID restrictions stopped that occurring. And I know she was under enormous stress and distress because of those delays."

Her mental health deteriorated before she took her life in June. In the days beforehand, she informed NSW Police that she did not want the investigation to proceed.

"It's heartbreaking, it really is," Ms Dyer said.

Some of the woman's friends who have spoken up are lifelong Liberal voters.

"It's not about politics, it's about humanity," Mr Deeble said.

Friends close to woman urge Prime Minister to commission investigation

Jeremy Samuel has twice stood for Liberal preselection and is well-connected in the party.

If you or anyone you know needs help:

- [Lifeline](#) on 13 11 14
- [Kids Helpline](#) on 1800 551 800
- [MensLine Australia](#) on 1300 789 978
- [Suicide Call Back Service](#) on 1300 659 467
- [Beyond Blue](#) on 1300 224 636
- [Headspace](#) on 1800 650 890
- [ReachOut](#) at au.reachout.com
- [Care Leavers Australasia Network \(CLAN\)](#) on 1800 008 774

"I strongly urge the Prime Minister to commission an independent investigation into the allegations about the Cabinet Minister made by my late friend," Mr Samuel told Four Corners.

He has seen the woman's statement and spoke to her at length about her allegation in the year before her death.

A former school friend, Mel, now a social worker, who did not want to use her surname, told Four Corners the complainant had stayed at her home in December 2019.

"While she was there, she worked on the statement for her lawyers," Mel said.

"I have known her since she and I met at school when we were 15.

"She was an extraordinary human being.

"Please, Prime Minister, investigate these claims."

"[The rape alleged by Brittany Higgins and others against a former staffer](#) to Senator Reynolds remind us of the need to do more to protect women," the letter revealed on Friday said.

"Failing to take parliamentary action because the NSW Police cannot take criminal action would feel like wilful blindness."

The letter was also addressed to Labor's leader in the Senate Penny Wong and Greens senator Sarah Hanson-Young. It urged them to work together to find a solution that did not unfairly prejudice the Cabinet Minister.

It said that this was not a "partisan issue" and there were alleged rapists and rape victims "in all parties".

The woman who made the allegation against the Cabinet Minister was diagnosed with bipolar disorder and suffered from eating disorders.

She had previously attempted suicide and was admitted into psychiatric care in 2019.

She first disclosed the alleged rape in 2018, to a close male friend.

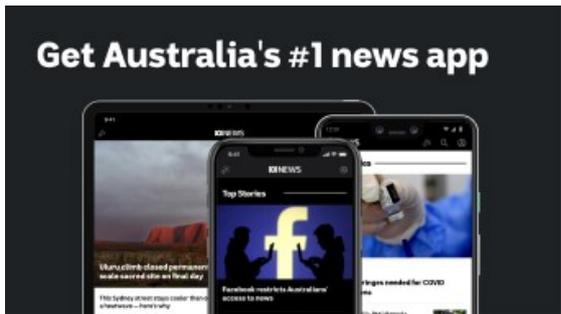
The following year, she began to contact other friends, some of whom she hadn't seen for some years.

"(It) really seemed completely consuming and completely debilitating to her," Ms Dyer said.

"She was consumed with a trauma which she told me, deeply and consistently, was as a result of an assault that had [allegedly] occurred, early in 1988, and her life at that point was really devoted to exploring how she could get some kind of ... peace from that."

Danny Kennedy, who was also with the woman on the night of the alleged incident when they were teenagers and is now managing director of the California Clean Energy Fund, said his friend was a

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"very smart, forthright woman".

"I think it's right to ask hard questions of a culture that is far too often complacent, and you know, in our silence we risk letting violence carry on."

Mr Ryan said when he discovered the woman had taken her life he was filled with "just utter sadness".

"That sense that yeah, it's such a waste," Mr Ryan said.

"That this beautiful, clever young woman with so much potential has a life squandered and a life ended far too early."

South Australia Police are investigating the broader circumstances of the woman's death, including her mental health care, for the state's coroner.

Senators Hanson-Young and Wong have referred the letter to Australian Federal Police Commissioner Reece Kershaw.

On Monday, the Prime Minister said he [became aware of the allegation on Wednesday evening last week and spoke to both the Minister and the Australian Federal Police Commissioner about it that night.](#)

"The police have had this matter referred to them, the individual involved here has vigorously rejected these allegations," he said.

"And so it's a matter for the police, and in my discussions with the Commissioner, there were nothing immediate that he considered that was necessary for me to take any action on."

The Sydney Morning Herald

Politics Federal [Federal politics](#)

Friends remember 'extraordinary' woman who claimed rape by cabinet minister



By [Jacqueline Maley](#)

March 1, 2021 – 7.26pm

In 1988, she was a brilliant teenage girl, clever and capable, with the world apparently at her feet.

But the woman who made allegations of rape against a cabinet minister is now dead, having taken her own life in the early days of the pandemic in 2020. She would have turned 50 last week.



The alleged rapist is now a cabinet minister in Parliament House. ALEX ELLINGHAUSEN

Prime Minister Scott Morrison said on Monday the [accused minister “absolutely rejects”](#) the allegations.

“She was extraordinary,” said Jo Dyer, a literary festival director, who had known the deceased woman since they were 15 years old.

“She was someone who was brilliant, acute. She was sensitive and had emotional and intellectual intelligence, and curiosity.

“People had high expectations of her and with that comes pressure. She was mindful of that.”

After losing touch with many of her old friends for years, in 2019 the woman began talking to trusted friends about her alleged rape in 1988, when she was 16 years old.

She said she had been sexually assaulted in Sydney by a man who now holds a senior position in government.

The woman knew the man when they were teenagers.

“We had a number of conversations because we were all very mindful of the difficulties of seeking justice through the criminal justice system,” Ms Dyer told *The Sydney Morning Herald* and *The Age*.

“It was very difficult for her to be seeing him in the press all the time.”

The woman had not spoken to any journalists but going to the media was “definitely something on the agenda as a possibility”.

“How that could have worked with defamation laws, who knows,” Ms Dyer said.

The woman had engaged a lawyer and had a meeting with NSW police on February 27, 2020, before her struggles overwhelmed her.

Hours before she died, she reportedly rang police to say she did not want to pursue the police process.

“She was someone who suffered from severe mental health illness,” said Ms Dyer.

“Amongst all that there was a determination and a clear resolve, to tell her story, that she had reached after clear-eyed rationalisation.”

An [anonymous letter](#) sent last week to Mr Morrison, Senators Sarah Hanson-Young and Penny Wong detailed the allegations against the federal government minister.

The letter is dated February 23 and states the woman had told six people who she had known at the time, and “all of them believed her account and were highly supportive of [the woman] in her attempt to process the impact of the rape”.

She had also told “numerous other people” from a wider circle, the letter says.

The *Herald* and *Age* have seen a copy of the 2019 statement made by the woman, which alleges violent sexual assault.

The statement includes photocopies of what the woman said were 1990s diary entries that mention rape by a person with the same first name as the cabinet minister.

It is not a formal police statement.

Labor MP Daniel Mulino was a friend of the woman from when they were both high school debaters.



Labor MP Daniel Mulino was friends with the woman from high school days. ALEX ELLINGHAUSEN

“I first became aware of the complainant’s allegation that she had been raped some years earlier, by a person who is now a senior member of the federal government, in December 2019,” Mr Mulino said in a statement.

“She indicated to me that she was determined to proceed with a formal complaint and I supported her in that decision.”

Another woman who knew the complainant as a young debater described her as “very, very clever”.

“She was an outstanding debater,” the woman said.

“She was quite a shy person. She was not the gregarious person you would associate with a great debater.”

National Sexual Assault, Family & Domestic Violence Counselling Line: 1800 737 732. Crisis support can be found at Lifeline: (13 11 14 and [lifeline.org.au](https://www.lifeline.org.au)), the Suicide Call Back Service (1300 659 467 and [suicidecallbackservice.org.au](https://www.suicidecallbackservice.org.au)) and beyondblue (1300 22 4636 and [beyondblue.org.au](https://www.beyondblue.org.au)).

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Image:

7.30 Report

Minister under cloud of rape allegations to identify himself

Posted Tue 2 Mar 2021, 8:35pm

Updated Tue 2 Mar 2021, 9:49pm

Expires: Wednesday 28 January 4759 8:35pm

New South Wales Police will not be proceeding with an investigation into allegations of historical sexual offences by a serving Cabinet Minister announcing today there is insufficient admissible evidence to proceed and that the matter is now closed.

Chief political correspondent Laura Tingle looks at other scandals from the past and speaks to a friend of the woman involved in this latest scandal.

Transcript

plusminus

LAURA TINGLE, CHIEF POLITICAL CORRESPONDENT: It feels a bit passe these days to expect a senior politician to resign or even just stand aside when their actions come under a cloud.

In the past, ministers resigned for everything from the trivial...

REPORTER: This time it was the Paddington Bear affair...

LAURA TINGLE: To the more serious.

REPORTER: He told the ministers he'd decided at the weekend it was time for a younger man to take over...

LAURA TINGLE: But prime ministers have become increasingly reluctant to deliver what is known in politics as a scalp to the opposition - even in much more serious cases.

REPORTER: Dr Lawrence says she will be with the Prime Minister tomorrow.

LAURA TINGLE: Paul Keating famously refused to have his health minister, Carmen Lawrence stand aside when the West Australian Liberal Government called a royal commission which investigated her role in the events leading to the suicide of a woman, Penny Easton, named in the state parliament when Lawrence was premier.

REPORTER: One of the bloodiest weeks in recent political memory.

REPORTER: Not one but two federal ministers gone with surprising swiftness.

LAURA TINGLE: After losing a slew of ministers in a travel expenses scandal in 1997, John Howard fiercely resisted losing any more.

JOHN HOWARD: I have upheld standards...

LAURA TINGLE: And Scott Morrison has stood by a number of his ministers or promoted them despite significant questions over their behaviour or management of their portfolios.

Now he faces a problem which really does threaten the standing of the entire government - one of his ministers is alleged to have raped a 16-year-old girl in 1988.

Yesterday, the Prime Minister was not giving any ground and seemed to have dropped his recent empathetic stance in the latest episode of what Peter Dutton described last week as, "he said, she said".

SCOTT MORRISON, PRIME MINISTER: I had a discussion with the individual, as I said, who absolutely rejects these allegations. There are no matters that require my immediate attention.

LAURA TINGLE: In other words, despite the grave nature of the revelations, the Prime Minister is inclined to believe his Minister and take no action.

REPORTER: Do you believe the allegation to be false?

SCOTT MORRISON: Well, that is a matter for the police. I am not the commissioner of...

REPORTER: Unfortunately, it is not though, is it?

LAURA TINGLE: Well, no Prime Minister, whether you believe him is not a matter for the police, it is a matter for you, and yesterday you seem to accept your Minister's word while admitting you not even read even the documents sent to you outlining the allegations.

REPORTER: And had you heard about these claims at all before last week?

SCOTT MORRISON: No, not really of any substance.

LAURA TINGLE: Let's compare this with what the Prime Minister said in the wake of Brittany Higgins' appearance on the Project two weeks ago.

SCOTT MORRISON (Last month): I have listened to Brittany. Jenny and I spoke last night and she said to me, "You have to think about this as a father first. What would you want to happen if it were our girls?"

LAURA TINGLE: So what is the difference in the Prime Minister's view of Brittany Higgins two weeks ago and the 16-year-old girl allegedly brutally assaulted in 1988?

Brittany has a name and a face, that 16-year-old girl died last year as a 50-year-old woman.

For both legal reasons and to protect her family, her name has not been spoken but a group of her friends from those days is now determined to speak in her name.

One of them is Jo Dyer now the director of Adelaide Writers' Week.

JO DYER, FRIEND: She was an incredibly talented, impressive individual. We met when she was quite young. She was selected for the state debating team much younger than people normally are and that was because of the acute intelligence that she possessed, the extraordinary eloquence. She was so articulate.

LAURA TINGLE: The woman reconnected with her old friends from that time in 2019, told them of the alleged assault all those years ago and that she was finally going to make a complaint to the police.

JO DYER: She was under no illusions about the difficulties that she would confront if she sought to make a formal complaint against anyone of a crime of such seriousness so far in the distant past.

She had made a clear decision; she was able to articulate the reasons why she had taken that decision which were to do with the fact that bearing the trauma had not worked for her. Her life had been troubled as a result of that trauma and she saw no other way of getting past it than to ventilate it.

LAURA TINGLE: And her friends believed her.

JO DYER: The account that she gave was shocking. The acts that she described were shocking. They were far outside the experience of any of us at that time as we were in our final years at school.

The detail that she recounted, the lucidity with which she recounted it, and the clear impact that it had had on her, all of these things persuaded me immediately that she was telling the truth.

LAURA TINGLE: The New South Wales Police said today that there is insufficient admissible evidence to proceed with an investigation into historical sex offences and have determined that the matter is now closed.

However, the South Australian state coroner told 7.30 the cause and circumstances of her death are under investigation by South Australian Police on behalf of and at the direction of the coroner.

MALCOLM TURNBULL, FORMER PRIME MINISTER: She described a pretty horrific rape...

LAURA TINGLE: Former prime minister, Malcolm Turnbull is among those calling for a coronial inquiry and/or an independent inquiry. The call for an inquiry is backed by the woman's friends.

JO DYER: We are here to speak for her because she can't speak for herself. You know, it's wonderful to have young women with the strength and the eloquence of Brittany Higgins who is coming forward and saying, "I have been wronged and I am seeking justice".

They were the very words that my friend wanted herself to be able to say in a public forum, sadly she can't.

There does need to be an independent inquiry to test, to interrogate and we believe ultimately to establish the voracity of the claims that she made. We are happy to stand here and argue that case for her.

What standard is okay for the Prime Minister to accept whether it's our friend or it is Brittany or if it's another young woman whose life may not have soared in the way that we all assumed our friends would soar, no-one should accept this standard any more and I think that the anger that so many people feel indicates that they will not.

7.30

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ANALYSIS

Why the response to the historical rape allegation against a Minister is so different

7.30 / [Laura Tingle](#) and [James Elton](#)

Posted Wed 3 Mar 2021 at 6:00am



Speaking of the historical allegation of rape, Prime Minister Scott Morrison said "there are no matters that require my immediate attention". (*ABC News: Ian Cutmore*)

In the past, Cabinet ministers resigned for everything from the trivial to the serious.

In 1984, Hawke Government Cabinet Minister Mick Young resigned when customs found an undeclared Paddington Bear in his wife's suitcase.

But prime ministers have become increasingly reluctant to deliver what is known in politics as a "scalp" to the opposition.

Paul Keating famously refused to have his Health Minister Carmen Lawrence stand aside when the West Australian Liberal government called a royal commission, which investigated her role in the events leading to the suicide of a woman, Penny Easton, named in state parliament when Ms Lawrence was premier.

After losing a slew of ministers in a travel expenses scandal in 1997, John Howard fiercely resisted losing any more.

And Scott Morrison has stood by a number of his ministers — or promoted them — despite significant questions over their behaviour or management of their portfolios.

Now he faces a problem that really does threaten the reputation of the entire government: one of his ministers is alleged to have raped a 16-year-old girl in 1988.

On [Monday, the Prime Minister said](#), "I had a discussion with the individual, who as I said absolutely rejects these allegations — and so after having spoken to the commissioner and the deputy secretary of my department there are no matters that require my immediate attention."



Scott Morrison says the Cabinet Minister "absolutely rejects" the historical allegation of rape.

Compare this with [what the Prime Minister said in the wake of Brittany Higgins appearance on The Project](#) two weeks ago.

"I have listened to Brittany. Jenny and I spoke last night, and she said to me, 'You have to think about this as a father first. What would you want to happen if it were our girls?'"



Scott Morrison discusses the Brittany Higgins case.

So what is the difference in the Prime Minister's view of Brittany Higgins two weeks ago and the 16-year-old girl allegedly brutally assaulted in 1988?

Ms Higgins has a name, and a face.

That 16-year-old girl died last year as a 50-year-old woman. For both legal reasons and to protect her family, her name has not been spoken.

'I believed her'



Jo Dyer was a friend of the woman who made the historical rape allegation. (ABC News: Lincoln Rothall)

But a group of the woman's friends from those days is now determined to speak in her name. One of them is Jo Dyer, now the director of Adelaide Writers Week.

"She was under no illusions about the difficulties that she would face if she sought to make a formal complaint against anyone of a crime ... so far in the distant past," Ms Dyer told 7.30.

"She had made a clear decision. She was able to articulate the reasons why she had taken that decision, which were to do with the fact that bearing the trauma had not worked for her. Life had been troubled as a result of that trauma, and she's thought of no other way of getting past it than to ventilate it."

Ms Dyer said the [woman connected with her old friends](#) in 2019, told them about the alleged assault all those years ago, and said she was going to make a complaint to police.

"I believed her from the very beginning," Ms Dyer said.

"The detail that she recounted, the lucidity with which she recounted it, and the impact that it had had on her, all of these things persuaded me immediately that she was telling the truth."

Yesterday, the New South Wales Police said they had closed their investigation into the allegation, saying there was "insufficient admissible evidence" to proceed.

However, the South Australian state coroner told 7.30 the "cause and circumstances of the death are under investigation by South Australian Police on behalf of, and at the direction of, the Coroner".

Michael Bradley, the woman's former lawyer, said the ball was now in the Prime Minister's court.

"The appropriate course, in my view, would be a form of inquiry conducted externally and independently of government and parliament to inquire fully into the allegation and the surrounding circumstances and range a determination on the allegation," Mr Bradley told 7.30.

"We have a publicly made allegation of serious criminality against a man who is occupying a senior position in the government. And that has to be addressed, as it would have to be addressed if he was in any other position of public trust, or in a prominent position in the corporate world or in an institution or in a sporting code."

Former prime minister Malcolm Turnbull is among those calling for a coronial inquiry or an independent inquiry. Ms Dyer supports the calls.

"We're here to speak for her because she can't speak for herself," she said.

"It's wonderful to have young women with the strengths and the eloquence of Brittany Higgins who's coming forward and saying, 'I have been wronged and I am seeking justice.'

"They were the very words that my friend wanted herself to be able to say in a public forum. Sadly, she can't."

'No one should accept this standard'

Ms Dyer said her friend was one of the most impressive people she knew at that time, an overachiever who was on a trajectory of achievements and success that her friends thought would carry her through her life.

"We all believe in a presumption of innocence. No one is suggesting that people should be thrown off, taken out and thrown into jail for no reason," she said.

"What standard is OK for the Prime Minister to accept?"

"Whether it's our friend, or it's Brittany, or if it's another young woman whose life may not have soared in the way that we all assumed our friends would soar, no one should accept this standard anymore."

The Sydney Morning Herald

Politics Federal [Federal politics](#)

'We are not out to destroy anyone': Woman's friends back inquiry into Porter rape allegation

By [Jacqueline Maley](#) and [Nick Bonyhady](#)

March 5, 2021 – 5.00am

Long-time friends of the woman who accused Attorney-General Christian Porter of raping her in 1988 at a school debating event stand by their belief in the truth of their friend's account based on her demeanour when describing her claims in 2019.

Jo Dyer, who was a debater with the woman in the late 1980s, knew a cohort of seven national school champion debaters from that time, which included Mr Porter and the deceased woman. She said the five others in that group all believed the woman when she told them her story decades later.

Lawyers for the family of the woman, who took her own life last year, issued a statement on Thursday expressing the family's grief, asking for privacy and endorsing an investigation.

"They are supportive of any inquiry which would potentially shed light on the circumstances surrounding the deceased's passing," the statement reads.

Now the director of the Adelaide Writers' Week, Ms Dyer said while Mr Porter vehemently denied the claims and argued against a trial by media, no other appropriate forum had yet been established to investigate.

That process would "provide a forum for all of the claims, memories, recollections to be examined in a confidential and impartial way", she said.

One point Ms Dyer said she and others would challenge was the depth of Mr Porter's interactions with the woman, which he said had happened "for the briefest periods at debating competitions when we were teenagers about 33 years ago".

She said that description undercut the strength of bonds formed in short periods of time amid the intense competition of debating. Members of the team competed in the late 1980s in Sydney, where the woman alleged the rape occurred.

"Those debating worlds are hothouses," Ms Dyer said. "[Mr Porter and the woman] were in a national team together. They were preparing to debate together."

Writer Nick Ryan, who also knew the woman from debating, on Perth radio said "an independent inquiry, the likes of which have been conducted before and can easily be conducted again, is all we're asking for".



Christian Porter said repeatedly and vehemently on Wednesday that there was no truth to the accusations against him. TREVOR COLLENS

“We will stand up for that and continue to support our deceased friend,” he said.

[Mr Porter said repeatedly and vehemently on Wednesday that there was no truth to the accusations](#) against him, saying they “just did not happen” and arguing an independent investigation would require him to prove a negative.

Treasurer Josh Frydenberg, Home Affairs Minister Peter Dutton and former prime minister John Howard backed [Prime Minister Scott Morrison, who argued on Thursday](#) “the rule of law” required the police to investigate rather than establishing an independent inquiry.

“Australians – whether it’s Christian Porter or yourself or myself or any other Australian citizen – are entitled to the presumption of innocence,” Mr Frydenberg said on Nine’s *Today* show.

A separate inquiry “would say that our rule of law and our police are not competent to deal with these issues,” Mr Morrison said. “And they are competent to deal with these issues. They have reviewed the materials and they’ve formed their assessment.”

[NSW Police closed an investigation into Mr Porter this week](#) as there was insufficient evidence to proceed because the woman is dead. South Australian police are investigating her death for the state coroner.

Mr Morrison backed his cabinet minister, who is in the middle of a high-stakes fight over the future of Australia’s industrial laws with Labor and the unions, to return to work at the end of his medical leave.

“I’m pleased that [Mr Porter] is taking some time to get support to deal with what has obviously been a very traumatic series of events,” Mr Morrison said. “He is looking forward to coming back and resuming his duties.”

Labor leader Anthony Albanese on Thursday issued his strongest calls for an independent inquiry, joining the Greens and members of the crossbench.

“The Prime Minister needs to provide a fair and independent process for all involved,” Mr Albanese said. “Changing culture starts with taking responsibility. It’s about time that this Prime Minister took responsibility for leading.”

[NSW Police issued a statement on Thursday](#) that described an email from the woman on June 23, 2020 thanking investigators for their efforts but saying she no longer wanted to pursue her claims because of “medical and personal reasons”. Police responded a day later and on the 25th were told that she had taken her own life.

Screenwriter and producer Rick Kalowski, whose friendship with the deceased woman dated to university in 1990, said her decision to tell police to stop investigating was not an indication she had recanted.

“She said to me ... that the only situation in which she could not continue with her formal complaint process was if she felt that she simply couldn’t continue with life at all, in other words, if she decided she would take her own life,” Mr Kalowski said.

Mr Kalowski, who also knew Mr Porter from debating, had met with the woman immediately after she spoke to police in Sydney in February 2020 and drove her to the airport.

“She was lucid, calm, rational, attentive, forensic,” Mr Kalowski said of the woman’s mental state when the two spoke regularly of their lives in the months leading up to her death. “In no way was she delusional or away with the fairies.”

“We are not out for blood or to destroy anyone, we are simply out to seek justice for [our friend] as best as can be achieved in circumstances where she is no longer alive.”

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Jacqueline Maley



Jacqueline Maley is a columnist.

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Key doubts over Porter accuser's story

The psychiatric history of the woman who accused Liberal MP Christian Porter of rape has prompted doubts about the story she told.



Samantha Maiden

[@samanthamaiden](#)

MARCH 6, 2021 3:47PM

Video

Image



Attorney-General Christian Porter. Source:Getty Images

The psychiatric history of the Adelaide woman who accused Attorney-General Christian Porter of rape and two factual errors in her statement has prompted speculation that she may have used repressed memory theory to access her trauma despite clearly stating she had “always remembered these things.”

Friends of the woman have disputed the claims, insisting that she disclosed the alleged incident to friends before September 2019, the date when she says a counsellor pointed her towards a book that champions controversial theories.

In her statement, the woman does not state that she had recently remembered the incident and includes diary entries which she claims referred to the incident in 1991, three years after she attended the debating tournament.

RELATED: [Christian Porter reveals himself as minister accused of rape, denies claims](#)



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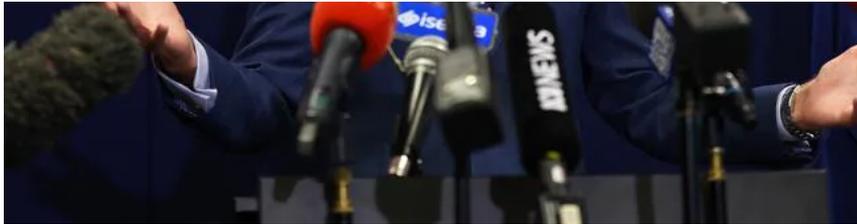
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Attorney-General Christian Porter has strenuously denied allegations he raped a woman in 1988. Picture: Paul Kane/Getty Images Source: Getty Images

She discussed telling an old boyfriend, Macquarie Infrastructure Corp director James Hooke.

However, there is no way of confirming at this stage when those diary entries were made.

“I have always remembered these things,” she wrote.

But she does note that she had a “better understanding” after reading a controversial New York Times bestseller.

“I had a better understanding of these memories, and only really understood them, once my Sydney based psychologist (who specialises in counselling sexual assault survivors) referred me to *The Body Keeps Score: Brain, Mind and Body in the Healing of Trauma* in September 2019,” she said.

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“I had not previously heard of it, nor had I read it. My Adelaide-based psychiatrist confirmed that these are ‘somatic memories’ (i.e. lodged in the body rather than the brain, although the mind can access them) in an appointment in late 2019.”

The book the woman read was written by Bessel Van Der Kolk, director of The Trauma Center in Boston, professor of psychiatry at Boston University, and director of the National Center for Child Traumatic Stress Complex Trauma Network.

He is recognised as a pioneer of mind-body interventions, such as controversial eye-movement desensitisation and reprocessing (EMDR), neurofeedback, and yoga.

In 2014, he was the subject of a highly critical New York Times article that accused Kolk of practising a “hokey-sounding approach to therapy” and argued he was “a lead defender of repressed-memory therapy.”



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The book by Bessel Van Der Kolk Source:Supplied

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It also said he had been an expert witness in court cases involving therapists accused of implanting false memories of early abuse, cases in which “entire lives were destroyed”.

Van der Kolk refuted that he had been a “defender” of repressed-memory therapy, insisting he had simply testified on behalf of sexual-abuse victims of Catholic clergy when the lawyers had tried to discredit the plaintiffs.

“Trauma evokes a lot of passion,” he said. “Passion to deny, and passion to assert. I see what happened with this article as a reflection of the incredible difficulties society has with staring trauma in the face and providing people with the facts of what happens, how bad it is, and how well treatments work.”

Concerns that repressed memory treatment could be raised as an issue in her coronial inquiry were first raised on Friday by online news outlet Crikey that suggested her memories were “freshly minted.”

“This is wrong. Our friend sought professional help for her trauma years before 2019,” friend Jo Dyer, the director of the Adelaide Writers Festival said.

“Her memories never had to be “recovered” as she lived with them constantly. An inquiry would establish this beyond a shred of doubt.”

There are other friends she disclosed the allegations to before reading the book in September.

They include Robert Crocker, an Adelaide-based academic and writer told Guardian Australia that she told him about the alleged rape in February 2019, which is significantly earlier than many of her other friends.

He also confirmed that she had claimed she met Mr Porter in 1994, a claim repeated in her unsigned affidavit.

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former t-shirt shop in Hindley, where bought a tank top, and the hotel we were in staying in 1986, when we first met. These are also described and documented in my account. However, I found this very hard to do, revisit those sites. This prompted me to go to the local police. I have had 2 informal off-the-record conversations with SA C

Sections from the accuser's version of events. Source: Supplied

"I do remember that she mentioned a [subsequent] social event – a dinner," Crocker said. "She did definitely mention some dinner." Crocker said he spoke to her several times in 2019 and then once more in 2020, before her death.

A spokesman for Porter said it was "not impossible" that he had done so "but the attorney general does not recollect any specific contact".

The woman also told former Liberal staffer Chelsey Potter, who made headlines in 2019 with her own sexual assault allegation. Ms Potter did not know the woman but was told after she disclosed to a neighbour who was also a member of the Liberal Party in August and suggested she get in touch with Ms Potter.

Another old friend, who she spoke to shortly after she met with police in Sydney in February 2020 and drove her to the airport said she seemed "lucid" at the time she visited police.

"She was lucid, calm, rational, attentive, forensic," Mr Kalowski told The Sydney Morning Herald.

"In no way was she delusional or away with the fairies."

"We are not out for blood or to destroy anyone, we are simply out to seek justice for [our friend] as best as can be achieved in circumstances where she is no longer alive."

Sky News commentator Andrew Bolt also argued this week that the woman's claims were "falling apart" noting two incorrect claims in her unsigned affidavit.

He noted the parents reportedly had concerns she may have "embellished" the account.

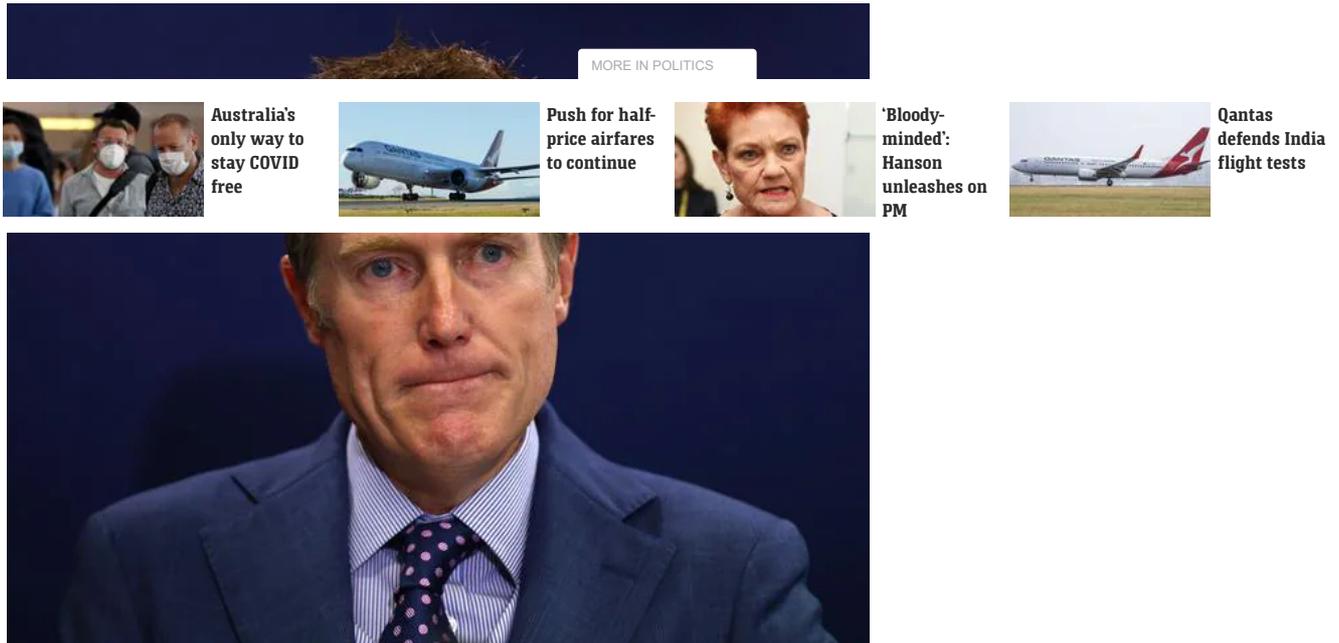
"So I ask, is it possible that this mentally ill woman was acting under a delusion? Some people claiming to be victims do lie. Some are delusional," he said.

He cited two key problems with her memories.

The first error is that she said they had gone dancing in Kings Cross at the Hard Rock Cafe - which did not open until a year later.

However, there is another pub in Kings Cross that was open at the time that operated under the name the Oz Rock Cafe, an iconic pub that is now known as the Kings Cross Hotel.

It lies on the four-way cross intersection of Darlinghurst Road, Bayswater Road, William Street and Victoria Street, Kings Cross.



Attorney-General Christian Porter speaks during a media conference on March 03, 2021. Picture: Paul Kane/Getty Images Source: Getty Images

The second, more important issue that Bolt raised was that she said she had vomited when the pair went back to her rooms and that she said he had put her into the bath.

“Plans from four years ago show there were no baths in that college at all, only showers. So, that’s two details now...that are wrong.”

Her unsigned statement however is more confused about exactly what happened.

“I lost track of time, disassociating badly in order to cope. (He) then took me from my bedroom to the bathroom at the Langley Building at women’s and made me take a bath or a shower. (I was still too drunk to stand so it probably was a bath),” she said.

Mr Porter denies he was ever there and said that nothing sexual ever happened between them.

It’s true that it is not clear if there were baths at the Women’s College at the time.

The building has undergone multiple refurbishments and renovations over that period. In the 1970s for example, the architects Joseland and Gilling converted the buildings living quarters into self-contained two bedroom units for married couples or twin share for students.

It underwent major works in 1999-2001.

But perhaps a more significant issue is how they got there. The women’s college at the Newtown campus is an 11 minute cab ride or a one hour walk from Kings Cross. She doesn’t mention how they got there, but said that when he did she walked him to her room.

She does say she was drunk and there was a “surreal quality to her memories.”

The team she competed with at the debating tournament in 1988 included four people.

Those people included the Labor MP Daniel Mulino - who she told about the allegations in recent years but asked to stay out of it because she didn’t want it to look like a “partisan” issue.

“I was a friend of the complainant,” Dr Mulino said.

“I first became aware of the complainant’s allegation December, 2019.”

“She indicated to me that she was determined to proceed with a formal complaint and I supported her in that decision.”

The other member was Matthew Deeble, who she also told in recent years and of course Mr Porter and the Adelaide woman who died by suicide in June, 2020.

Perhaps it should come as no surprise that many of the people that she mixed with in debating circles went on to careers in politics and the law.

Two other men who attended the 1988 university debate MORE IN POLITICS at she



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Hunt said he had no recollection of the woman.

Mr Fletcher, who attended the conference as an adjudicator did know her.

NSW police have said there is “insufficient admissible evidence” to continue their investigation. But a coronial inquest in SA remains a distinct possibility and SA police are undertaking further inquiries into the various claims raised in the media in recent days.

The Prime Minister said on Friday that a coronial inquest was a matter for SA authorities.

“The issue as to whether there is a coronial inquiry in South Australia is entirely a matter for the South Australian coroner,” he said.

“And if they chose to go ahead with that, of course, I would welcome that.

“But it would be highly inappropriate for me as prime minister, or any other politician, to interfere or intervene in a decision that a coroner should properly make about those issues.”

Mr Morrison also said that if Mr Porter was called to give evidence at a coronial inquiry that he would of course cooperate.

“And if the coroner sought that, then I have no doubt that the attorney general would cooperate with any coronial process.”

Where to find help

If you or someone you know is experiencing sexual abuse or family violence contact:

- National Sexual Assault, Domestic Violence Counselling Service 24-hour helpline [1800 RESPECT](tel:1800737732) on **1800 737 732**
- 24-hour Emergency Accommodation helpline on **1800 800 588**
- Safe At Home helpline on **1800 633 937**
- SHE (free and confidential counselling and support) on **6278 9090**
- Sexual Assault Support Services on **6231 1811**, or after hours **6231 1817**
- Family Violence Crisis and Support Service on **1800 608 122**
- Bravehearts – Sexual Assault Support for Children on **1800 BRAVE 1**

Don't go it alone. Please reach out for help by contacting [Lifeline](tel:131114) on **13 11 14**

- Men who have anger, relationship or parenting issues, should contact the [Men's Referral Service](tel:1300766491) on **1300 766 491** or the [Don't Become That Man](tel:1300243413) helpline on **1300 243 413**

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Beyond Blue's coronavirus support service: 1800 512 348 or coronavirus.beyondblue.org.au

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Jo Dyer @instanterudite · Mar 7



Sadly, our friend knew spurious "false memories" claims would be deployed against her. We discussed it, right down to the media outlets likely to promote them. [@crikey_news](#) was not on our list, and their role is disappointing, but the rest are playing out as predicted. [#insiders](#)



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THE AUSTRALIAN

Media Watch Dog: Insiders' double standards on full disclosure

GERARD HENDERSON



By **GERARD HENDERSON**, COLUMNIST
6:05PM MARCH 8, 2021

STOP PRESS

• LOUISE MILLIGAN IGNORES HIGH COURT PRECEDENT IN HER CAMPAIGN AGAINST CHRISTIAN PORTER

Talk about the Cult of Personality. Yesterday Sally Neighbour, the executive producer of ABC TV's Four Corners, tweeted this message about tonight's program:

Not to be outdone, Four Corners' reporter Louise Milligan soon tweeted:

Get the picture? ABC TV's latest attack on Attorney-General Christian Porter is not so much a program put together by Four Corners' staff collective. Rather, is "My Story" - with Louise Milligan as the "my". [Oh, my – MWD Editor.]

MWD just loves it when journalists interview journalists about their journalism. Which is what happened on ABC TV News Breakfast this morning when co-presenter Lisa Millar interviewed Louise Milligan about "Bursting The Canberra Bubble". Or did she?

In fact Comrade Millar, in an extremely soft five-minute interview, asked only two questions totalling 14 words. They were: "What can you tell us about tonight's episode?" and "So, where does it all go?" [Worth a Walkley nomination, for sure. – MWD Editor.]

This is Louise Milligan's final comment on News Breakfast this morning:

But at the base of it is a very, very sad story of a woman who struggled, you know, after this time with lifelong mental illness that no one can know why she had it, like she had bipolar disorder. But according to her friends, and we hear from them at length in the story tonight, she told a clear and compelling story of her allegation. They loved her, and they want that story to be known.

Louise Milligan is from the school of journalists who believe what they want to believe. She said that “J”, the complainant in the George Pell case, was a “compelling” witness. But somewhere between ten and two jurors in the first trial (a mistrial) did not agree. Nor did Justice Mark Weinberg in his dissent in the Victoria Court of Appeal. Nor did all seven judges in the High Court of Australia in *Pell v The Queen*.

Louise Milligan is forever referring to the fact that she has an LLB degree. However, the High Court of Australia has warned against placing too much emphasis on the perceived demeanour of a witness. This was the High Court’s message in the criminal cases *Pell v The Queen* (2020) and *M v The Queen* (1994). And also in the civil case of *Fox v Percy* (1983) where the majority comprised Chief Justice Murray Gleeson and Justices Michael Kirby and William Gummow.

In short, legal precedent in Australia warns against mounting a case against someone (e.g. Christian Porter) on the basis of a view as to whether or not a complainant is “compelling”. Justice Virginia Bell made this very clear during the hearings in *Pell v The Queen*.

But don’t expect Louise Milligan to follow the High Court on this in *Four Corners* tonight – because she believes what she wants to believe. As does much of the *Four Corners* team – including Sally Neighbour and Sarah Ferguson.

• INSIDERS’ DOUBLE STANDARD ON FULL DISCLOSURE

MWD will comment on last Sunday’s *Insiders* next Friday. But, for now, the focus is on presenter David Speers’ introduction yesterday:

David Speers: We’re joined this week by Katharine Murphy, Annabel Crabb and Peter van Onselen. Welcome to you all. I think it’s important to start this conversation with a quick disclosure. Annabel, you knew the woman at the centre of this allegation against Christian Porter?

Annabel Crabb: Yeah, I knew her, well, probably nearly 30 years ago. And I haven’t spoken to her I would say in 20 years....

David Speers: ...And Peter, you’ve been friends with Christian Porter for a long time?

Peter van Onselen: Yeah. Since before he entered politics at State or Federal level. And good friends.

David Speers: Yeah. Okay. Just to get that on the table. So that – and Katharine?

Katharine Murphy: I have no declarations.

Peter van Onselen: I'm also not, nor have I ever been, a member of the Communist Party.

David Speers: Right. Why do you say that?

Peter van Onselen: I just feel the need to – full disclosure.

David Speers: You have some reluctance in disclosing?

Peter van Onselen: Oh, not at all. I mean, I've tried to disclose my friendship with Christian Porter since the moment he entered politics. I disclosed it in an article I wrote calling for him to resign when he was in State politics because of a policy decision he made. So, I don't have a problem disclosing it. What I have a problem with is the assumption that because you know somebody, as a commentator, it changes your view. I disagree with him on a number –

David Speers: I don't think that. But I think it's, you know, it's just important to make sure viewers don't think there's anything being hidden in the conversation.

Well, how about that? MWD does not recall Insiders' executive producer Sam Clark ever insisting that former Insiders presenter Barrie Cassidy declare his friendship with Labor Party leader Bill Shorten. Which suggests that, on Insiders, there is one rule for journalists who are friends of Coalition politicians and another rule for journalists who are friends of Labor politicians.

And then there's Katharine ("My bestie Malcolm Turnbull calls me Murpharoo") Murphy, The Guardian Australia's political editor. As far as MWD can recall, Ms Murphy never disclosed on Insiders that Malcolm Turnbull was involved in bringing the left-wing Guardian newspaper to Australia and introduced both Lenore Taylor and herself to its (then) editor Alan Rusbridger. Comrade Taylor, in time, became The Guardian Australia's editor and Murpharoo became the online newspaper's political editor.

For the record, MWD agrees with PVO's approach to disclosures. But if Insiders has a policy on this – it should apply to all, not some, panellists.

INTERNATIONAL WOMEN'S DAY SPECIAL

As “The Diary” column in today’s Australian reveals, last Thursday, ABC TV Q&A program was prerecorded. In other words, it was live-to-tape not live-to-air. This was done, presumably, for legal reasons to avoid the possibility of a defamatory statement. It would seem that, in the event, only minor cuts were made to what went to air at 8.30pm.

It’s interesting to note that the ABC management chose not to delete the segment of Q&A where – believe it or not – male presenter Hamish Macdonald queried his all-female panel about their sex lives. Really.

HAMISH MACDONALD'S PERSONAL QUESTIONS TO ISABEL ALLENDE & ANNE ALY CIRCA INTERNATIONAL WOMEN'S DAY

The Q&A topic was “All About Women” and the panel comprised Isabel Allende, Susan McDonald, Anne Aly, Samantha Maiden, Dhanya Mani and Kate Crawford – except for presenter Hamish (“I only watch TV when I’m on it”) Macdonald. As Media Watch Dog recalls, in its old timeslot (9.30pm on Monday), Q&A would acknowledge International Women’s Day with a female presenter. But this seems to have changed now that the program has moved to 8.30pm on Thursday in the chase for ratings.

And now a flashback. On ABC Radio National Breakfast on 4 February 2021, presenter Fran Kelly asked Comrade Macdonald what he wanted Q&A “to deliver this year”. Here is the response:

Hamish Macdonald: Look, I think one of the criticisms this show has had – has been that it fell too much into the kind of rancour of the everyday political debate. And, of course, politics is still going to be central to it. But I think we’re living through times where the questions are much bigger, they’re much more important, they are questions of life and death. Like the vaccine. You know, I heard your interview not that long ago about misinformation. A lot of this stuff really does genuinely impact our life, and I want the show to be a forum for that. We’ll still have the politicians on – they can still squabble if they really need to. But I think we actually want to deliver genuine answers for these big existential questions.

How about that? Your man Macdonald wants Q&A to focus on the “big existential questions”. Like, er, sex it seems. Believe it or not, towards the end of last Thursday’s program, Mr Macdonald asked questions to panellists Isabel Allende and Labor Party MP Anne Aly – such as:

Hamish Macdonald: So give us an insight into the future Isabel, does the sex get better, more beautiful with age? Or does it get more difficult?

Isabel Allende: Difficult, of course, but you can replace you know, energy, you can replace the energy with laughter, and marijuana....

Hamish Macdonald: On that note, I think we'll leave it there. Thank you so much for joining us tonight. Please come and say hi in person next time... I want to wrap this up with some questions to all of you. Anne Aly – How important is the physical side of love?

Anne Aly: Really, Hamish? Really?

Hamish Macdonald: Yeah. I told you this was coming.

Anne Aly: Oh, my goodness. I'm blushing and I don't blush...I mean, Isabel Allende makes me feel like an underperformer now. Yes, it's incredibly important. But, you know, I'm on my third marriage if you didn't, if you didn't know. So, like, I got divorced in my 20s, divorced in my 30s, divorced in my 40s. And I'm on my third marriage....

No wonder Dr Aly got flustered and told the audiences that she'd been divorced three times but now was on her third marriage. This is what happens when a presenter asks inappropriate questions.

But there was more:

Hamish Macdonald: We did want to get to all of you. We're running out of time. Kate Crawford. The physical?

Kate Crawford: Look, I have to say one thing, which is can Isabel Allende run for Prime Minister? Yeah, I mean, can we have her. She's amazing....

Phew. What a great conversation changer. Ms Crawford moved your man Macdonald away from his obsession. And soon Q&A ran out of time. Much to the delight, it seems, of the remaining panellists. At least we now know what Hamish Macdonald has in mind when he talks about “the big existential questions”. [You can say that again – MWD Editor.]

CAN YOU BEAR IT?

• PETER HARTCHER'S NAÏVE CHARACTER TEST FOR POLITICIANS – NOT JOURNALISTS

Last Thursday, the Sydney Morning Herald printed what was supposed to pass for analysis on Page 1. Titled “Porter takes the stage, but PM is director of this craven show”, it was written by Peter Hartcher, the paper’s political and international editor. This is how the piece commenced:

Say what you like about Christian Porter’s moment on the stage on Wednesday, the production was brought to you by the Prime Minister, Scott Morrison. Morrison is the producer and director of this craven show of political stage management. The Prime Minister alone appoints and discharges the members of his cabinet. He alone decides the standards he will accept and the terms on which his ministers serve.

If he cared about standards, he would require his Attorney-General to be a fit and proper person to be Australia’s first law officer. And while Porter can never be charged over this rape accusation, neither can his name ever be cleared. Because his accuser is dead, there never will be a trial.

For starters, this is ambiguous. The comment that “because his accuser is dead, there never will be a trial” – implies that if the death had not occurred a trial would probably have been taken place. There is no evidence whatsoever to support this assertion.

As to the suggestion that an Attorney-General and, presumably, other senior ministers should undergo “a fit and proper person test”. What form would such a test take? And who would make the determination? Moreover, if such a test is necessary for Attorneys-General, why not for the prime ministers who appoint them? If so would – say – Bob Hawke have passed a fit and proper test? Or Lloyd George?

And then there’s Peter Hartcher’s assertion that “Australia’s credibility in the world has been tested” because Australia can be accused of sheltering an accused rapist as Attorney-General. By whom? – your man Hartcher did not say.

Peter Hartcher wants a tribunal set up to establish the Attorney-General’s “good character”. Why stop here? Why not test the “good character” of journalists? Can You Bear It?

• WHAT THE ABC WON’T TELL YOU ABOUT JO DYER – CHRISTIAN PORTER CRITIC

Until early 2018, Jo Dyer did not have a high profile. But then the Sydney-based Ms Dyer, who had been appointed as director of Adelaide Writers' Week, came to notice with, er, a somewhat explosive Facebook comment concerning the outcome of the South Australian State election on 17 March 2018.

It was the occasion where the Liberal Party in opposition defeated the incumbent Labor government. What did Comrade Dyer have to say about this? Plenty, as it turned out.

On 21 March 2018 The Advertiser reported that, on her Facebook page late on the previous Saturday night, Jo Dyer described the new Liberal government, led by Steven Marshall, of having “no f--king idea” and predicted “they will flog off everything that’s not nailed down to their corporate mates”. A tired adjective followed by a cliché. But it was late on Saturday night and Ms Dyer appears to have been mightily upset at the Liberal Party’s victory.

The Advertiser also reported that Ms Dyer, who was raised in Adelaide, unsuccessfully sought Labor Party preselection for the seat of Adelaide in 2001. By the way, Comrade Dyer’s late Saturday night Facebook rant was soon removed – after consultations.

What’s all this got to do with anything? – MWD hears you ask. Well, it turned out that Jo Dyer is a Christian Porter antagonist who has been interviewed by the ABC in its campaign against the Attorney-General in giving credence to the allegation that, when aged 17 in 1988, he raped a 16 year old girl in Sydney. Mr Porter vehemently denies that he raped the now deceased woman – and NSW Police have dropped the case after the woman withdrew her complaint.

When ABC journalist Louise Milligan reported the “Inside The Canberra Bubble” for Four Corners on 9 November 2020, Jo Dyer was interviewed at the top of the program and had this to say:

Jo Dyer: All political parties need to think about the type of people that they have in positions of power and authority. And Australians need to think about the type of people that they want representing them.

Later on she commented:

Jo Dyer: We met CP in 1986, um, for the first time. He was very charming. He was very confident. Um, we were all quite confident back then. He had that assuredness that’s perhaps born of privilege. But he was, you know, brash, blond and breezy. Christian was quite slick, in some ways. And he had an air of entitlement around him that I think was born of the privilege from which he came.

All frightfully interesting. But Four Corners did not report that, in addition to being a critic of “CP” (i.e. Christian Porter), Jo Dyer was also once a political opponent – having sought Labor Party preselection in 2001.

Move forward to last week when Jo Dyer was interviewed by the ABC as one of the friends of the complainant who made the rape allegations against Christian Porter.

Ms Dyer appeared on 7.30 last Tuesday – one of the two Porter antagonists interviewed by Laura Tingle who were critical of the Prime Minister and Porter. The other was Malcolm Turnbull. Jo Dyer accepted all the unproven allegations made by her friend against Porter before they were withdrawn and was critical of the Prime Minister’s handling of the matter.

Laura Tingle made no mention of Jo Dyer’s past association with the Labor Party in South Australia.

Then Jo Dyer appeared again on 7.30 on Thursday – this time focusing on why the Porter allegations should be subjected to an inquiry. As far as MWD is aware, she has no legal qualifications. Once again, no mention was made of Jo Dyer’s one-time political affiliations with the Labor Party.

MWD is not calling for Jo Dyer to be de-platformed on the ABC. Moreover, MWD is not suggesting that Ms Dyer’s criticism of Mr Porter is motivated by political considerations. It’s just that the taxpayer funded broadcaster is always banging on about full disclosure and all that. Yet, Four Corners and 7.30 have failed to disclose, on no fewer than three occasions on MWD’s count, that Jo Dyer once sought Labor Party preselection. Can You Bear It?

• **ABC NEWS ONLINE CONFUSES EMPLOYEE AND EMPLOYER**

While on the topic of Laura Tingle and all that, MWD’s attention has been drawn to the article published in ABC News Online concerning Brittany Higgins (who has alleged that she was raped in Parliament House by a fellow staffer) and Emma Husar (who lost Labor Party preselection following allegations made against her while a parliamentarian – the most serious one was demonstrated to be totally false).

This is what Laura Tingle and James Elton wrote about these cases on ABC News on 24 February 2021:

The experiences of both Ms Higgins and Ms Husar are reflective of the employment structures used in federal politics, including the Member of parliament (Staff) Act, which leaves staff under the control of their masters and at risk of being immediately sacked without a reason being given.

Not so. Sure Ms Higgins, a staffer, was employed under the Member of parliament (Staff) Act. However, Ms Husar was the Labor MP for Lindsay. As such, Ms Husar was the employer – not the employee. And La Tingle, the ABC's political correspondent was not aware of this. Can You Bear It?

• **CRIKEY'S AMBER SCHULTZ FIRES AT – BUT MISSES – DAN TEHAN**

Writing in Crikey last Tuesday, under the heading “Boys Club: Most male cabinet ministers went to private schools; most sexual assault accusations come from private schools”, Amber Schultz reported on a collection of testimonies by young women concerning instances of sexual assaults by young men “that occurred in the past five years”. Fair enough. Although it's possible, as Ms Schultz acknowledged, that private school students are more likely to discuss such matters than those attending government and low-fee religious-based schools. We don't really know.

But MWD digresses. This is what Amber Schultz had to say about Dan Tehan, the Minister for Trade in the Morrison government:

A former humanities dux at Xavier College, where Education Minister Dan Tehan went, later solicited young girls into prostitution.

Dan Tehan was born in January 1968. His final year of school at Xavier College was probably 1986 – i.e. around 35 years ago. And Crikey's Comrade Schultz reckons that there is some correlation between the culture at Xavier College in 1986 and the fact that a former dux of humanities at the college was convicted of serious prostitution offences over a decade after the “dux” left school. It's a bit of a stretch to link Tehan's school days with this low life. But not, apparently, to Crikey. Can You Bear It?

YOU MUST REMEMBER THIS?

“You Must Remember This” is based on the chorus line in the song As Time Goes By which was popularised by the film Casablanca. It is devoted to reminding the usual suspects of what they and/or those they supported once wrote or said or did.

• MIKE CARLTON'S FALSE PROPHECY OF A GOOGLE/FACEBOOK VICTORY OVER AUSSIE PUBLISHERS

This is what Mike Carlton, the Sage of Avalon Beach, had to say in September 2020 about the Morrison government's (then) attempt to make United States based tech giants Google and Facebook pay for the journalism content they were using for free:

How about that? Mike ("I'll pour the Gin") Carlton reckoned less than six months ago that the managers of media companies are just so hopeless that they had been creamed by Google's Sundar Pichai and Facebook's Mark Zuckerberg over the pay-for-content dispute.

Hopelessly wrong. In fact, Google folded first – followed by Facebook – in a campaign fronted by Australian leaders (Scott Morrison, Josh Frydenberg, Paul Fletcher) and supported by Australia's largest media companies. Has Comrade Carlton conceded that his prophecy was of the false genre? Not on your nelly. He's not that kind of guy.

• CRIKEY'S BERNARD KEANE ON HOW FACEBOOK HELD WHIP HAND OVER THE NEWS MEDIA BARGAINING CODE – UNTIL HE DIDN'T

And then there's the case of MWD fave Bernard Keane, Crikey's political editor. This is what your man Keane had to say in Crikey on 18 February 2021.

The mainstream media and the government thought they had achieved victory. That's all a smoking ruin this morning, as media companies examine bare Facebook pages and blocks on posting content.

All the result of a staggering miscalculation by a government that thought it could run an extortion racket at the behest of the Murdochs on the widely reviled big tech companies. A government that insisted it had had "constructive" talks with Facebook executive chair Mark Zuckerberg – indeed, was still insisting so this morning after the shutdown. Except Facebook now hold the whip hand in any such discussions.

That's what Bernard Keane told Crikey readers (if readers there were). Here's a chronology of what happened.

14 February – Google agrees to deal with Seven West

17 February – Google agrees to deal with Nine

18 February – Google agrees to global deal with News Corp

18 February – Facebook announces ban on Australian news effective immediately

18 February – Bernard Keane's article appears in Crikey

24 February – Changes by the Australian government announced to bargaining code

26 February – Australian news returns to Facebook after Facebook agrees in principle to pay for content.

That's the problem with predictions. They're difficult to make about the future – as the saying goes.

AN ABC UPDATE

• FRAN KELLY'S SOFT INTERVIEW WITH MALCOLM TURNBULL PLUS A CRITICAL OBSERVATION BY PROF. JEREMY GANS

Fran ("I'm an activist") Kelly was none too active when she interviewed former Coalition prime minister Malcolm Turnbull last Tuesday. It was the day before Attorney-General Christian Porter named himself as the cabinet minister alleged to have raped a 16 year old girl in Sydney in 1988 when he was 17 years of age.

However, the name of the alleged offender was widely known when Mr Turnbull spoke to Ms Kelly on Radio National Breakfast. As Turnbull put it: "Everybody knows who the minister is – maybe not all your listeners do but it's widely bruited around." It was also known that the complainant died by suicide in June 2020.

In what was an extraordinary interview, the former prime minister seemed to imply on three occasions that the complainant's death had been due to foul play. Let's go to the transcript – where Turnbull's implication is not engaged with by Kelly in response:

Malcolm Turnbull: So there are two things that – there's one thing, there's the alleged rape, that we need to know about, we need to know whether that occurred or not. But there is also a death. Now it said that she suicided. Did she? What led to her, if she did suicide, if she did take her own life, what led to it? Why did she suicide? Why did she pursue this complaint for so long, and then, just at a moment when you think she'd be encouraged, take her own life....

Fran Kelly made no response to the clear implication. Later on, the following exchange took place:

Malcolm Turnbull: The woman takes allegedly takes her own life, but certainly we don't, we don't know for sure that she took her own life. We know for sure that she's dead. And there needs to be an inquest.

Fran Kelly: In your view, is the inquest the place to explore this?...

So, once again Fran Kelly did not contest Malcolm Turnbull's contribution that we do not know "for sure" whether the complainant took her own life. Then, at the end of the interview – presumably at the urging of the producer – the following exchange took place:

Fran Kelly: Malcolm Turnbull, we're almost at the news. I think it's important to just point out, you've said twice now, you know, "if it was a suicide". I mean, there is no question mark over that at the moment. You know nothing to suggest otherwise do you?

Malcolm Turnbull: I don't know - well all I know is that she is dead and it certainly has been reported in the media as a suicide, but the circumstances of it, what led to it? I mean, I have a question mark, in my own mind, about the timing of it. Because it seems - the timing seems, you know, counterintuitive.

Fran Kelly: Malcolm Turnbull, thank you very much for joining us.

So there you have it. On three occasions Malcolm Turnbull implied that the complainant's death might have been other than suicide. On two occasions, Fran Kelly did not query the implication. And, on the one time she did, she seemed to accept that Turnbull had a point.

Soon after the soft Kelly/Turnbull interview concluded, Professor Jeremy Gans, of the Melbourne Law School, put out this tweet:

Good point. The complainant was not incarcerated and authorities cannot be blamed for her death. And there are no reports from family, friends or police that her death was suspicious. Yet in a private interview without interruptions, Fran Kelly allowed Malcolm Turnbull to speculate that the complainant's death might not have been suicide. As Professor Gans commented – Mr Turnbull and the ABC "have lost the plot" on this issue.

• WATCHING THE WEEKLY ON BEHALF OF MWD READERS – BY MWD'S TV REVIEWER

In case you've missed it, The Weekly with Charlie Pickering is back, attempting to combine news and comedy and doing both badly. For an example of The Weekly's jarring tonal shift see this line from Charlie Pickering's news summary in the episode from 17 February 2021:

Charlie Pickering: To Tuesday, more shocking footage of bin bags attempting to escape hotel quarantine, and the country reeled from The Project's confronting interview with Brittany Higgins, regarding allegations of a sexual assault inside Parliament House – which received this baffling response from the Prime Minister...

From a (poor) joke about bin bags to addressing a serious allegation of sexual assault in one go. Well done.

ABC Comedy has always tended to be lazy – no need to make an effort once you've cemented your place in the ABC Soviet and your work is funded by the taxpayer – but The Weekly is taking it to a whole new level.

Many a weekly segment appears to be clips from social media or other television shows, assembled under an attempt at a humorous voiceover. For example, the recurring segment “The Tragic Tales of Millionaire Hotseat”, is a montage of unusual contestant introductions from the Nine Network's “Millionaire Hotseat”. Really.

One segment compiled clips from reality TV show “Married at First Sight”. And another added a voiceover to social media videos made by tennis player Bernard Tomic and his partner Vanessa Sierra in hotel quarantine prior to the Australian Open. The production team at The Weekly doesn't seem to understand that these things were already funny, on some level, in their original context – and chucking them together under a mocking voiceover only makes them less funny. But this is what passes for News-Comedy on the ABC these days.

The Weekly also dabbles in an ABC Comedy favourite “Fake Ad for Something”. See below for recent examples of this from both The Weekly and 7.30's “satirist” Mark Humphries.

In one particularly poor segment, The Weekly cut together clips from an interview with Scott Morrison on Sky News' Paul Murray Live as a promotion for a show called “Please Explain with Scotty and Paul”. Although it's hard to tell where the joke is, it appears to be (yet another) mocking Scott Morrison's speaking style and use of analogies. This makes sense considering The

Weekly appears to think the correct way to convey information is through condescending, unfunny comedy.

DOWNLOAD WITH JACKIE (DIP.WELLNESS) ON THE COUCH

PETER FITZSIMONS ABOUT HIMSELF – AS TOLD TO JACKIE

There was overwhelming interest in MWD's coverage of the verbal punch-up between ABC TV's Stan Grant and the Sydney Morning Herald's Peter FitzSimons over the former's depiction of the latter's Independence Day (nee Australia Day) knees-up, held in late January each year at the Neutral Bay pile, overlooking Sydney Harbour, of leftist luvvies Peter Fitz and Lisa Wilkinson. As avid readers will recall, Stan Grant mocked the FitzSimons/Wilkinson pretension along with the leftist roll-up, where everyone agrees with everyone else in a fashionable leftist kind of way. This occurred in Grant's contribution to The Australian's "Oh Matilda: Who Bloody Killed Her?" crime novel series where different authors wrote different chapters. Apparently, Fitz is no longer talking to Stan. But he is talking to Jackie.

Some readers advised Jackie's (male) co-owner that they would like to hear from Comrade Fitz at greater length. Following lengthy negotiations, the "Fitz-on-Sunday" columnist declined to do an interview with Hendo. But consented to one with Jackie – on the couch. Apparently Fitz was impressed by the fact that Jackie has a Dip. Wellness from The Gunnedah Institute and is an occasional red bandana wearer. Also, Fitz was happy with his previous discussion with Jackie. Here's the (highly edited) transcript:

Jackie: Thanks for giving so generously of your time.

Fitz: It's okay mate. No prob.

Jackie: First up, a personal question. Why have you decided to go starkers from the neck up? I just loved the Red Bandannaed One – you with that red rag on your head. It just – should I say this? – really turned me on. So cool, even in hot weather.

Fitz: Truth is I decided that, after seven years, my red bandana needed a spell at the Neutral Bay laundry. There it lost colour and dyed all my Knox Grammar Rugby Union jock-straps red. It had a traumatic effect on me. So I've gone naked from neck-up.

Jackie: Any other troubles with your previous headgear?

Fitz: Yes. No. Well, I used to find that the red top on my tall body caused some drivers to stop at the lights. Even when the lights were green. So that was another reason. Got another topic?

Jackie: Okay. I'm not offended. But, despite my Dip. Wellness from The Gunnedah Institute, I've never been invited to your Independence Day party – unlike Stan Grant. Perhaps sometime in the future. Here's hoping. As a Queensland Heeler, I usually eat off newspapers – like old editions of The Holy Name Monthly. I understand that you and Mrs Fitz require guests to bring a plate. Why? Fact is, I don't have a plate.

Fitz: Well, some people say we're multi-millionaires. But it's not that many millions. Yeah – we ask guests to bring a plate. We hope they get the hint. But we don't demand that they put food on the plate – yet it helps if they do. Keeps down the cost, you know. Gee – a bloke's got to keep a penny for his retirement!

Jackie: As a Queensland Heeler, I regard myself as belonging to a minority. I saw a pic of your Independence Day party. Despite the fact that you present as a man of the people, there wasn't any diversity. How come? For the record, as a mongrel I was offended this time.

Fitz: I disagree. There was Kate McClymont, David Marr, myself in red-bandana mode, Tim Minchin, Norman Swan, Annabel Crabb and Leigh Sales. Plenty of diversity there. Some are Green/Left others Left/Green. Sure there were no Coalition supporters – but us multi-millionaire Neutral Bay types are committed to living in a low-emissions Clerical Fascist Free Zone. And this puts limitations on my choice of guests. Any rate, they're all good blokes and sheilas. Love this city!

Jackie: Right. But I meant ethnic diversity there. I mean, there was no one of colour in the pic. In fact, the only striking colour was the red rag on your head.

Fitz: That's crap. What about the person who took the photograph? Have you thought about that? Bugger off!

Jackie: Er, no. Not really. Who was the photographer?

Fitz: I can't remember. But I like to think it was my good friend Waleed Aly. Or perhaps Yassmin Abdel-Magied. How diverse is that? Fool!

Jackie: But did either person of colour really take the photograph?

Fitz: Turn it up. The point is that I hope so. Er, it could have been the cook. Except for the fact that we didn't have a cook because most guests brought a plate. Does it really matter? We all believe in diversity – at least in theory. And that's better than our clerical fascist opponents, even though some of them are of colour. Fair dinkum!

Jackie: Let's move on. You're still the head of the Australian Republic Movement. How goes the cause?

Fitz: Bloody terrific. For starters, we changed our name from the Australian Republican Movement to the Australian Republic Movement. Now, that's real progress. I have decided to unite Australia to get rid of Mrs King at Buck Palace by attacking the Morrison government and Christians (especially Catholics) plus other believers and social conservatives and people who send their kids to private schools (except for Lisa and me) and fascists (that is, people I don't like) and more besides. The rest of the nation is uniting behind me. We've got a clear majority. Up the republic!

Jackie: I don't want to be unkind. But my (male) co-owner reckons you're a bit out of touch. Could this be so?

Fitz: Nah. Sure I used to play Rugby Union (you know the game multi-millionaires play in heaven) and I drive a Tesla electric car (value \$80,000) and I spend my working day occupying a table at the Avenue Rd café in Mosman. Who doesn't? I reckon I'm as close to the masses as David Marr (who once visited Western Sydney) and Lisa Wilkinson (who once worked in a supermarket). Out of touch? You've got to be kidding. Also I once danced with a woman who danced with a man who voted for John Howard. Or was it Scott Morrison? Who the hell cares?!!

Jackie: You've been very generous with your time. I understand that you have struck Stan Grant off your Independence Day dance-card. Any chance of me taking his place next year? I can always borrow a plate.

Fitz: Sure. Bloody oath. I'll put you on my (long) short-list. But don't get your hopes too high. I'm also considering Kerry O'Brien and Emma Alberici and Laura Tingle and Fran ("I'm an activist") Kelly and La Trioli and Jon Faine and Phillip Adams. Come to think of it, I may ask Waleed to take the pics and Yassmin can hand around plates to those who forgot them. Keep watching the post – you may be lucky. But for now – piss off. I'm off to engender yet more support for the Australian Republic Movement who are impressed with my vote-winning manner. Those who don't support opinion leaders who have a fixation with red rags are just fools!

CORRESPONDENCE

This overwhelmingly popular segment of Media Watch Dog usually works like this. Someone or other thinks it would be a you-beaut idea to write to Gerard Henderson about something or other. And Hendo, being a courteous and well-brought up kind of guy, replies. Then, hey presto, the correspondence is published in MWD – much to the delight of its avid readers.

There are occasions, however, when Jackie's (male) co-owner decides to write a polite note to someone or other – who, in turn, believes that a reply is in order. Publication in MWD invariably follows. There are, alas, some occasions where Hendo sends a polite missive but does not receive the courtesy of a reply. Nevertheless, publication of this one-sided correspondence still takes place. For the record – and in the public interest, of course.

THE LATE FRANK KNOPFELMACHER, ROBERT MANNE, GERARD HENDERSON & THE AUSTRALIAN DICTIONARY OF BIOGRAPHY'S MELANIE NOLAN

Frank Knopfelmacher – Franta to his friends – was born in Vienna in 1923 and died in Australia in 1995. He spent his childhood in Czechoslovakia in a Jewish German-speaking family. He fled Europe in 1939, moved to the British mandate of Palestine, joined the British Army, returned to Czechoslovakia after the war and fled in 1948 to Britain after the communists seized power in Prague. Franta arrived in Australia in 1955 and was an academic at the University of Melbourne until his retirement in 1988. On the Melbourne campus, Franta was a vehement anti-communist who participated in the public debate. An article on Knopfelmacher – by Robert Manne – appeared in the Dictionary of Australia Biography last year. Now read on.

Gerard Henderson to Dr Melanie Nolan – 8 February 2021

Dear Dr Nolan

I am a fan of the Australian Dictionary of Biography and possess a set of all the bound editions published so far. I quote from it occasionally – always with acknowledgment.

The other day I had reason to check out when Dr Frank Knopfelmacher died and noticed an entry on Frank by Robert Manne which was published by the ADB online edition in 2020.

In the second last paragraph of the entry, I am cited as “among those” Frank influenced. I have always recognised Frank as a friend and an influence. Indeed, I first met Frank in 1965, which I believe is a couple of years before Robert Manne made his acquaintance. This is what Robert Manne had to say about me and others (including himself):

Among those he [Knopfmacher] influenced were the politician Michael Danby, the publicist Gerard Henderson, the journalist Greg Sheridan, the ideology-maker Ray Evans, the legal academic Martin Krygier, the philosopher Raimond Gaita, and the political historian and public intellectual Robert Manne.

How about that? This lot includes a politician, a publicist, a journalist, an ideology-maker, a legal academic, a philosopher, along with “a political historian and public intellectual”. Needless to say the last in this group is Robert Manne. Apparently, he is the only intellectual among those mentioned.

I have written an academic history (based on my Ph.D. thesis), a book of interviews, a general history and a biography – as well as numerous essays and articles. I have written a weekly newspaper column for over three decades. I have also worked in government and opposition at the Commonwealth level as well as in the Commonwealth public service and headed The Sydney Institute for thirty plus years. I also worked for four years as a university academic.

Yet, according to the ADB, I am a “publicist”. Now, I have nothing against publicists. Most of them do a very good job promoting actors, models, authors and the like. It’s just that I have never worked in this profession.

Sure, Robert Manne may regard me as a “publicist”. That does not mean I am. And, surely this howler should have been picked up in the myriad of fact-checkers in the ADB process. After all, the Australian Dictionary of Biography boasts that “few journals have such a thorough editing and refereeing process” as the ADB. Maybe – but it did not work in this case.

I request that this error be corrected immediately.

Best wishes

Gerard Henderson

cc: Samuel Furphy, Research Editor

Melanie Nolan to Gerard Henderson – 9 February 2021

Dear Dr Gerard Henderson,

Thanks for your email about the Frank Knopfelmacher (1923-1995). It is great to hear that you 'still' possess a whole set of the ADB which you use "always with acknowledgment". Many libraries, and researchers, have 'got rid' of the hard copies, now that the ADB is online. The ADB is much used and it is so difficult to ensure that everyone acknowledges it in their publications; thank you for crediting the ADB when you use it.

I am well aware of your public role. I was unaware, however, of the change to the Knopfelmacher article and your description in it. I agree with you about your concern with the oddity of your descriptor as a publicist. I apologise for this.

The research editor for this article, Dr Sam Furphy, has told me:

Below is bit of background to Robert Manne's entry on Knopfelmacher, and Gerard Henderson's objection to it ...The passage that Henderson objects to, the list of people K. influenced, was not added until the author review stage, so you have the excuse of not having read that version. Manne had included the list in a footnote in vI. I didn't promote it to the main text, but then Manne objected to its "removal" so I inserted it in vII. At the time I emailed Manne asking how he would like to describe himself (I'll forward you that correspondence) ...

The ADB is a collaborative process, as you have obviously read from our website. The last stage involves our sending the article to authors to and to seek their approval of the final version. Mostly they approve the final text. We try hard to accommodate authors who raise objections; however, in this case, in accommodating the author, we have introduced an oddity.

There are several ways to correct this, including a collection of descriptions for the whole group. I will discuss this with the Sam and the ADB's Managing Editor and ask them to let you know what change has been made to the article.

Warm regards,

Melanie

Melanie Nolan

General Editor, Australian Dictionary of Biography

cc: Samuel Furphy, Research Editor

Samuel Furphy to Gerard Henderson – 9 February 2021

Dear Gerard,

Further to Melanie's email, I've discussed the matter with my colleague Malcolm Allbrook, and all that remains is to decide on the best descriptor for you. Would "the columnist and author Gerard Henderson" be appropriate?

I apologise for allowing the error to slip through our usually rigorous process of checking. As I explained in my message to Melanie, which she quoted below, the relevant text was added late in our process, after several others had read the entry, so the fault is mine alone.

We will correct the web page as soon as I hear from you regarding our proposed change.

Best wishes,

Sam

Dr Samuel Furphy

Research Editor, Australian Dictionary of Biography

cc: Melanie Nolan

Malcolm Allbrook

Gerard Henderson to Melanie Nolan – 9 February 2021

Dear Melanie

Many thanks for your prompt reply and generous comments.

I now understand that the ADB editors/researchers were not responsible for describing me as a "publicist"- and I accept your apology. I do not know why Robert Manne insisted on describing me this way. But there you go.

As to how to describe me. Since Robert has taken the (impressive) description of "historian and public intellectual" for himself – I could be described as "commentator", "columnist", "author" –

or something like that.

Best wishes

Gerard

PS: I am not sure whether the ADB is still published in hard copy form. If so, I would appreciate advice about the number of the next volume and the likely publication date.

cc: Sam Furphy

Gerard Henderson to Sam Furphy – 9 February 2021

Dear Sam

Thanks for your note which I have just noticed. Yes – the revised descriptor suits me fine.

No need to apologise. Just Robert Manne being Robert Manne – I've known him for half a century.

Keep up the good work. The ADB is one of my fave publications.

Best wishes

Gerard

cc: Melanie Nolan

Malcolm Allbrook

Sam Furphy to Gerard Henderson – 11 February 2021

Thanks Gerard,

The change will be made to the entry online within the next week or so.

Melanie might have responded already, but in answer to your question about print versions of the ADB: volume 19 (featuring those who died between 1991 and 1995) will be published this

year. I'm not sure of the precise date, but I think about mid-year. All the entries in this volume have already been published online.

Best wishes,

Sam

Melanie Nolan to Gerard Henderson – 28 February 2021

Dear Gerard,

We have hit a snag. Robert Manne stands by his noun.

In the last instance, the ADB does not unilaterally change an author's text without their agreement.

Very occasionally an article is published, as per ADB research editing, without the author's agreement but the authorship is anonymous because the author does not wish it to be attributed to her or himself. On a rare occasion then, an ADB article is published anonymously, thus; I have had two other cases since I became General Editor of the ADB in 2008. Usually, an author and I come to a mutual agreement over an amendment in cases such as this.

In this case, however, Robert Manne stands by his text, has defended it, and accepts authorial responsibility.

The article will remain as it has been already been published.

Yours sincerely,

Melanie

cc: Sam Furphy

Malcolm Allbrook

Karen Ciuffetelli

Gerard Henderson to Melanie Nolan – 8 March 2021

Dear Melanie

I refer to your email of 28 February 2021 advising that “the ADB does not unilaterally change an author’s text without their agreement” and that, consequently, Robert Manne’s article on Frank Knopfelmacher (1923-1995) “will remain as it has already been published”. As you put it, “Robert Manne stands by his noun”.

In other words, the ADB is sticking by Mr Manne’s assertion that I am a “publicist”. Who knows? Future generations may get the impression that I was a publicist for, say, Russell Crowe or perhaps Elle Macpherson – it could be regarded as my brush with fame.

So ADB is standing by Robert’s “noun” due to ADB policy of not unilaterally changing an author’s text. This despite the fact that on 9 February 2021 you twice described Robert’s description of me as a publicist as an “oddity” – and apologised to me for the description. In this letter, you referred to Sam Furphy as stating that the reference to me as a “publicist” was “not added until the author review stage” and that you as the ADB’s general editor did not read Robert Manne’s final version. Nevertheless, you are now standing by it.

What am I to believe? Do you believe that the reference to me as a publicist is no longer an oddity? And, if so, have you now withdrawn your apology?

As previously explained, I admire the work of many publicists. It’s just that I have never worked in this profession – despite Robert’s insistence to the contrary.

What surprises me is that, in order for you to act in accordance with the ADB’s rules, you have put to print something about me which both you and Sam Furphy acknowledge is inaccurate. Yet the ADB proudly states that “few journals have such a thorough editing and refereeing process”. Sounds like false advertising, don’t you think?

By the way, I noticed that Robert Manne’s article on Frank Knopfelmacher in the ADB contains a “Select Biography”- which is very select indeed. He omits at least one of Frank’s key articles and makes no reference to Knopfelmacher’s private papers. Could it be that Robert was denied access to Frank’s papers? If so, why would this be the case – and why is there no reference to Frank’s private papers in the ADB entry? I note that there are some harsh comments in the ADB Knopfelmacher article concerning his final years.

Best wishes

Gerard Henderson

PS: It looks like I missed out on Volume 18 of the ADB hard copy. Please advise as to the best way I can purchase a copy.

cc: Sam Furphy

Malcolm Allbrook

Karen Ciuffetelli

* * * *

Until next time.

* *

GERARD HENDERSON, COLUMNIST

Gerard Henderson is an Australian author, columnist and political commentator. He is the Executive Director of the Sydney Institute, a privately funded Australian current affairs forum. His Media Watch Dog colu... [Read more](#)



She was one of the best debaters of her generation until her life unravelled. This is the story behind Christian Porter's accuser

Four Corners / By Louise Milligan, Peter Cronau, Jeanavive McGregor and Lucy Carter

Posted Mon 8 Mar 2021 at 8:31pm, updated Mon 8 Mar 2021 at 8:32pm



Watch the full Four Corners investigation 'Bursting the Canberra Bubble'

Late last year, Four Corners aired [Inside the Canberra Bubble](#), an explosive investigation that questioned the conduct of some of the most senior politicians in the nation.

It explored the workplace culture within Australia's federal Parliament House, a culture that can be both toxic and career-destroying for women.

The story focused in part on the conduct of Attorney-General Christian Porter.

At the time, there was an allegation that we were unable to report on.

It was alleged that the Attorney-General had committed a serious crime long before he entered politics: the rape of a 16-year-old girl in 1988.

Mr Porter has come forward to vehemently deny the allegation.

Now we are able to bring you the story behind the allegation and that of the woman who made it, who took her own life in June last year.



Christian Porter's accuser (right) pictured with friend and fellow debater Jo Dyer.
(Supplied)

The woman was a historian by training who was doing a PhD.

She had been one of the most brilliant high school debaters of her generation. Until her life unravelled.

The woman and Christian Porter were two of Australia's best four high school debaters.

In January 1988, the national schools debating team was invited to the World Universities Championships held at the University of Sydney.

In his press conference vehemently denying the allegation, Mr Porter said the team members were friends and he was not in a relationship with the woman who later made the accusation.

"I was 17 years old and the other person was 16. We were both selected, with two others, on the Australian Schools Debating Team and we went to Sydney University for an international competition. It was a long time ago and I'd always remembered it as a happy time," Mr Porter said.



The woman seated next to Christian Porter at a formal dinner event at the Debating Championships in 1988. (Supplied)

"I didn't say I remembered it very well, I remember it as a happy time. It was 33 years ago. I remember the person as an intelligent, bright, happy person, but I hadn't had any contact from that person, at all, to the best of my recollection, in the 33 years since that time in January 1988."

Fellow debater Jo Dyer said her friend had told her that Mr Porter had walked her back to the college accommodation after a formal dinner.

"[She] told me that they had been out dancing, drinking, partying until late — very late. They were walking back to the university campus. Christian offered to walk [her] back to her college," she told Four Corners.

In a statement, prepared for her lawyer in 2019 when the woman decided she wanted to pursue the alleged incident, she alleged that Mr Porter raped her that night in her room.

"I was drunk, and I trusted him, so I agreed. I had no real reason then not to. We went up to my room, and I let him inside ... What did happen next was a total surprise to me. "

There are no witnesses who can corroborate that the events she described occurred.

Mr Porter has strongly denied the allegation.

"Just it didn't happen, and it's not true," Mr Porter said during his press conference.

"No-one is beyond an allegation, no-one. If you could just imagine for just — and I know that we're all cynics and this is a hard and tough and fast environment that we're all in — but just imagine for a second that it's not true, that for whatever reason the recollection and the belief, which I'm sure was strongly held, is just not true.

"I can say categorically that what has been put in various forms and allegations simply did not happen."

Her friends and fellow debaters from the time, Jo Dyer, Matthew Deeble and Nick Ryan, have spoken to Four Corners [in support of her allegations](#).



Christian Porter's accuser pictured in her debating blazer. (Supplied)

Sexual assault support services:

- [1800 Respect national helpline](#): 1800 737 732
- [Lifeline \(24 hour crisis line\)](#): 131 114
- [Beyond Blue](#): 1300 224 636



Friends and former fellow debaters Nick Ryan, Jo Dyer and Matthew Deeble have spoken out in support of their friend's allegation. (Four Corners)

Former Law Council of Australia president Arthur Moses told Four Corners the allegation could never be proven because the police have no sworn statement from the woman.

"So there is no record of interview, as we understand it, between the complainant and the police that could be the subject of admissible evidence," he said.

"And there is no evidence from any third parties that they witnessed [the] alleged sexual assault."



Nick Ryan and Christian Porter's accuser in their high school debating days. (Supplied)

The woman's career never lived up to the huge promise she had shown.

The older she got, the more she struggled. She was diagnosed with bipolar disorder and had been hospitalised. She attempted suicide several times.

There's no way of knowing what caused her mental health problems.

Four Corners has been told that she [first sought help from a sexual assault counsellor in about 2013 and saw the counsellor about six times.](#)



The woman pictured later in life. (*Supplied*)

The counsellor has told Four Corners that she disclosed to her an allegation about a boy she referred to by his first name as Christian, who had been a fellow debater.

The woman reported her allegation to NSW Police in 2020 and police set up a strike force with a view to commencing an investigation into the historical allegation.

Ultimately, the COVID pandemic stymied her plans to make her formal statement to police.

She became very depressed and checked herself into a psychiatric clinic in Melbourne.



The woman struggled with her mental health before taking her own life. *(Supplied)*

The week after she left the clinic, she told police she did not want to proceed with the complaint.

The day after that, on June 24, at her home in Adelaide, she took her own life.

NSW Police subsequently closed the case, stating that there was insufficient admissible evidence to proceed with the investigation.

Last week, South Australia Police delivered their report on her death to the state's coroner.

The coroner released a statement saying that following media reporting, he regarded the investigation as "incomplete" and has asked for further investigations, after which he will decide whether to hold an inquest.

On Thursday, the woman's family also released a statement saying that they would support "any inquiry" into the circumstances surrounding her death.

Fellow debater Mr Deeble, who was with her on the night of the alleged rape, is also calling for an inquiry.

"Given the anguish felt by [her] family, Christian's rights and wellbeing and the further trauma reported by sexual assault survivors across the country, I believe the only way this can now be resolved is through an appropriately constituted independent inquiry to consider these matters."

Prime Minister Scott Morrison has given Mr Porter his full support and has refused to commission an independent inquiry.



The woman (right) and her friend Jo Dyer in their high school debating days. (*Supplied*)



Jo Dyer @instanterudite · Mar 10



".....a mere denial does not end the matter." Sharona Coutts on the flawed logic of those who hide behind the "rule of law", reminding us there's no right to hold high office.



As a witness in the Heydon inquiry I'm speaking out on why Porter sho...
An investigation into allegations against the Attorney-General would not
destroy the rule of law.

[smh.com.au](https://www.smh.com.au)



26



215



691



112

Jo Dyer Retweeted



Emma Dawson @DawsonEJ · Mar 14

...

"When a woman complains about a man's behaviour it is not just her word against his. It is her word against 2000 years of institutional sexism, 200-plus years of a male-dominated Australian justice system, and 100 years of mass media controlled by men".



PM's inaction on Christian Porter subjects dead woman to 'trial by med...
The PM's refusal to hold an inquiry has resulted in the media putting a
dead woman on trial, media and legal experts have said.

[the new daily.com.au](https://thenewdaily.com.au)

35

637

2.3K

113

Show this thread

Jo Dyer Retweeted



Joanna Mendelsohn

@oldlillipilli



[smh.com.au/national/forme...](https://www.smh.com.au/national/forme...)

Great news! #JustinGleeson #Porter #auspol



Former solicitor-general to defend ABC in fight with Christian Porter

In a major coup, Justin Gleeson, SC, will lead the ABC's defence in the defamation case filed against it by the Attorney-General.

[smh.com.au](https://www.smh.com.au)

7:16 PM · Mar 18, 2021 · Twitter for iPad

114

47 Retweets 4 Quote Tweets 246 Likes



Jo Dyer

@instanterudite



The number of areas of his portfolio from which Christian Porter has to recuse himself demonstrates how ludicrous it is he is clinging on to this role.

[#Insiders](#)

9:22 AM · Mar 21, 2021 · Twitter for iPhone

428 Retweets 14 Quote Tweets 2,120 Likes

115





Jo Dyer

@instanterudite



Aye!

 **Kyle Jacob "Bunny-Boy" de Boer** 🤝🐰 @Bababooie42 · Mar 21

All in favour of Christian Porter being placed on unpaid leave until he has finished his defamation suit and an independent inquiry is done into the allegations upon him, say "Aye"

[Show this thread](#)

8:43 PM · Mar 21, 2021 · Twitter for iPhone

8 Retweets 73 Likes

116



Jo Dyer

@instanterudite



Yes, appalling for Porter to be paid fulltime for part time work...but the point is more fundamental. Credible allegations that he perpetrated a serious crime remain completely untested beyond the PM asking him if they were true. Unacceptable. [#Insiders](#)

9:43 AM · Mar 21, 2021 · Twitter for iPhone

230 Retweets 2 Quote Tweets 838 Likes

117





Jo Dyer

@instanterudite



Distress ostentatiously displayed by Morrison, even as he warns media to "be careful" in their "glass houses". Good to see he's across the minutiae of complaints within News Corp if not the detail of a rape allegation against his Attorney General. #auspol

11:03 AM · Mar 23, 2021 · Twitter Web App

102 Retweets 2 Quote Tweets 518 Likes

118





Jo Dyer

@instanterudite



Replying to [@instanterudite](#)

Still. If it results in him seeking - and releasing and following - advice from the Solicitor General re Porter, and supporting quotas for women in the Liberal Party....good outcome.

11:05 AM · Mar 23, 2021 · Twitter Web App

3 Retweets **1** Quote Tweet **55** Likes



119





Jo Dyer

@instanterudite



In the last week, Porter has (a) forum shopped a defamation case against the ABC, (b) been caught lying about the S-G's medevac legislation advice, (c) appointed Mirabella to the Fair Work Commission & (d) still got rape allegations hanging over him. How good is our A-G? [#auspol](#)

5:50 PM · Mar 23, 2021 · Twitter Web App

114 Retweets 4 Quote Tweets 382 Likes

120





Jo Dyer

@instanterudite



Michael Bradley at [@marquelawyers](#) getting to the heart of things. [#auspol](#)

 **Crikey**  [@crikey_news](#) · Mar 24

The 'trial of the century' will give the attorney-general a chance to seek revenge for perceived wrongs. It will not do the same for Kate. by Michael Bradley [@marquelawyers](#) [#christianporter](#) [#RuleOfLaw](#)
[crikey.com.au/2021/03/24/por...](#)

5:49 PM · Mar 24, 2021 · Twitter Web App

8 Retweets 38 Likes

121



News Opinion Sport Culture Lifestyle



Australian politics

● This article is more than 1 month old

Scott Morrison urged to demote Christian Porter to backbench in cabinet reshuffle

Sarah Martin and Paul Karp

Fri 26 Mar 2021 07.49 AEDT

Friends of the deceased woman who made an allegation of rape against the attorney general, **Christian Porter**, say they will continue an independent inquiry into the case regardless of any imminent reshuffle, and have urged his demotion to the back bench.

The prime minister, Scott Morrison, who is expected to **strip Porter of his attorney general** and manager of government business role ministry this weekend, has indicated he is considering advice from the solicitor general about Porter's current duties.

Porter, who named himself as the subject of **a historical rape allegation from 1988**, has denied the allegation and has since launched **against the ABC** in the federal court.

On Thursday evening, Morrison signalled that Porter and the defence minister, Linda Reynolds, who is on medical leave for a heart condition, but confirmed on Channel Nine's A Current Affair they would both "continue to play a very important role in my cabinet"

Amid expectations that Porter will remain on the front bench in the forthcoming reshuffle, friends of the alleged victim say Morrison opportunity to launch an independent inquiry into the claims - [something the prime minister has stridently resisted](#).

“Talk is very cheap and that is all we have heard. Talk is not enough, we need to see some serious action,” Jo Dyer told Guardian Aus of the victim’s friends.

“We will not allow this issue to be managed away, it is not an issue for us, it is a dear friend who suffered greatly, so from our perspective that can be managed away.

“We will do everything that is in our power to ensure that this issue stays front and centre of our agenda and the political agenda ... so that the women of Australia think it can be managed away either.”

Dyer said she had been “hopeful” that Morrison’s change of tone on Tuesday might result in a shift in approach on the Porter case, but the attorney general portfolio did not go far enough.

“Obviously moving Christian Porter out of the attorney general role deals with a lot of the conflicts that he has because he has chosen proceedings ...but the fundamental question remains whether someone who has untested credible allegations of a serious crime has fit and proper person to hold high office. We would argue no.”

The reshuffle, expected on Sunday, is likely to see Michaelia Cash replace Porter as attorney general, while Porter could take over the employment portfolio.

Morrison is also likely to use the reshuffle to dump Reynolds from the defence portfolio after the Western Australian senator took sick leave [that former staffer Brittany Higgins was raped](#) by a colleague in her office.

Reynolds was forced to [apologise and pay compensation](#) to Higgins after calling her a “lying cow” in the weeks after the allegation public.

Reynolds has been on [medical leave for several weeks](#) and her defence position was coveted by others in the government long before she broke in February.

The home affairs minister, Peter Dutton, who has been acting as manager of government business, is expected to take on the defence portfolio - a factional ally of Morrison’s - is tipped to take on home affairs.

Reynolds could then take on Robert’s portfolio of government services.

In parliament on Thursday, Morrison defended his decision to keep Porter in cabinet, and praised Reynolds for her role in the defence.

“I am very confident about all of my members because they continue to perform in their roles,” Morrison said.

“I refer particularly to the minister for defence and the great role she has played in cabinet,” he said, referring particularly to her role in defence reservists in the aftermath of the 2020 bushfires.

Labor’s deputy leader, Richard Marles, questioned the speculated changes to the front bench, saying: “No matter what reshuffle the government announces, after eight long years, his ministers are beset by scandal.”

In Australia, the crisis support service Lifeline is 13 11 14. If you or someone you know is impacted by sexual assault, family or domestic violence, call 1800RESPECT on 1800 737 732 or visit www.1800RESPECT.org.au. In an emergency, call 000. International helplines can be found [here](#).

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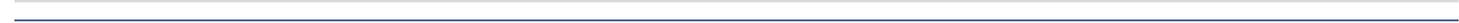
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Jo Dyer @instanterudite · Mar 29



As feared, NOTHING in relation to the credible rape allegations made against Christian Porter by our friend Kate has been addressed by this reshuffle. Due to Kate's tragic suicide, the ONLY investigation of the allegations to date has been:-

Morrison: Did you do it?

Porter: No.



19



308



1K



Jo Dyer @instanterudite · Mar 29



It is unacceptable. Porter must stand aside from ALL Ministerial responsibilities while a properly constituted investigation into the allegations occurs. If cleared, he can return to Cabinet. The failure to seek an inquiry begs the question: of what is the Government so afraid?



5



90



514



Jo Dyer @instanterudite · Mar 29



It is a stark demonstration of what Morrison REALLY believes about this pesky Woman Question that he keeps Laming in parliament and Porter in Cabinet. #auspol



6



85



415



126



Jo Dyer @instanterudite · Apr 12

...

"This is a matter for the NSW Police", says @ScottMorrisonMP of the rape allegations against his Cabinet Minister Christian Porter. Yet, thanks to @ShoebridgeMLC, we now know the opportunity to take Kate's statement was stymied by senior police on three separate occasions. 1/5

52

1K

2.8K



Jo Dyer

@instanterudite

...

Replying to @instanterudite

(1) Despite support of Detective Snr Constable Samantha Meredith, NSW Pol Child Abuse & Sex Crimes Squad investigation teams manager, DCI Mick Haddow, & Commander of the child abuse and sex crimes squad John Kerlatec, Dep Cmr David Hudson denied a request to travel to SA. 2/5

1:46 PM · Apr 12, 2021 · Twitter for iPhone

191 Retweets 6 Quote Tweets 720 Likes



Jo Dyer @instanterudite · Apr 12

...

Replying to @instanterudite

(2) Kate's request to have her statement taken via Skype was declined by NSW Police. 3/5

1

174

721



Jo Dyer @instanterudite · Apr 12

...

(3) An offer by the SA Police to take Kate's statement on behalf of the NSW Police was also declined - without consulting Kate. 4/5

7

198

793



Jo Dyer @instanterudite · Apr 12

...

Why? And - given the above - how can the PM say the matter has been resolved by the NSW Police? It is more vital than ever that there is an independent inquiry into the allegations against Mr Porter, and the decisions taken by the NSW Police in relation thereto. #auspol 5/5

23

326

1.4K





Jo Dyer

@instanterudite



Christian Porter's defamation action was touted by his lawyers as a substitute for the Inquiry We Didn't Get to Have when the PM refused to read the allegations against him and senior NSW Police rejected the opportunity to take Kate's statement on three separate occasions. 1/4

7:51 PM · May 6, 2021 · Twitter Web App

627 Retweets 45 Quote Tweets 1,968 Likes



Jo Dyer @instanterudite · May 6



Replying to @instanterudite

Despite a defamation case always being an inappropriate forum for such serious criminal allegations to be tested, in the absence of anything else, we thought: "Oh well...bring it on.". 2/4

5

120

793



Jo Dyer @instanterudite · May 6



Now his lawyers are trying to prevent swathes of the defence evidence from being presented to their vaunted inquiry at all, which rather undermines their earlier argument that this would be a rigorous test of all evidence against their client. 3/4

7

180

1K



Jo Dyer @instanterudite · May 6



They are trying to prevent further batches of evidence from being made public, leading one to wonder what their client has to hide. Extraordinary but ultimately completely unsurprising tactics. #auspol #porter 4/4

20

216

1.3K



128



13 May 2021

Statement on behalf of Jo Dyer

On 15 March 2021, Jo Dyer was made aware that Sue Chrysanthou SC had accepted a brief from Christian Porter to represent him in his defamation proceedings against the ABC.

On the same day (15 March) through her solicitors Marque Lawyers, Ms Dyer expressed her objection to Ms Chrysanthou acting for Mr Porter, on the basis of an alleged conflict of interest. Her solicitors have been in continuous correspondence with Ms Chrysanthou's solicitors since that date, attempting in good faith to resolve this dispute without the need for court proceedings.

Those attempts having failed, Ms Dyer commenced proceedings against Ms Chrysanthou in the Federal Court on 10 May.

Any suggestion that Ms Dyer has not acted in a timely manner or not in good faith is false.

Ms Dyer will not be making any further public comment on the matter.

Michael Bradley
Managing Partner
Marque Lawyers

Email: michaelb@marquelawyers.com.au
Phone: 0419 610 016

I was mentioned in The Australian and The Adelaide Advertiser this week, and I am referred to in Kate's unsworn statement and the extracts from her diaries. I continue to be repeatedly contacted by numerous journalists seeking public comment, and in response, I make the following personal statement. But beyond this, I have no further public comment at this time.

I continue to be devastated by the untimely death of my very dear friend Kate, and I am enormously concerned for the privacy and dignity of Kate's family. I am also concerned for the well-being of Christian Porter. I have known all of them for approximately 30 years. We all find ourselves at a very upsetting time.

Mine is just one set of recollections, and I am aware of the fallibility of human memory, however unintentional. That said, I have what I consider to be clear recollections of relevant discussions I had with Kate over the years from mid-1988 until her death. I also have what I consider to be clear recollections of relevant discussions I had with Christian Porter from April 1992 in Perth and through the mid-1990s.

The NSW Police have determined that a criminal prosecution is not possible in this case. I made myself known to the NSW Police after Kate's death and I understand why they were unable to interview me.

In relation to any criminal prosecution, Christian Porter was manifestly and appropriately entitled to the presumption of innocence – it is essential to the rule of law.

In relation to any investigation of the important non-criminal aspects of this matter, I support an inquiry, like either that conducted by three retired eminent judges after Justice Lionel Murphy was acquitted of charges or that conducted by Dr Vivienne Thom into allegations about Justice Heydon. I am willing to testify under oath at any appropriately convened inquiry.

While I fully support the freedom of the press, I do not believe that the media is the optimal forum in which to investigate a situation of this sensitivity and significance.

News Opinion Sport Culture Lifestyle



Australian politics

• This article is more than 2 months old

Friend of Christian Porter's accuser says he has 'clear recollections' of 'relevant discussions' with Porter

Amy Remeikis and Katharine Murphy

Fri 12 Mar 2021 20:07 AEDT

A longtime friend of the woman who alleged she was raped by the federal attorney general, [Christian Porter](#), as a teenager has said he has “clear recollections” of “relevant discussions” with Porter from at least 1992.

The revelation prompted the NSW police commissioner, Mick Fuller, to say he would re-examine the case. Porter has [denied the allegations](#) “happening”.

Macquarie Bank managing director James Hooke released a statement on Friday afternoon as someone who had known Porter’s accuser for over past 30 years.

Hooke said the woman, who he considered to be a “very dear friend”, and he had “relevant discussions” about the event from “mid 1990s onwards”. Hooke also recollected speaking with Porter from 1992 onwards.

Hooke said in a written statement: "I continue to be devastated by the untimely death of my very dear friend and am concerned for the privacy and dignity of [her] family. I am also concerned for the well-being of [Christian Porter](#). I have known all of it 30 years. We all find ourselves at a very upsetting time.

"Mine is a just one set of recollections and I am aware of the fallibility of human memory, however unintentional. That said, I have v recollections of relevant discussions I had with [the woman] over the years from mid-1988 until her death.

"I also have what I consider to be clear recollections of relevant discussions I had with Christian Porter from April 1992 and through Fuller told a NSW budget estimates hearing on Friday he would re-examine the case in light of Hooke's statement.

Asked by state Greens upper house MP David Shoebridge whether he would look to reopen the investigation, Fuller said he was "mc into it".

"I know it's a matter of Australian significance," the police commissioner said.

"I'm not going to say here on the record that we're reopening the case but I'm more than happy to talk to deputy commissioner, [Da through the chain of command to ensure all the information has been properly assessed in terms of [deciding] that there's not enou to go forward."

But while Fuller said he was "always open to new investigations" he cautioned that although it was not impossible to prosecute a se the alleged victim "in reality it just wouldn't happen".

A spokesman for Porter declined to comment on the Hooke statement, saying: "As noted at his press conference on 3 March, the attc medical leave. He does not propose to comment further."

In his press conference, where he identified himself as the cabinet minister accused of a historical rape, Porter said he was first mad dinner with a friend in November 2019.

While maintaining specific allegations had not been put to him, and he did not read the letter or statement sent to Morrison by the w said he first became aware of "rumours" last November.

"There was a very old friend of mine, whom I had dinner with, and she had said to me that a group of people were spreading a rumo way offended against the person 33 years ago," he said.

Porter said the suggestion was put to him "just in the vaguest terms". He said he did not have contact with the v the allegation since the late 1980s.

Asked whether he had sought contact with her indirectly, Porter replied: "No."

Hooke said he had made himself known to NSW police after his friend's death.

"In relation to any criminal prosecution, Christian Porter was manifestly and appropriately entitled to the presumption of innocenc rule of law," he said.

"In relation to any investigation of the important non-criminal aspects of this matter, I support an inquiry, like either that conductec eminent judges after Justice Lionel Murphy was acquitted of charges, or that conducted by Dr Vivienne Thom into allegations about

"I am willing to testify under oath at any appropriately convened inquiry.

"While I fully support the freedom of the press, I do not believe the media is the optimal forum in which to investigate a situation of significance."

Another close friend of the woman who made the allegations, who had accompanied her to make a statement with New South Wale had previously told Guardian Australia that Porter had dined with the woman "in the 1990s".

Porter has said he knew the woman for "the briefest periods at debating competitions when we were teenagers"

The attorney general twice suggested he had not seen the alleged victim since 1988 "to the best of my recollection". A later stateme was "not impossible" there had been "some form of contact in the early-1990s".

The spokesperson added: "But the attorney general does not recollect any specific contact since 1988 in that period over three decac

The prime minister, Scott Morrison, has [resisted calls to hold an inquiry](#), saying it would damage Australia's "rule of law".

[Business and legal experts](#), including the former solicitor general [Justin Gleeson](#), have said there would be no issue holding an inde

NSW police has publicly said on numerous occasions [it did not investigate the matter, as the woman died before she made a formal s](#) her complaint the day before it learned of her death. The woman had told police she felt unable to continue because of personal and

In Australia, the crisis support service [Lifeline](#) is 13 11 14. If you or someone you know is impacted by sexual assault, family or don 1800RESPECT on 1800 737 732 or visit www.1800RESPECT.org.au. In an emergency, call 000. International helplines can be found v

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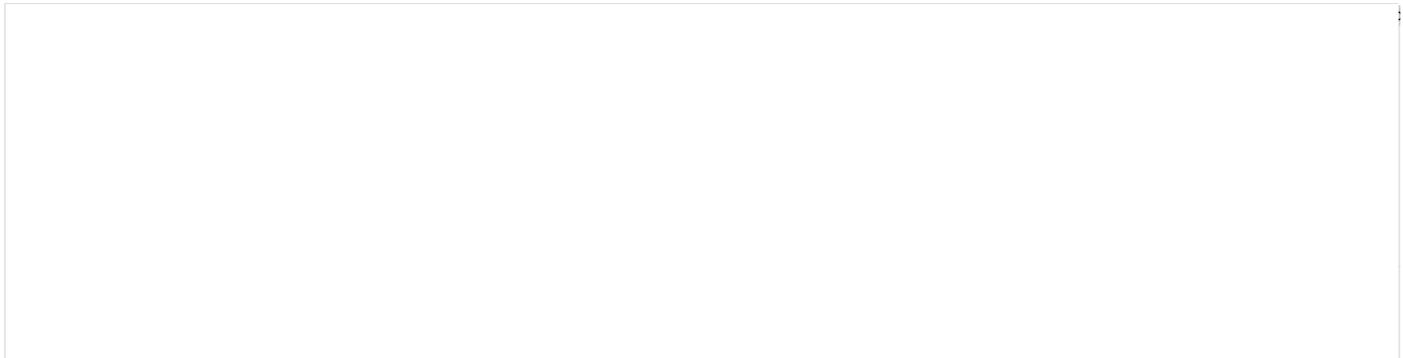
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VISA





national  politics

Ex-boyfriend of Christian Porter's accuser reveals new details about alleged rape discussions

An ex-boyfriend of the woman who accused Christian Porter of rape, claims he denies, has revealed new details and called for an investigation.



Samantha Maiden  [samanthamaiden](#)

MARCH 12, 2021 4:31PM

Video

Image

The family of the woman who accused Attorney-General Christian Porter of raping her when she was a teenager want an independent inquiry held. So with...

A former boyfriend of the Adelaide woman who accused Attorney-General Christian Porter of an alleged rape has revealed for the first time that she had relevant discussions with him in 1989, the year after the alleged incident, and is calling for an independent investigation into the matter.

In a statement detailing his contact with the woman in th [MORE IN POLITICS](#)



Australia's plan to wipe out massive debt



Australia's only way to stay COVID free



Push for half-price airfares to continue



'Bloody-minded': Hanson unleashes on PM

134

name has been withheld at the request of the family, told him in 1999. But it suggests the discussions came in stages.

In the statement provided to news.com.au, he notes that he is the man referred to as "James" in the woman's unsworn statement and the extracts from her diaries.

He also claims that he had relevant discussions with Mr Porter about his relationship with the woman in 1992 in Perth and subsequently. Mr Porter strenuously denies the rape allegation.

"I continue to be devastated by the untimely death of my very dear friend, and I am enormously concerned for the privacy and dignity of her family," Mr Hooke said.

"I am also concerned for the wellbeing of Christian Porter. I have known all of them for approximately 30 years. We all find ourselves at a very upsetting time.

"Mine is just one set of recollections, and I am aware of the fallibility of human memory, however unintentional.

"That said, I have what I consider to be clear recollections of relevant discussions I had with her over the years from mid-1988 until her death.

"I also have what I consider to be clear recollections of relevant discussions I had with Christian Porter from April 1992 in Perth and through the mid-1990s."

RELATED: [Key doubts over Porter accuser's story](#)



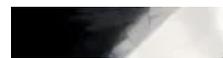
James Hooke is a senior managing director with Macquarie Group. Picture: Supplied Source: News Corp Australia

Mr Hooke, a trained lawyer, is a senior managing director with Macquarie Group. He is a former CEO of the \$5 billion Macquarie-managed Australian Stock Exchange listed toll road company, Atlas Arteria.

He is also a former Chief Executive Officer of the Macquarie Infrastructure Corporation, based in New York. He has also served in various positions with Fairfax Media Limited (now part of Nine Entertainment Co.), Bain & Company management consultants, and Phillips Fox Solicitors.

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The NSW Police have determined that a criminal prosecution is not possible in this case. I made myself known to the NSW Police after her death and I understand why they were unable to interview me," Mr Hooke said.

"In relation to any criminal prosecution, Christian Porter was manifestly and appropriately entitled to the presumption of innocence – it is essential to the rule of law.

"In relation to any investigation of the important non-criminal aspects of this matter, I support an inquiry, like either that conducted by three retired eminent judges after Justice Lionel Murphy was acquitted of charges or that conducted by Dr Vivienne Thom into allegations about Justice Heydon. I am willing to testify under oath at any appropriately convened inquiry."

RELATED: PM backs inquest into alleged Porter rape



Christian Porter photographed with his accuser on the night of the alleged incident. Porter strenuously denies any wrongdoing. Picture: Supplied Source:ABC

Mr Hooke also suggests that if the [Prime Minister was to reconsider his opposition to an independent inquiry](#), it would provide a circuit breaker to the "trial by media" that Mr Porter has complained of in his press conference.

"While I fully support the freedom of the press, I do not believe that the media is the optimal forum in which to investigate a situation of this sensitivity and significance."

In her diaries that are attached to her unsworn affidavit that were sent anonymously to the Prime Minister, the accuser discusses whether to tell "James" about the alleged rape in 1991. She said she had been in a relationship James with previously.

"How can I tell this tale?" she writes in her diary in January 1991. "Who to? James — maybe ... if we ever get back together."

News.com.au put Hooke's statement to Mr Porter for comment, and a spokesperson said: "As noted at his press conference on 3 March, the Attorney-General is on medical leave. He does not propose to comment further."

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suicide in June, 2020 and her family home.

After Strikeforce Wyndarra was formed to investigate the claims, Commissioner Fuller said he did not alert the Morrison Government or any other politicians.

“I made no contact personally with anyone outside of the organisation in relation to it. I had a very high level discussion with Deputy Commissioner David Hudson. But at that stage, the, the, the lady was unsure in terms of what action she wanted,” he said.

“Absolutely, from my perspective 100 per cent zero contact.

“A historic sexual assault, statement is one that is extremely complicated. It is not a simple statement. It is not something that you would do justice, taking it over the phone. And there’s still the challenge of putting it in a statement admissible form and sending that and having it sign, which could possibly be done. But, they are complex investigations, as we know, and you really need to ensure that the alleged victim statement is at its strongest to stand the test of possible scrutiny.”

RELATED: [Two major questions in Porter claims](#)

Attorney-General Christian Porter has strenuously denied the rape allegations. Picture: Paul Kane/Getty Images Source:Getty Images

Commissioner Fuller has previously indicated it is extremely difficult, almost impossible, to investigate such matters after the complainant dies.

“The alleged victim no longer wanted to proceed which is not unusual in these matters,” he said. “It takes enormous courage for people to come forward and it is a very challenging journey on the just through the justice system for victims. And it’s not unusual for victims to, even after they’ve given a statement, to withdraw their complaint in those matters.

“We always follow what the victim wants so that doesn’t mean we still don’t apply victim care and welfare services. It’s not that the journey finishes but unfortunately in this case and tragically she took her life the next day.”

Commissioner Fuller said as a broad approach, the NSW police were “pro-prosecution”

“I would say to you and I’ll give you these figures, I think we have of the 100 per cent of complaints we get of adult sexual assault are able to proceed on 10 per cent. And I think we win 10 per cent of those at trial right.

“So it is hard, and it’s a hard journey for the victim, it’s only often when you have other evidence, forensic independent witnesses who almost saw the crime that we are able to secure conviction. And I think I said this in the media is that I understand the interest in this but don’t let it be lost on what we need to change is the journey for victims in the justice system.”

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Beyond Blue: 1300 22 4636 or [beyondblue.org.au](https://www.beyondblue.org.au)

Beyond Blue's coronavirus support service: 1800 512 348 or [coronavirus.beyondblue.org.au](https://www.beyondblue.org.au/coronavirus)

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Politics

Politician, dob in thymself: Christian Porter's batshit crazy idea to tackle federal corruption

Standing next to any state anti-corruption body, the powers and reach of the federal government's proposed Commonwealth Integrity Commission are deeply, deeply embarrassing.



BRIDGET MCKENZIE AND ANGUS TAYLOR (IMAGES: AAP/LUKAS COCH; AAP/MICK TSIKAS)

The Morrison government's 363-page draft law to create a Commonwealth Integrity Commission (CIC) is finally out, almost a year after Attorney-General Christian Porter received it from his department. Must've been a lot of typos.

Porter also announced there would be a leisurely six months of consultations on the bill, ostensibly because it's all so hard, kicking the can so far down the road that it's unlikely to turn into an actual law before the next election. One really gets a sense of urgency from the government on this.

The draft bill is massive, but let's apply a simple test to its provisions — how, if at all, would it deal with these random specks of federal dirt:

- Angus Taylor and the allegedly doctored Sydney Council document
- Bridget McKenzie and the sports rorts affair
- Alan Tudge's imprisonment of an asylum seeker in defiance of court orders
- (And if she'd been a federal minister) Gladys Bereiklian's non-intimate relationship with



his first policy: Scott Morrison's No. 1 value is putting the country rotting the head down

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The first question is how an allegation of corrupt conduct can get in front of the CIC. Well, when the person who committed that conduct is a member of federal Parliament, the only person who has the legal power to refer the allegation to the CIC is — wait for it — that member of parliament.

Nobody else — including other MPs — can do so. The CIC itself has no power to institute an investigation in these circumstances.

But that's not all. The MP who is considering referring themselves to the commission for investigation can only do so if they reasonably suspect that they have committed an offence relating to the corrupt conduct.

The bill makes it explicitly clear that, for the CIC's purposes, an MP's conduct can only be defined as "corrupt" if it involves abuse of their position or perverting the course of justice, and it constitutes a "listed offence". The list is quite long, and includes things like theft of Commonwealth property, bribery and fraud, so that's fine.

However, we are a million miles short of the sort of jurisdictional reach that other anti-corruption bodies like ICAC have. Berejiklian's boyfriend Maguire is squarely in the ICAC trap over his

“intimate” relationship with Berejiklian, then she’d be within ICAC’s reach as well.

Translating that scenario to the CIC context (assuming they were both federal MPs), Maguire could only have become the subject of investigation if he had come to the view that he had probably committed a crime while also abusing his office, and decided he should refer himself for investigation. Berejiklian likewise.

The same would apply to Taylor, McKenzie and Tudge. In Tudge’s case, the conduct [of which he has been accused](#) by a Federal Court judge (wrongful imprisonment, possibly kidnapping and possibly a criminal contempt of court) is not a listed offence, so he couldn’t refer himself to the CIC even if he considered that his flagrant disobedience of the AAT and Federal Court was a perversion of the course of justice.

But let’s say an MP does refer themselves to CIC, having personally concluded that they’ve been corrupt or committed a crime. Before the integrity commissioner can investigate the matter, he or she must also reasonably suspect that the relevant criminal offence has been committed. Mere corruption is not enough.

If the investigation proceeds, it is done in secret. If there is a hearing, it is done in private. If the CIC finds that the member of parliament has engaged in corrupt conduct, it cannot include that finding in its report. All it can do is refer the evidence it’s

And that, so far as members of federal Parliament are concerned, is that. Rather a long way around for what could have been just sent to the cops in the first place.

The comparison between this proposal and ICAC (or any other state's equivalent) is embarrassing. It is more than obvious that there is no intention on the government's part to push MPs towards the risk of public exposure or even prosecution if they are corrupt.

The CIC bill deals a harsher hand for Commonwealth public servants (although they too are protected from publicly known adverse findings) and law enforcement officials. However, it is only the latter who are made subject to public hearings.

There is much to explore in the draft, and it will be picked over by everyone. However, it is fair to already say, given that the impetus for a federal anti-corruption body with real teeth is coming almost entirely from public revulsion at the way our MPs have been behaving, that this proposed law has fallen at the first hurdle.

ABOUT THE AUTHOR

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Porter's and Tudge's positions are so untenable now, we can confidently predict that they will definitely keep their jobs.

9:44 PM · Nov 9, 2020 · Twitter for iPhone

126 Retweets **15** Quote Tweets **683** Likes



144





marquelawyers @marquelawyers · Nov 9, 2020



What does the Scott government think the ABC is going to do, pull 4Corners because they're having a public dummy spit two hours before air-time? Their tantrum is reminiscent of a certain orange man-baby across the Pacific.

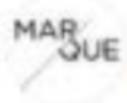


Tom McIlroy  @TomMcIlroy · Nov 9, 2020

Breaking: ABC chair Ita Buttrose told managing director David Anderson a ministerial staffer contacted a member of the ABC board about tonight's Four Corner investigation into breaches of the ministerial code of conduct #estimates [twitter.com/TomMcIlroy/sta...](https://twitter.com/TomMcIlroy/status/1324888888888888888)

145





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His legal options are sue, or don't sue. If he sues, he'll want to be careful about the imputations he pleads, because he could be opening a very wide door. The perennial defamation plaintiff's dilemma. Most likely result: he won't sue.

 **Samantha Maiden**  @samanthamaiden · Nov 10, 2020

Christian Porter hits back at 'totally false' claims aired on Four Corners
[news.com.au/entertainment/...](https://news.com.au/entertainment/)

9:39 AM · Nov 10, 2020 · Twitter Web App

146

3 Retweets 23 Likes



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The distinction between private affairs and (a) public hypocrisy and (b) abuse of power, both of which are matters of legitimate public interest, is not difficult to understand. The [#4Corners](#) story was in the public interest.

9:46 AM · Nov 10, 2020 · Twitter Web App

52 Retweets 8 Quote Tweets 231 Likes

147





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ABC even does clickbait in an adorably dorky way

 **ABC News**  @abcnews · Nov 10, 2020

Nudist who smeared fake semen on neighbour's garage avoids jail
abc.net.au/news/2020-11-1...

5:34 PM · Nov 10, 2020 · Twitter Web App

4 Likes

148





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Just so we're all clear, you could stay in Scott's ministry if it turned out that you'd murdered your grandmother, provided you did it before Scott became PM.

5:17 PM · Nov 10, 2020 · Twitter Web App

31 Retweets **5** Quote Tweets **212** Likes

149





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Shocked to learn that Scott intends doing absolutely nothing about Porter and Tudge. Shocked.

12:37 PM · Nov 10, 2020 · Twitter Web App

37 Retweets **6** Quote Tweets **214** Likes



150





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Remind us again which gender is wrecking the joint?



9:52 AM · Nov 11, 2020 · Twitter Web App

22 Retweets 2 Quote Tweets 138 Likes



151

↻ marquelawyers Retweeted



Julia Banks @juliahbanks · Nov 16, 2020



The abuse of Power continues: The cover ups. The spin. The "see nothing ,do nothing approach.The double standards. The misogyny & sexism. And this image 🗨️ All so #TrumpesqueMorrison @4corners @Milliganreports @WomensAgenda



152



↻ 11

♡ 28





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Alan Tudge remains in his job. The boys' club has sealed the doors shut.

 **Louise Milligan**  @Milliganreports · Nov 16, 2020

BREAKING: Want to know why our @4corners story in public interest? Want to know why women silenced? Here's why: @RachelleJMiller due to start new job w Defence contractor today. She arrived & they said they "need more time to consider" her contract given media appearance. #auspol

[Show this thread](#)

10:44 AM · Nov 16, 2020 · Twitter Web App

153

90 Retweets 8 Quote Tweets 366 Likes



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He went there. No pit too low for Scott.



Samantha Maiden  @samanthamaiden · Feb 18

Here we go: PM has just wanted Labor that they should not pretend issues of sexual assault and harassment are confined to the Liberal Party

2:51 PM · Feb 18, 2021 · Twitter Web App

154

7 Retweets 1 Quote Tweet 34 Likes



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ABC News  @abcnews · Feb 26



PM, senators and AFP told of historical rape allegation against Cabinet Minister



Cabinet Minister accused of rape in letter sent to Scott Morrison, senat...
The AFP have been notified after Prime Minister Scott Morrison and two senators received a letter detailing an allegation of historical rape ...

 abc.net.au

155



31



120



219





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There are 16 male cabinet ministers in the Morrison government. One is accused of rape. The open and wild speculation is defaming all of the others and doing nothing to respect the deceased victim. This is not a parlour game.

2:44 PM · Feb 27, 2021 · Twitter Web App

163 Retweets **13** Quote Tweets **825** Likes



156





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Yes but as he knows the AFP will not be investigating this matter, and there will never be a criminal prosecution. The government has taken all weekend to work out how to respond to this, and this attempt is not going to fly.

 **Josh Butler**  @JoshButler · Mar 1

deputy Liberal leader Josh Frydenberg on cabinet rape allegations: "the focus has to be now on process.. [the AFP] reemphasises the need for these matters to be in the hands of authorities"

"everybody, including the cabinet minister, is entitled to the presumption of innocence"

[Show this thread](#)



11:43 AM · Mar 1, 2021 · Twitter Web App

64 Retweets 5 Quote Tweets 189 Likes



157



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The Prime Minister's position is that he heard a rumour that one of his cabinet ministers is an alleged rapist. He hasn't investigated further or asked any questions but the alleged perpetrator has denied it and that, the PM said, is the end of it.

3:30 PM · Mar 1, 2021 · Twitter Web App

358 Retweets **33** Quote Tweets **1,075** Likes

158

The Sydney Morning Herald

Exclusive Politics Federal [Federal politics](#)

PM should sideline cabinet minister over rape claim, says accuser's lawyer



By [David Crowe](#)

March 1, 2021 – 5.00am

The lawyer for the woman who accused a federal cabinet minister of a 1988 rape says Prime Minister Scott Morrison should sideline the minister while authorities investigate, as a new letter about a Labor MP escalates claims about sexual assault.

A debate over whether to name the minister intensified late on Sunday when claims Victorian Liberal Senator Sarah Henderson said she had been told of an alleged rape by a Labor MP and had forwarded the claim to the Australian Federal Police.



Liberal senator Sarah Henderson. ALEX ELLINGHAUSEN

Senator Henderson did not name the MP but said she had received an email from a woman on Sunday afternoon that alleged the rape. She gave no further details of what was contained in

the letter.

Marque Lawyers partner Michael Bradley said the cabinet minister should stand aside because his integrity was in question and the alleged crime cast a shadow over the entire government.

But Mr Morrison rejected calls for the man's resignation or a special inquiry into the events of three decades ago, arguing the code of conduct for ministers only required someone to step aside if and when police laid charges.

Health Minister Greg Hunt warned against speculation about the cabinet minister's identity by citing advice from the Australian Federal Police about the risk to an investigation from public commentary on a case.

Former prime minister Malcolm Turnbull revealed on Sunday he and his wife, Lucy, had received a letter from the woman at the end of 2019 with details of the alleged crime.

Mr Turnbull said the woman had described a "pretty horrific rape" and said she had kept extensive diaries, which he thought might be produced at any coronial or other inquiry.

The woman who accused the cabinet minister told NSW Police early last year she had been raped by the man in January 1988, when she was 16. She had not made a formal statement when she returned home to Adelaide, where she took her life in June, leading the police to suspend their investigation.

South Australian Police are preparing a report for the state coroner amid an intense debate over the publicity given to the woman and her claims after the ABC revealed an anonymous letter about her case on Friday.

Labor leader Anthony Albanese said Mr Morrison faced a "test" over whether to hold an investigation or ask the minister to step aside.

"It's his responsibility – he solely appoints the cabinet. He must assure himself that it's appropriate that the current make-up of the cabinet can continue," he said.

The Labor leader did not say the cabinet minister should step aside, resign or be removed.

Mr Bradley, who founded Marque Lawyers and acted for the woman at the time she made her complaint to police, said the minister should step aside during the investigations due to questions of integrity, not necessarily the law.

"I think he will have to stand aside, at the moment at least, because he's been accused of such a grave crime," Mr Bradley said.

"It's untenable for him not to, I would think. It's not really a legal question, it's a question of propriety.

"It goes to his ability to do his job. It's necessary that his integrity is not under serious question.

"And it's about the integrity of the entire government – whether it can carry on with a cloud this huge hanging over it."

With the NSW Police investigation on hold after the woman's death, defenders of the cabinet minister argued he could not get a fair hearing given the case would not go to trial.

An independent investigation would also encounter problems because NSW Police do not have a formal statement from the woman, the usual step when a complainant is interviewed and signs the document.

The cabinet minister has not been named by police nor the media and his office did not respond to a request for comment on Sunday.

The debate over the minister's past began after the ABC reported on Friday night that friends of the woman had sent an anonymous letter that day to Mr Morrison, Labor Senator Penny Wong and Greens Senator Sarah Hanson-Young.

Australian Federal Police Commissioner Reece Kershaw wrote last week that disseminating allegations in the media "risks prejudicing" any police investigations.

Mr Hunt said this meant public commentary on the 1988 case was "strongly discouraged" and "not an appropriate pathway" under the AFP advice.

The Sydney Morning Herald and *The Age* asked the Prime Minister's office whether the cabinet minister would be stood aside and, if not, what the grounds were for keeping him in his job while inquiries continued.

Mr Morrison's spokesman said the ministerial code of conduct said ministers should stand aside if and when they are charged with a crime.

The code, however, also gives the Prime Minister discretion on the matter.

"Ministers must accept that it is for the Prime Minister to decide whether and when a minister should stand aside if that minister becomes the subject of an official investigation of alleged illegal or improper conduct," it says.

"Ministers will be required to stand aside if charged with any criminal offence."

Greens leader Adam Bandt called for a federal inquiry into the matter and for the minister to step aside.

"If the Prime Minister doesn't at least stand this man aside while he conducts his own inquiry, then he's sending the terrible message there is space in his cabinet for someone with an unresolved rape accusation," he said.

The *Herald* and *The Age* have not seen the anonymous letter but it is said to ask for an inquiry similar to the one launched by High Court Chief Justice Susan Kiefel in 2019 into former judge Dyson Heydon. The review found he had sexually assaulted six young women.

Senator Wong said she had first become aware of the allegation when she spoke to the woman in Adelaide in November 2019.

National Sexual Assault, Family & Domestic Violence Counselling Line: 1800 737 732. Crisis support can also be found at Lifeline: (13 11 14 and lifeline.org.au) and beyondblue (1300 22 4636 and beyondblue.org.au).

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David Crowe



David Crowe is chief political correspondent for The Sydney Morning Herald and The Age.

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‘The victim was my client and I know who the minister is.’ Here’s what should happen next

Political calculation may continue to determine how Morrison and his colleagues respond. Yet it's not too late for them to do the right thing.

MICHAEL BRADLEY MAR 01, 2021  153



Note: this article discusses suicide and sexual assault.

As matters stand today, the prime minister has, among the 16 male members of his cabinet, a senior minister who is accused of raping a 16-year-old girl in 1988. I'll put this upfront: The victim was my client, and I know who the minister is. My commentary is based purely on what's on the public record.

The question confronting Morrison, his cabinet ministers, his outer ministry and his entire government is politically explosive but ethically straightforward. What should they do?

As a legal fact, it is theoretically possible for a criminal rape prosecution to proceed despite the alleged victim having died. As a reality, that won't happen. The evidentiary burden on the prosecution and the legal protections afforded the alleged perpetrator cannot be bridged.

The coronial inquest into the victim's tragic death is unlikely to address (and cannot resolve) her allegation of rape. Its purpose is to determine the cause of her death.

In simple terms, there is no ordinary legal process which is going to move forward the case.

That leaves a situation which is untenable: a senior cabinet minister under the cloud of an untested allegation of extreme gravity.

The political consequence is paralyzing: the

bench is in question. There is no possibility of clear air.



**ous one minute,
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ator?**

ad More

Political calculation may continue to determine what Morrison and his colleagues do (as it consistently has in relation to Brittany Higgins' alleged rape). However, it is not too late for them, collectively or individually, to consider what would be the right thing to do.

The first obvious step is for the minister who is the subject of the allegation to come forward, identify himself and make a public statement. He should also step down – or be stepped down – while the matter is formally addressed.

Secondly, the prime minister should institute an independent inquiry into the matter, to fully investigate the allegation and its surrounding circumstances, and determine on the civil standard of proof what happened. This is similar to what the High Court did in response to the allegations against Justice Dyson Heydon.

Given the seriousness of the allegation and the potential consequences, such an inquiry needs to have real substance. A judicial inquiry may be most appropriate, with powers to compel witnesses and take evidence on oath. It should not be internal, secret or capable of being buried. In

It is of course not optimal that there will never be a determination of criminal guilt in this case, from the perspective of the victim, the accused, and the public. The unavailability of that resolution, however, forces us to make do with the remaining available tools.

What if the cabinet minister remains silent? Then the prime minister must step up and make the identification himself.

What if he doesn't, and refuses to institute an inquiry at all, relying instead on the presumption of innocence as a sufficient justification for doing nothing?

That scenario would be untenable, I would hope, for the other members of the cabinet. How could they continue, their own reputations smeared, and one of their colleagues carrying on with the allegation left hanging? They should resign their commissions.

The same cascading collision of corporate and individual responsibility rolls all the way to the bottom of the government. It is ultimately a personal question of integrity and ethics: with what standard of unaccountability are you prepared to be associated?

It's one thing to sit in cabinet, the ministry, or the party room with colleagues who have no apparent compunction about using public money for partisan gain. It is quite another to sit next to a man who is accused of raping a schoolgirl but

If this were rugby league, the player would have been stood down by now. That is because the integrity of the “game” is paramount, taking precedence over the rights of the accused. Can we seriously tolerate a lower standard in government than in sport?

If you or someone you know is impacted by sexual assault or violence, call 1800RESPECT on 1800 737 732 or visit 1800RESPECT.org.au.

For anyone seeking help, [Lifeline](#) is on 13 11 14 and [Beyond Blue](#) is 1300 22 4636

ABOUT THE AUTHOR

Michael Bradley



CRIKEY COLUMNIST

[@MARQUELAWYERS](#)

Michael Bradley is a freelance writer and managing partner at Sydney firm Marque Lawyers, which was created in 2008 with the singular ambition of completely changing the way law is practised.

TOPICS

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Australian politics

● This article is more than **2 months old**

'She was a very credible person,' says friend of woman who claimed minister raped her

Katharine Murphy *Political editor*

✉ @murpharoo

Mon 1 Mar 2021 21.35 AEDT

Jeremy Samuel says he met the woman who has alleged she was raped by a cabinet minister in January 1988 during that same year.

"I was her friend," Samuel told Guardian Australia on Monday. "I just want to say that my friend was an incredibly smart, witty, talented woman."

Samuel and the woman met in [Brisbane](#) when they were high-achieving teenagers with shared interests, and kept in touch for three years. She first revealed the historical rape allegation to him in June 2019, a year before her death. "Not just her death but a lot of events of her life," he said.

June 2019 seems to have been a tipping point for the woman, who started confiding in a number of old friends around that time. Guardian Australia has spoken to a number of associates who recount similar stories of a woman processing a trauma.

"She clearly was extremely distressed, she was obsessed about these events," Samuel said. "I think she said [the George Pell case](#) had the fore for her, and she went back through old diaries."

"I knew she'd reported [the assault] in New South Wales [to the police] and she felt she'd been given a very good hearing," he said.

Asked if he believed the woman's allegations when she confided in him, Samuel said this: "I believe that she absolutely believed the Everything she said was coherent and congruous.

"She never contradicted herself. She never changed facts or anything. She was a very credible person. She had some mental health c not psychotic, she was angry and hurt.

"She was very lucid and very cogent. I'm being a bit nuanced - do I know if it is actually true? I wasn't there.

"But is she credible, was she lucid, did she want this to be made public? Yes, yes and yes. Does it ring true? Absolutely. I never once g talking out of delusion."

Scott Morrison told reporters on Monday he had spoken to the minister about the allegations. Morrison said [the minister "vigorously claims](#)". The prime minister said investigating the allegations is a "matter for the police".

The claim was put to the prime minister in a letter sent to him last week from friends in whom she had confided. That letter was also senator Penny Wong and the Greens senator [Sarah Hanson-Young](#).

Guardian Australia has seen a copy of that letter, and a copy of a separate statement from the woman prepared for sent to Morrison includes a detailed account of events, and it references diary entries from the years following the alleged assault. The abridged version of a longer statement that Guardian Australia has not seen.

The woman's statement says she first met the man who went on to serve as a cabinet minister in 1986. They met again the following is said to have occurred in January 1988 in Sydney, when both were teenagers.

Recounting the events leading up to the alleged assault, the woman says she ironed a shirt for the now cabinet minister in preparation alleged to have said to her that she "would make someone a wonderful wife one day" because she was "so smart and so pretty" and housewife things". According to the statement, the young man is said to have flagged interest in a career in politics, and an aspiratio

The statement also suggests the young man had made lewd comments about her body prior to the incident, including a negative ref her breasts.

The woman says she agreed to a non-penetrative sexual act at the man's request after an evening out in Sydney before alleging that t sexually assaulted her more than once later that evening. The details recounted in the woman's statement are graphic.

The woman says in her statement that she was very drunk when she was assaulted, and felt "dizzy".

She says the man helped her clean up afterwards, including washing her body and her hair. She says she was "deeply shocked and a aftermath, and told nobody about what had happened.

Samuel said the incident "was a very, very heavy weight on her. I'm incredibly sad for her on so many levels".

He said in the year between first recounting her allegations to him, and the woman's death, "she was really starting to want to talk al how to get some peace, if not justice".

He said she reached out to a group of her oldest friends - and Guardian Australia has confirmed she made contact with a number of j of her teens at around the same time - because "she wanted people ... to support her and validate her recollections".

The woman moved in high-powered circles, and Samuel said "an extraordinary group of people coalesced around her".

The historical allegations became public on Friday after Wong and [Hanson-Young announced they had received correspondence out complaint](#) and had forwarded it to the Australian federal police. The allegations were [reported first by the ABC](#).

Before her death, Samuel said the woman told him she had written to Malcolm and Lucy Turnbull "and she'd bumped into [Penny W](#) things with them, and their advice was go to the police".

The woman spoke to New South Wales police about her allegations in February 2020 and a taskforce was established to investigate, ; interview with police was delayed by the pandemic. Just before her death, the woman withdrew her complaint.

The lawyer who represented the woman before her death wants an independent inquiry. He argues the current situation is "untenal moment there are 16 [cabinet ministers] who have a cloud over them, and that cannot continue".

"There's really no alternative here but for the minister to step forward, identify himself and step down, and for an external, indepen form to be put in place to investigate," Michael Bradley, a partner at Marque Lawyers, told Guardian Australia on Monday.

Bradley said "[some kind of judicial inquiry](#)" was required. The inquiry needed "proper powers" in order "to afford full procedural fa particularly the accused man".

In Australia, the crisis support service Lifeline is 13 11 14. If you or someone you know is impacted by sexual assault, family or domestic violence, call 1800RESPECT on 1800 737 732 or visit www.1800RESPECT.org.au. In an emergency, call 000. International helplines can be found [here](#).

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EXPLAINER

Canberra is having a #MeToo movement. This is every public allegation from the past 3 weeks.



BILLI FITZSIMONS
News Writer
MARCH 1, 2021



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The nation's capital is in the midst of a reckoning.

[Brittany Higgins' public allegation that a male colleague](#) raped her when she was working for a Liberal Party MP in 2019 has triggered a slew of subsequent allegations against members of parliament and former political staffers.

On both sides of the political aisle, accusations have emerged that Australia's parliaments can be a dangerous place for women.

Watch: The Prime Minister responds to Brittany Higgins' rape allegations. Post continues below.

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00:00 / 00:32

Video via Mamamia

Here's every allegation that's been made public so far.

Historical rape allegation against serving Labor MP.

On Sunday evening, Liberal Senator Sarah Henderson revealed a woman sent her an email alleging she was raped by a man who is now a serving Federal Labor MP.

Henderson sent the email to the Australian Federal Police.

"In immediately referring this matter to the AFP, I have followed the procedures set out by Commissioner Kershaw in his letter of 24 February 2021," Henderson said, referring to a letter the Prime Minister received from the AFP Commissioner Reece Kershaw on Thursday which urged all MPs to swiftly report alleged criminal conduct.



Senator Sarah Henderson ✓
@SenSHenderson



My media statement.

5:58 PM · Feb 28, 2021



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The AFP confirmed they received a complaint relating to an historical sexual assault but would not comment further.

Historical rape allegation against Cabinet minister.

On Friday, Prime Minister Scott Morrison received a letter detailing sexual assault allegations in relation to one of his own cabinet ministers.

The alleged rape took place in 1988, when the complainant was 16 years old.

The alleged victim reported the historical incident to the NSW Police Child Abuse and Sex Crimes Squad in February 2020. The investigation, named Strike Force Wyndarra, was suspended after the complainant took her own life in June 2020.

The late woman's lawyer, Marque Lawyers managing partner Michael Bradley, has told Nine newspapers the accused minister "will have to stand aside, at the moment at least, because he's been accused of such a grave crime".

The letter was also sent to Labor's Senate leader Penny Wong and Green's Senator Sarah Hanson-Young.

Brittany Higgins' rape allegation.



Brittany Higgins was 24 years old at the time of the alleged rape. Image: Channel 10.

In February, former Liberal staffer Brittany Higgins publicly alleged she was raped by a male colleague in 2019 inside the ministerial office of her boss, then-Defence Industry Minister Linda Reynolds.

In a sit down interview with *The Project*, Higgins said she was 24 at the time of the alleged incident and just months into her "dream job" of working at Parliament House.

She alleges that on the night of March 23, 2019, a colleague took her back to Parliament house after a night with friends. She felt sick and so lay down before she allegedly woke up "mid-rape" and told the man to stop. Higgins said she was crying throughout the ordeal.

"Eventually he got up and left," explained Higgins.

It wasn't until the next morning that Higgins said she was discovered in the office by a parliamentary security guard.

Higgins also alleged that she was pushed to choose between reporting the alleged rape to police and keeping her job, and claimed that, as her superiors scrambled to deal with the crisis, Senator Reynolds summoned her to a formal employment meeting about the incident in the same room that the alleged rape occurred.

Higgins has made a formal complaint to the Australian Federal Police against her alleged rapist.

Three more women accuse alleged rapist of Brittany Higgins of sexual misconduct.

In the week after Brittany Higgins' public accusation, three more women came forward with allegations of assault and harassment against the same man, a former advisor who remains unidentified for legal reasons.

On February 21, a former female Liberal staffer told *The Weekend Australian* that the man allegedly raped her after the pair went to dinner and drinks late last year.

On February 22, a [third woman came forward with allegations](#) she was assaulted by the same man while she was volunteering for the Coalition's 2016 election campaign.

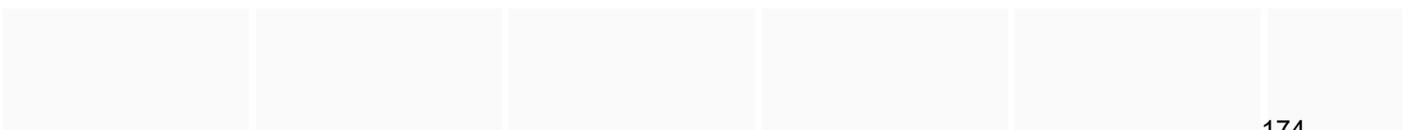
Also on February 22, a [fourth woman made allegations of sexual misconduct](#) against the same man, after making a formal report at a Canberra police station the day before. The woman said that whilst socialising after work during a night in 2017, the man "reached his hand under the table and stroked her thigh".

If this post brings up any issues for you, or if you just feel like you need to speak to someone, please call 1800 RESPECT (1800 737 732) – the national sexual assault, domestic and family violence counselling service. It doesn't matter where you live, they will take your call and, if need be, refer you to a service closer to home.

Feature image: Getty.

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POLITICS

Lawyer for deceased woman who made rape allegation against Christian Porter calls for inquiry

By political reporter [Jack Snape](#)

Posted Wed 3 Mar 2021 at 7:02pm, updated Thu 4 Mar 2021 at 1:04am



Attorney-General Christian Porter addressed the media about the allegation on Wednesday. (ABC News: Hugh Sando)

The former lawyer for the deceased woman whose allegation of rape has been denied by Attorney-General Christian Porter has called for an inquiry into the matter.

Mr Porter said on Wednesday that he didn't see what such an inquiry would achieve because he would have to disprove the claims of the woman.

But Michael Bradley from Marque lawyers said he wouldn't have to disprove anything.

"There's nothing particularly unusual about such a process, to inquire into and make a determination on a serious allegation against a person in a position of responsibility," he told PM.

"That literally happens every day of the week."

Key points:

- Christian Porter confirmed he knew the woman as a teenager but said the alleged incident "simply did not happen"
- The woman took her own life last year and her death may be subject to a coronial inquest
- Some are calling for a separate inquiry into the alleged incident



Lawyer Michael Bradley says it's not unusual to make a determination on a serious allegation against a person in a position of responsibility.

He said the "key issue" was whether Mr Porter could continue to be Attorney-General.

"The question for the Prime Minister is, is it OK to proceed with business as usual and take the case as closed, purely on the basis that Mr Porter says it didn't happen?"

"Or do we need to properly test and address the allegation to put it to bed fully, one way or the other, so that we can all move on?"

Mr Porter is alleged in an anonymous letter to have sexually assaulted a woman when he was 17.

He insisted at a media conference on Wednesday it did not happen and he said he would not stand down from his position.

The Attorney-General said it was a matter for others whether there should be an inquiry or not.

"I don't know what it would achieve, other people will be the judge of this, but it would be the first time in Australian history that a public figure or anyone effectively is put on trial in circumstances where they would be required to disprove something that didn't happen 33 years ago," he said.

"If that happened to me, all I can say is what I've said to you today, that it just didn't happen."

Greens Senator Sarah Hanson-Young said an independent inquiry was still needed.

"An independent review, an inquiry is the only way a Prime Minister could properly inform himself as to whether the men that sit around his Cabinet table are fit to be there," she said.

SA Police has been given extra assistance from the Coroner to continue its investigation into the woman's death.

A statement from State Coroner David Whittle said: "The investigation is continuing and once that investigation has been completed to my satisfaction, I shall determine whether to hold an inquest."

Sexual assault support services:

- [1800 Respect national helpline](#): 1800 737 732
- [Lifeline \(24 hour crisis line\)](#): 131 114
- [Beyond Blue](#): 1300 224 636



Christian Porter says he will not stand down as Attorney-General



 Senator Hanson-Young says the minister who is the subject of rape allegations should stand aside.

Senior Morrison government ministers have stressed a cabinet colleague accused of a horrific historical rape is entitled to the presumption of innocence.

Greens senator Sarah Hanson-Young, Labor's Penny Wong and Prime Minister Scott Morrison were sent a letter detailing the complaint last week.

The incident is alleged to have occurred in 1988 when the woman was 16.

The woman went to NSW police last year, but the investigation was suspended when she took her own life after telling authorities she didn't want to proceed.

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Treasurer Josh Frydenberg said the matter had been referred to the Australian Federal Police.

"We in Australia adhere to the rule of law. The rule of law means there is a presumption of innocence," he told reporters in Devonport on Monday.

Senator Hanson-Young believes the minister must stand aside pending an independent investigation by an eminent former judge.

"It is just not right to suggest that this type of allegation could linger, hang over the heads of the entire cabinet," she told ABC radio.

"Sitting around that table erodes the trust the integrity and belief that this government takes sexual assault seriously."

Cabinet minister Darren Chester said the investigation needed to take its course.

"Otherwise we do lend ourselves to a dangerous path where people make outrageous allegations about others in the community and force them to stand aside from

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He said sexual violence against women was a major problem the country needed to deal with.

Marque Lawyers managing partner Michael Bradley, who represented the woman when she took the complaint to police, questioned whether the minister could do his job with his integrity under question.

"I think he will have to stand aside, at the moment at least, because he's been accused of such a grave crime," Mr Bradley told Nine newspapers.

"It's untenable for him not to, I would think. It's not really a legal question, it's a question of propriety."

Liberal frontbenchers Angus Taylor and Jane Hume also insisted the matter should be left up to police.

Labor leader Anthony Albanese said the allegation needed to be investigated appropriately and not politically managed.

Former prime minister Malcolm Turnbull received a letter from the woman in late 2019 asking for his advice.

"She described a pretty horrific rape that she said had occurred at the hands of this person, a person she said is now in the cabinet," he said.

Liberal senator Sarah Henderson has forwarded police an email from a woman who claims she was raped by a serving Labor MP.

The AFP confirmed they received a complaint relating to an historical sexual assault but would not comment further.

Sexual assault allegations have sparked national debate about political culture after former Liberal staffer Brittany Higgins said she was raped by a colleague in Parliament House.

Four inquiries are under way, including a multi-party investigation aimed at ensuring parliament is a safe working environment.

Lifeline 13 11 14

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NSW Police have formally closed the case; AFP and SA Police have no jurisdiction. The police process is now at an end, Prime Minister. The rape allegation against your cabinet minister remains.

1:51 PM · Mar 2, 2021 · Twitter Web App

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180

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If he were a teacher, would you be happy for him to keep teaching your kids?

In some respects Christian Porter's role is one of a higher public trust than that of the prime minister. He is also accused of committing a heinous crime. That, like it or not, hangs over his head.

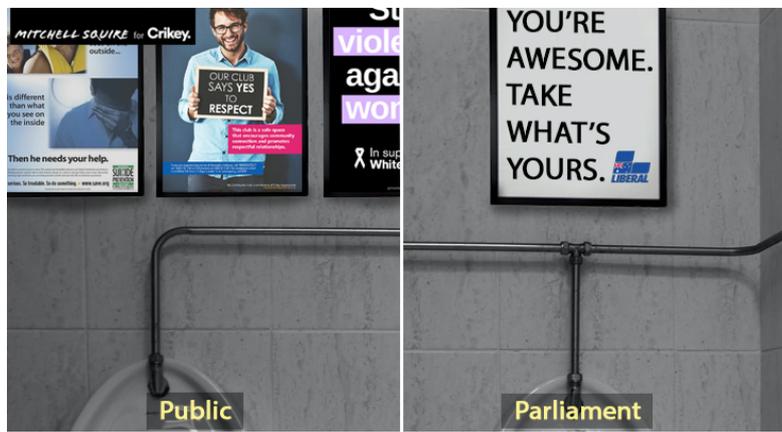
MICHAEL BRADLEY MAR 03 2021



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(IMAGE: MITCHELL SQUIRE/PRIVATE MEDIA)

Note: this story contains references to sexual assault.

Christian Porter has stepped forward, finally ending the unseemly and paralysing speculation over which cabinet minister has been accused of rape. He has denied the allegation and declared that he will not be stepping down.

The criminal justice route is closed. There will never be a determination as to whether Porter is guilty of a crime, beyond reasonable doubt. In that context, the presumption of his innocence is permanently fixed.

However, this fact remains: he is the attorney-general, the first law officer of the Commonwealth, a cabinet minister, and member of the Executive Council which advises the Queen through her agent the governor-general. He has access to the highest level of classified information and participates in the decisions made by the most powerful ruling body in the country.

He literally makes laws and he oversees the entire

role is one of a higher public trust than that of the prime minister.

He is also accused of committing a heinous crime. That, like it or not, hangs over his head, unresolved.

Suppose we were talking here not about a minister but a schoolteacher, publicly accused of raping a school child, in circumstances where a criminal prosecution was not possible.

If the school principal's only response to the exposure of the allegation was to say "I've spoken to him, he denies it, so that's the end of the matter, he will be continuing to teach your children", how many parents would accept that as a tolerable outcome?

The criminal aspect should not be allowed to cloud our focus on the key question here: is it tenable that the attorney-general continue to occupy his office of state in the circumstances that present themselves?

The same question arises every day – in schools, companies, boardrooms, sporting codes, and so on.

For example – I was asked last year by the chairman of a large charity to conduct an independent investigation into a whistleblower allegation of sexual misconduct, against a member of the charity's board.

The allegation was serious, and obviously called

question of whether he should stand down (or be stood down) while the investigation proceeded, and then the ultimate question of whether he was fit and proper to be a director, depending on the investigation's outcome.

The attorney-general's situation is the same but more serious. He holds massive power and responsibility, and he also accesses massive entitlements which are all paid for by the public.

He is a public servant, pure and simple. It is axiomatic that he must be beyond reproach and above suspicion.



victim was my client
I know who the
ster is.' Here's what
ould happen next

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In order to reach a position where the prime minister can be confident that his minister is able to continue to serve as first law officer and a member of his cabinet, [he must institute an independent inquiry](#) to examine and determine the allegation.

As I have said, the determination will be on the balance of probabilities. The law says that that is not

sufficient to determine criminal guilt, but it also says that it is an adequate basis for resolving questions such as whether a person is fit and proper for their role.

I will say one thing about what the Attorney-General said in his press conference: his repeated

“disprove” the allegation against him, something he cannot do. That is incorrect.

He would not bear any burden to disprove anything. The inquiry’s purpose would be to investigate the allegations against him and determine whether they have been established on the balance of probabilities. The onus, as always, would be on those advocating the allegations.

The integrity of the cabinet, the government and the legal system is at stake. The public trust and public faith in that integrity is at stake. The stakes could not, as a fact, be any higher.

Michael Bradley was the lawyer for the now deceased women who accused Christian Porter of rape. He writes for Crikey on legal affairs.

If you or someone you know is impacted by sexual assault or violence, call 1800RESPECT on 1800 737 732 or visit 1800RESPECT.org.au.

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CRIKEY COLUMNIST

[@MARQUELAWYERS](https://twitter.com/MARQUELAWYERS)



Michael Bradley is a freelance writer and managing partner at Sydney firm Marque Lawyers, which was created in 2008 with the singular ambition of completely changing



The lawyer who acted for a deceased woman who accused the federal Attorney-General Christian Porter of rape, and is now calling for an independent inquiry into the matter, says he hasn't spoken to the accuser's family.

Michael Bradley from Marque Lawyers says he hasn't had any contact with the woman's family.

"I don't speak for the family," he told Neil Mitchell.

"I don't have any contact with them."

It's since been reported the woman's family supports "any inquiry which would potentially shed light" on her death.

Mr Bradley says the current situation is "not in anyone's interest" and a judicial inquiry is needed.

"I think it's in everyone's interest that this matter is cleared up through a proper, formal process."

Christian Porter denies he sexually assaulted the woman in 1988.

The woman took her life last year and New South Wales Police have closed an investigation into the case, citing a lack of evidence.



Mornings with Neil Mitchell

nto Christian Porter rape allegation hasn't spok

00:00 / 08:23

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Image: 9News

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This is the trial by media which an inquiry would obviate.

 **Samantha Maiden**  @samanthamaiden · Mar 4

New: @cporterwa concedes it's possible he saw his accuser again after 1988 debating tournament. Her unsworn affidavit says they had dinner in 1994 [news.com.au/national/polit...](https://www.news.com.au/national/polit...)

8:52 PM · Mar 4, 2021 · Twitter Web App

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Oh we got it, he's advocating trial by combat instead.

COMMENTARY

“ Porter must not face trial by media

Christian Porter's outrageous treatment suggests a new dark age that erodes public trust in media and institutions that govern society.

CHRIS MERRITT



7:10 PM · Mar 5, 2021 · Twitter Web App

17 Retweets 4 Quote Tweets 121 Likes



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Compare what has been written and said about the Porter story by female and male commentators, and you'll understand how we got here.

4:06 PM · Mar 6, 2021 · Twitter for iPhone

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Louise Milligan  @Milliganreports · Mar 7



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Malcolm Turnbull 

@TurnbullMalcolm



Replying to [@jconnlistens](#) and [@cporterwa](#)

My account is accurate. Confirmed by a contemporaneous written record. His account is untrue.

9:53 PM · Mar 8, 2021 · Twitter for iPhone

1,283 Retweets **178** Quote Tweets **3,918** Likes



191 

Justice

Christian Porter would be defending the rule of law if he agreed to an inquiry

It's become the sacred mantra of the PM and the attorney-general, but they should study up on what 'rule of law' actually means.

MICHAEL BRADLEY MAR 08, 2021  33



(IMAGE: MITCHELL SQUIRE/PRIVATE MEDIA)

As Prime Minister Scott Morrison eloquently put it, in Australia we do not have “the tribe has spoken” law. We have the rule of law. That rule has been invoked like a sacred mantra in defence of Attorney-General Christian Porter, although not so much on behalf of Brittany Higgins’ alleged rapist.

Porter went so far as to say that if he stood down as attorney-general we would no longer have a rule of law at all.

What is this rule of law?

Its origins can be traced to Aristotle, Magna Carta, Locke, John Adams or any number of legal scholars. They all said the same thing: the rule of law is that the law applies equally to all. As Thomas Paine put it in *Common Sense* (which wasn’t a cliché in 1776):

“ For as in absolute governments the king is law, so in free countries the law ought to be king; and there ought to be no other.”

Two things should be immediately obvious: first, the presumption of innocence – the other phrase being wielded by the Morrison government and mainly male commentators – is neither dictated by nor necessarily concomitant with the rule of law. A presumption of guilt, provided it was applied universally, would be just as consistent with the rule.

Second, the rule itself is and always has been honoured mainly in the breach.



Why how the 'rule of law'
and was deathly silent
in the government was
bringing it

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Consider the presumption of innocence, the principle which underpins our criminal justice system, promising that no innocent person should ever be punished.

The presumption is rigidly applied to the crimes we commonly think of: murder, rape, theft etc. The burden of proof of guilt beyond reasonable doubt is entirely on

the prosecution; the defendant has no obligation to even speak, beyond his or her plea of non-guilt.

But consider terrorism offences. There the presumption has been progressively fading away. Under our law, people suspected of terrorism, or of contemplating terrorism, can be detained and deprived of basic rights (such as access to a lawyer) for long periods. The High Court has

rather than the crimes they have committed. A similar principle applies to sex offenders in some states.

How about robodebt, a legal structure which required people who the state had declared owed it money to prove they didn't. That was a direct reversal of the ordinary onus of proof, treating welfare recipients unequally with the rest of us.

The Northern Territory intervention, cashless welfare cards and the entire historical suite of laws applying specifically to Indigenous Australians — every one of them involved and involves an inequality in the law. Our constitution still contains explicit provisions authorising such legal discrimination on the basis of race.

And then there are our immigration laws. If you came to Australia on a boat after 2013, the law says you can never become a permanent resident or citizen. If you came by plane this morning, no such prohibition applies. If you were brought here under the medivac law you are, by law, in legal limbo with no rights at all.

If you're an ordinary citizen who stands on a soapbox and says the attorney-general committed a crime, you'll be liable for defaming him. If you're a member of Parliament and say the same thing there, you cannot be sued.

I could go on all day. In any law book you pick up, by a few pages in you will have come upon an

differences. Between 1986 and 2009 it was illegal for women to engage in boxing matches in NSW. The law may have been stupid, but it was valid.

While the rule of law is a lovely aspiration, and the march towards equality is the social expression of exactly the same rule as an end goal, no society has ever got anywhere near it in truth.

It is therefore an absolutely unremarkable thing to suggest that, in the remarkable circumstances where the sitting first law officer of the land stands accused of raping a child (when he was one too), an allegation cannot be tested or resolved by the criminal law, those circumstances dictate an alternative legal mechanism to determine whether he can and should continue to occupy that role.

The criminal law is supposed to apply equally, although in practice it doesn't. Nobody has ever suggested the civil law must also do so, to the extent that a bus driver, a casino licensee and a High Court judge should be subject to identical tests of probity and fitness to do their jobs.

The suggestion that Porter face an inquiry into his fitness to serve is not the end of civilisation. It's an application of the rule of law.

Michael Bradley was the lawyer representing the woman at the centre of historical rape allegations against Christian Porter. Porter denies the allegations. The woman took her own life last year.

ABOUT THE AUTHOR

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Michael Bradley is a freelance writer and managing partner at Sydney firm Marque Lawyers, which was created in 2008 with the singular ambition of completely changing the way law is practised.

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- Scott Morrison
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Well Scott obviously won't be listening to us, but a bit harder to ignore the former Solicitor-General



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198



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 the Guardian

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10:51 AM · Mar 9, 2021 · Twitter Web App

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And there it is. The declaration of innocence based solely on the accused man's denial. Tell us again who will be believed, Prime Minister.



Samantha Maiden  @samanthamaiden · Mar 10

PM rules out seeking advice from solicitor general on whether @cporterwa is a fit and proper person to hold his post. "He is a fine Attorney General. He is an innocent man."

11:31 AM · Mar 10, 2021 · Twitter Web App

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Crikey  @crikey_news · Mar 10

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The media has been divided over the Christian Porter story, says the lawyer of the woman at the centre of historical rape allegations, Michael Bradley [@marquelawyers](#). And more often than not, which side a journalist sits on comes down to their gender.



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My week in the eye of the Porter storm — and what men just don't get

The media has been divided over the Christian Porter story. And more often than not, which side a journalist sits on seems to come down to their gender.

MICHAEL BRADLEY MAR 10, 2021  60



ATTORNEY-GENERAL CHRISTIAN PORTER ADDRESSES MEDIA IN PERTH OVER HISTORICAL RAPE ALLEGATIONS (IMAGE: AAP/RICHARD WAINWRIGHT)

Note: this article discusses sexual assault.

After a week or so of madness, there is time to pause and reflect. I have spoken with a vast array of media people as the Christian Porter story unfolded, been asked 1000 questions and mostly replied with: “I can’t comment on that.”

I have some observations.

Like all society-shaking stories, this one is playing out at two levels: cognitive and emotional. The media’s open narrative has focused on the true crime saga, the attendant morality play and the deeply and deliberately confused debate over the rule of law.

Beneath that has been a clash of the subconscious, almost precisely gendered. On one side of the media’s gender divide: barely concealed rage, frustration and determination to call out the culture of acceptance around sexual violence. On the other, what I’d describe simply as mystification. Why the men ask rhetorically

Of course, not all women, and not all men. The patriarchy has its female supporters, just as the revolution has male allies. And the men v women dichotomy both obscures the equally entrenched and unexamined problem of male-on-male sexual violence, and ignores completely the non-binary population.



**by media, toxic
net, unnecessary
iries? That's Gillard,
Porter**

ad More

However, the media is binary and there is a clear (albeit slightly generalised) divide between its male and female parts on this subject. That, anyway, is my observation from what I've experienced.

I don't speak for any women and will not attempt to mansplain their emotions. What I can say is that, of all the visceral impacts I have felt over

the past week, the most profound has been the surfacing and resurfacing of traumatic experiences, coming from pretty much every woman I've encountered.

What I detect, I think, is an undercurrent of unreported trauma, which gives me a clue to the scope and scale of the endless pandemic of sexual violence in our society, almost exclusively perpetrated by men and overwhelmingly inflicted on women.

Among men of the media, and not just the old

appears. But surely we must resist the temptation to let loose the vigilante mob? Our very civilisation is at stake, all we have built since Alfred the Great.

Being a patriot to the rule of law myself, I get that. However, there's an emotional content in the male response which is obscuring the logical argument. It's called privilege, or rather the fear of loss of privilege.

The system — by which I mean all systems, legal, political and media — was designed and built before women had a pass to get into the building. To take one example, the criminal justice system was not designed with rape in mind, because men don't much get raped.

The system entrenches male privilege and operates organically to shore it up. Women, being half the population and currently quite angry, represent an existential threat to the system. Men, who have always effortlessly thrived in the system without ever having to contemplate that their progress might be stalled or stopped by such a random element as their gender, are feeling suddenly somewhat at risk.

Thus the resort to shibboleths like the rule of law. The irony, that these same men routinely discard such sacred cows whenever it suits them but now insist that they have sacred force, is only infuriating the non-privileged half all the more. The result is a lot of shouting.

So it is that a perfectly rational male journalist of

call for change in how we listen to and address the experiences of sexual violence survivors, what about if the man being accused was him? Shouldn't we all spare a thought for him?

Well, no. For two reasons. First, there is no evidence that false reports of rape are more than a negligibly tiny phenomenon. Second, the best research indicates that if a man commits a rape there is a 0.71% chance that he will be reported, arrested, prosecuted and convicted. This means, in statistical reality, that it is a crime he will almost certainly get away with.

Those are the facts of system failure. Men built the system and still, by and large, run it. We have forfeited our right to resist its demolition and replacement with something better. We should get out of the way.

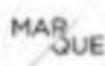
If you or someone you know is impacted by sexual assault or violence, call 1800RESPECT on 1800 737 732 or visit 1800RESPECT.org.au.

Michael Bradley was the lawyer representing the woman at the centre of historical rape allegations against Christian Porter. Porter denies the allegations. The woman took her own life last year.

ABOUT THE AUTHOR

Michael





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And there it is. The declaration of innocence based solely on the accused man's denial. Tell us again who will be believed, Prime Minister.

 **Samantha Maiden**  @samanthamaiden · Mar 10

PM rules out seeking advice from solicitor general on whether @cporterwa is a fit and proper person to hold his post. "He is a fine Attorney General. He is an innocent man."

11:31 AM · Mar 10, 2021 · Twitter Web App

369 Retweets **21** Quote Tweets **1,324** Likes



207





The Mandarin 
@TheMandarinAU



I have spoken with a vast array of media people as the Christian Porter story unfolded, been asked 1000 questions and mostly replied with: "I can't comment on that." says Michael Bradley from [@marquelawyers](#) via [@crikey_news](#) #auspol



My week in the eye of the Porter storm — and what men just don't get
Men built the system and still, by and large, run it. We have forfeited our right to resist its demolition. We should get out of the way.

themandarin.com.au

8:17 PM · Mar 10, 2021 · Buffer

208

32 Retweets 6 Quote Tweets 53 Likes



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Porter's confusion around basic legal concepts 'regrettable', lawyer says



Porter's confusion around basic legal concepts 'regrettable', ...
The lawyer who formerly represented Attorney-General Christian Porter's accuser said to disregard some of the clai...
lawyersweekly.com.au

1:24 PM · Mar 11, 2021 · Twitter Web App

209

163 Retweets 13 Quote Tweets 325 Likes

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Crikey ✓ @crikey_news · Mar 12

...

#BREAKING 'I remember what Christian Porter said': a key friend breaks his silence #Kate #ChristianPorter #RuleOfLaw



Amber Schultz @AmberMaySchultz · Mar 12

James Hooke, a close friend of Kate, the woman who accused Christian Porter of rape, has spoken publicly for the first time saying he has "clear recollections of relevant discussions with Christian Porter I would like to share with an inquiry" #BREAKING @crikey_news

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Mine is just one set of recollections, fallibility of human memory, however uninter have what I consider to be clear recollection discussions I had with Kate over the years f death. I also have what I consider to be clea relevant discussions I had with Christian Po Perth and through the mid-1990s.

210



1



29



63





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Imagine if your kids' school principal received a detailed allegation that a senior teacher had raped a child, he didn't read it but just obtained the teacher's denial and then said it's all good he's innocent the matter is closed, he can keep teaching your kids.

8:22 AM · Mar 12, 2021 · Twitter Web App

1,565 Retweets **105** Quote Tweets **5,230** Likes



211





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PM's inaction on Christian Porter subjects dead woman to 'trial by media', experts say - The New Daily



PM's inaction on Christian Porter subjects dead woman to 'trial by media'
The PM's refusal to hold an inquiry has resulted in the media putting a dead woman on trial, media and legal experts have said.

[the newdaily.com.au](https://thenewdaily.com.au)

3:14 PM · Mar 14, 2021 · Twitter for iPhone

26 Retweets · 2 Quote Tweets · 62 Likes

212

marquelawyers @marquelawyers · Mar 15

These young people are Marque people!

 Jo Dyer @instanterudite · Mar 15

Amongst the Sydney #march4justice, some organised young people with matching t-shirts and font. Commended.





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Not a political statement, but the Attorney-General suing the public broadcaster for defamation? We are way down the rabbit hole now.

2:37 PM · Mar 15, 2021 · Twitter Web App

124 Retweets **5** Quote Tweets **848** Likes

214





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Sorry, but it is simply impossible to be Attorney-General while suing an agency of your own government for defamation.

12:06 AM · Mar 16, 2021 · Twitter Web App

2,011 Retweets **116** Quote Tweets **8,622** Likes



215

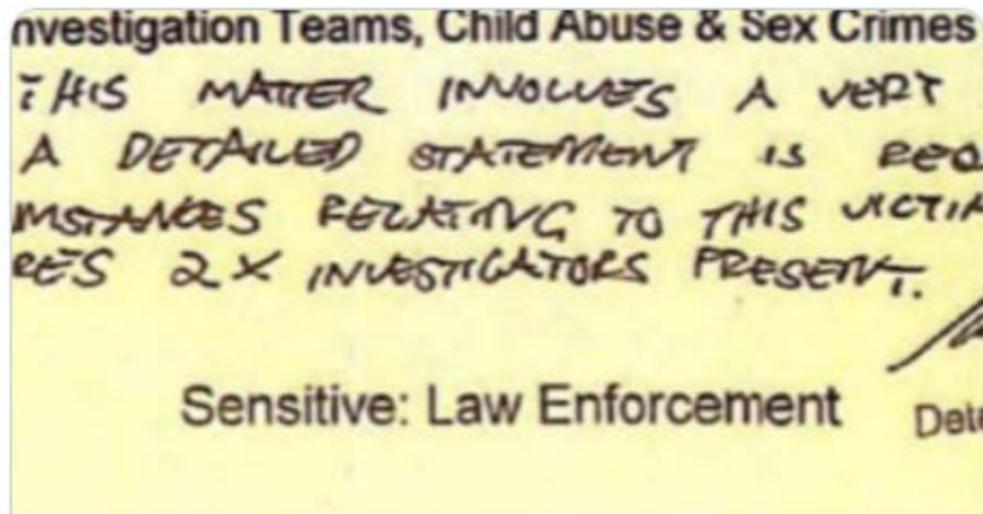




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From our experience of rape survivors' interactions with police, we have to say there is nothing unusual about the way the Porter investigation was handled (not that that's good); but we are surprised that it wasn't given any priority. [news.com.au/national/polit...](https://www.news.com.au/national/polit...) via [@newscomauHQ](#)



New bombshell in Porter investigation

NSW police top brass blocked a request by sex crimes detectives to travel to Adelaide to interview the woman who alleged she was raped by former Attorne...

[news.com.au](https://www.news.com.au)

216

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Crikey 
@crikey_news



The handling of Kate's report by the NSW police was not good enough. It was also not unusual for sexual assault cases, which is worse, writes Michael Bradley [@marquelawyers](#) [#christianporter](#) [#ruleoflaw](#)



New details about Kate's fate bring more questions to the surface
NSW Police's lethargic handling of Kate's accusations showed something all too common in sexual assault investigations.

crikey.com.au

217

5:15 PM · Apr 15, 2021 · Buffer



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The judge in Porter v ABC has placed a temporary restraint on publication of parts of the ABC's defence, not permanent, pending a full hearing of Porter's application to strike them out altogether. The big fight is still to come.

11:54 AM · May 8, 2021 · Twitter Web App

301 Retweets **9** Quote Tweets **1,694** Likes

218





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Paul Karp  @Paul_Karp · May 13



Update on Jo Dyer bid to remove Sue Chrysanthou SC from the Porter v ABC defamation case. [#auspol](#) [#auslaw](#) [#ChristianPorter](#)



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