

ANNEXURE A – Statutory declaration of Brittany Higgins**Brittany****0:00:00.0 AUDIO BEGINS****0:01:19.0 PART ONE BEGINS**

0:01:18.3

Lisa:

Brittany since 2018, you've worked as a media advisor for three separate federal ministers, can you tell me what sort of duties you do and where you sit in the pecking order?

0:01:31.7

Brittany:

Yeah, so fundamentally in the day to day I deal with journalist enquiries. So, they come in through our office. We draft them on the basis of our minister's portfolio. So I've worked for Minister Stephen Ciobo and Minister Reynolds in the Defence Industry Portfolio and that's pretty much really [repping? 0:01:50.6] everything in relation to acquisition of defence capability.

0:01:55.2

Brittany:

And so, we were sort of the government spokesperson on everything in that regard. And presently I work for Minister Michaelia Cash and that's employment skills [0:02:03.2] family business. So we look after vocational education and training. We also look after employment which is all the labour force figures and then we also do small business. So, anything with a turnover under a hundred-million is in our remit.

0:02:15.2

Brittany:

And so, we sort of are the government spokesperson in that regard. So, we run things up to our boss, she approves quotes, we give them back, media releases, social media, that sort of thing. But in terms of pecking order, at the present ministerial teams tend to be quite small, they're about twenty people strong. And I guess I'm not at the top, I'm probably on the lower end of the scale. I'm quite junior in terms of my role but yeah, that's fundamentally what I do.

0:02:44.4

Lisa:

So, before the last federal election you were working for Steve Chiobo who was the minister for defence industries. In march of 2019, just before that federal election Senator Linda Reynolds replaced him in that position. What happened to your job?

0:03:01.7

Brittany:

Well because we had two defence ministers resign at a similar point in time, the decision was made for continuity in the defence portfolios that we would have, we would elevate, sorry, the Prime Minister Scott Morrison said that he would elevate Minister Reynolds into that space for sort of future progress post-election that she would become the next Defence Minister. So as a Ministerial Staffer, your job is tied to your minister. You're their person employee. So on the basis of Steve being demoted, I immediately lost my job.

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0:03:33.6

Brittany:

As long as, as well as everyone else in my office. And then so, immediately we all kind of started going through the recruitment process with Minister Reynolds. So, yeah.

0:03:44.5

Lisa:

And so, you were employed by Minister Reynolds?

0:03:49.5

Brittany:

Yeah, yeah. So, it was like a two-week interim process where it's sort of, a little bit haphazard and everyone's sort of Hunger Games style trying to get any of those open roles. It's quite a, a lot of the jobs go from like an internal pool of existing staffers but it's still pretty difficult to get any of those jobs. So, in the end, yes, I ended up getting a job.

0:04:12.9

Lisa:

So you survived?

0:04:13.7

Brittany:

I did, I did. I was very, felt very relieved, was very fortunate, yeah I was really grateful.

0:04:20.2

Lisa:

So you must have been feeling grateful?

0:04:22.3

Brittany:

Oh, over the moon. I mean out of my existing former office, I think three of us out of a team of twenty made it into Minister Reynolds' existing team.

0:04:32.5

Lisa:

And what was the office culture like when you arrived in this new team?

0:04:36.6

Brittany:

It was difficult. There was no sort of, structure in terms of, there just wasn't the internal sort of, we didn't have a dedicated manager, we didn't have sort of the senior advisors in place. We didn't have that dedicated team structure at that time. And so it was pretty shambolic. Everyone was sort of territorial. Our new minister was kind of getting across her portfolio. She didn't really know it as of yet.

0:05:01.6

Brittany:

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And so, we were all just trying to make it work before a sitting week, before senate estimates, just getting as much information to her as possible. So, it was pretty shambolic. And naturally that sort of breeds a sort of adversarial nature when people are getting territorial over space and titles and seniority and pecking orders. So it was pretty, it was a difficult time.

[Interruption 0:05:23.0]

0:07:12.3

Lisa:

So, Brittany can you describe how you were treated professionally by one of the senior male advisors to Minister Reynolds?

0:07:23.2

Brittany:

Yeah, so immediately it became clear that this person was quite, had a special bond with the Minister. And she really trusted this person's sort of input. And it was very clear that he was sort of her go-to person. And he was quite territorial of that position. I think he was nervous about other advisors coming into that space and sort of disrupting this relationship.

0:07:46.4

Brittany:

I think he kind of saw it as, this relationship will take him to the top. That he'd be in the Minister of Defence's office and he'd be a senior advisor and I think that was, it came across in sort of all of his actions. I remember there was an incident, I think it was just more staff pecking order stuff, but he wanted a certain desk and he wanted a fridge moved and as sort of one of the lowly new people in the office, I had to sort of accommodate that.

0:08:13.1

Brittany:

There was, you know, infighting between other males in the office and so I was sort of the only female staffer who was Canberra based at that time. And so, it was difficult because sort of, you were sort of picking up the slack for all these people who are sort of infighting and doing all the administration work that's not sort of predominantly what I was trying to sort of do in that role.

0:08:36.1

Brittany:

I was kind of carving my way up into sort of a more of a Media Advisor role. And so, it was, it was difficult. And it got to the point where it was reported to sort of our Acting Chief of Staff at the time that he was bullying me. I didn't see it as bullying at the time. I just kind of thought they were putting me through my paces and sort of, sort of hazing me I guess a little.

0:08:57.3

Brittany:

And you know, I was just grateful to have a job, I didn't care. I was just going to do it. I didn't, I didn't really care how they treated me. I was just grateful.

0:09:05.3

Lisa:

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So, he was a bit of a favourite of Minister Reynolds?

0:09:08.0

Brittany:

Yeah, very much so. He had been advising her in the Home Affairs portfolio prior to that for the previous sort of year, I guess. And she really trusted his input and had been around in multiple ministerial offices. He'd worked for George Brandis; Bridgette McKenzie and I think a couple of others. Like he had been a long-established sort of person in the party, in politics and I knew he was someone that had a lot of connections. He had a lot of friends everywhere, yeah.

0:09:36.3

Lisa:

So, he looked like a young man on the way to the top in politics?

0:09:39.0

Brittany:

Oh, absolutely, absolutely. I think he was, he had some sort of role in the Young Liberals and he was, he was considered one of the sort of rising stars. You can tell when someone's sort of being groomed to become someone. They all sort of grow up in this cohort together. I always liken it to sort of, Minister Cash and Christian Porter, they all sort of went to the same uni and they were all in the Young Liberals together.

0:10:02.2

Brittany:

And they all sort of knew where they were going to go. They all knew they were all going to get a seat back in their university days and they all kind of went up together. And even in my sort of cohort, everyone kind of talk like, oh this one's going to get this and this person's going to get that seat one day and it's this sort of legacy that this person was going to be someone.

0:10:19.4

Lisa:

So, about three weeks into this new position in Minister Reynolds' office everyone went out for drinks on a Saturday night. Who went?

0:10:28.4

Brittany:

It was a lot of my friends who actually worked in the defence industry space. So whether they were working for sort of the Department of Defence, whether they were working for sort of our defence industry contractors. They were all kind of coming out. And I think, I don't know. I was kind of happy that I had an opportunity to show my expertise in the space, to kind of demonstrate some value and go, ok alright, I can connect you with these people, come meet them.

0:10:52.4

Brittany:

And I kind of thought it would be like sort of winning this person onside a little bit. Yeah, I was weirdly sort of, yeah I felt proud to be able to sort of invite this person into this group where I sort of knew people and I felt like I could kind of add value to the team I guess.

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0:11:07.3

Lisa:

So, this senior male colleague was at those drinks?

0:11:10.2

Brittany:

Yes, yeah. He was.

0:11:24.7

Lisa:

So, you all knew that an election was imminent, were you all assured of a job were the government to be re-elected?

0:11:34.2

Brittany:

It's, it wasn't a sure thing but there's this sort of, there's this mentality that if you're a part of the team that gets us across the line, you're sort of, there's this entrenched sort of understanding that you'll have a place in the next government. And so, it's, we weren't optimistic about our chances, I'll be honest, we thought we were all about to sort of lose and we were all sort of lamenting the fact that oh gosh what are we going to do next and we're all kind of making future plans.

0:12:02.3

Brittany:

But I just, I just wanted, I was so grateful just to be a part of this interim team. To even have a shot to go to an election. I'd never done one before, I thought it was really exciting. And yeah, so wasn't assured but it was kind of a promise essentially.

0:12:18.7

Lisa:

So this was really your chance to prove yourself?

0:12:21.9

Brittany:

Yeah, yeah very much so. I never thought that I'd sort of last longer than six months in Canberra. I thought it was a short terms stint, I thought we'd lose the election, I'd go home and finish my uni degree. And so, I kind of got this little lifeline in the Reynolds office and I was yeah, I was over the moon to be given an opportunity and I was excited that I had sort of some level of contacts in this space and these people didn't know it and I was kind of connecting them. So I felt like it was starting to sort of come together.

0:12:48.3

Lisa:

So, how did this senior male colleague act towards you at the Saturday night drinks?

0:12:54.4

Brittany:

He was nice to me. I think he was grateful that I invited him. Or that he had these connections. I think he liked sort of hobnosing around with all these defence people. I think he enjoyed that and

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yeah, I think he enjoyed being there in that space. I noticed that he was buying me a lot of drinks and I was kind of, I just sort of, job well done, I thought I was kind of broadly being rewarded in a weird way.

0:13:22.9

Brittany:

Yeah and I thought that, I thought we were sort of building a better rapport as opposed to sort of this strange sort of, him, me and this adversarial relationship that we sort of weirdly had somehow, yeah.

0:13:38.7

Lisa:

So, you felt that him buying you those drinks was somehow a tick of approval?

0:13:44.6

Brittany:

Yeah, yeah.

0:13:45.2

Lisa:

That you'd won him over?

0:13:46.6

Brittany:

I did, I kind of thought that it was sort of, it was just lending itself to the start of sort of a working friendship and relationship. And was just grateful that you know, this person wasn't sort of bossing me around the office telling me to move fridges and do his admin work and I was just kind of thankful that you know, here's this person who was a week ago, quite hostile to me, suddenly being kind of nice, so –

0:14:08.3

Lisa:

So, at some point in the evening the group disbanded and some of you decided to go to a second bar. Who went and whose idea was it?

0:14:21.6

Brittany:

I honestly don't remember whose idea it was, but it was a former Ciobo staffer, a current political staffer at the moment and then Bruce and myself. And we went, and at that point I just remember starting to get really, really inebriated. Like to the point where I don't know, it felt more than usual, and I remember being conscious of the fact of feeling embarrassed. I remember being like, oh my gosh ok, these are people that I work with, I don't know them that well. And I was cognizant of the fact that I was kind of quite sloppy and I felt embarrassed.

0:14:57.7

Lisa:

Do you know how much you had to drink?

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0:14:59.5

Brittany:

No, I don't. I remember them buying a lot of rounds for us. Me and my friend who was there at the time with me. But I honestly couldn't tell you.

0:15:12.4

Lisa:

So, this senior male colleague was buying a lot of the drinks?

0:15:15.9

Brittany:

Yeah, yeah he was. I don't think I bought, I don't think bought pretty much a single round. Yeah, he bought pretty much all the drinks.

0:15:26.8

Lisa:

And how many of you were there at this second bar?

0:15:29.4

Brittany:

Four, four of us that we knew. Yeah, and it sort of split off where these sort of, my friend and the current staffer they sort of went off together and they were clearly kind of getting to know each other and being friends. And so, I was kind of left by myself with my colleague. And I thought it was fine, I thought we'd finally sort of crossed a bridge and we were sort of getting along. So was broadly ok with that.

0:15:54.6

Lisa:

So, would you say you were drunk when you decided to go home?

0:15:57.9

Brittany:

Oh absolutely. I, sort of the thing that pre-empted me deciding that I had to go home, I fell over in front of people. I pretty much face planted, I had scuffed my knee and at that point I was like, ok I'm really, I have to leave. And that was kind of when the call was made, ok we have to go.

0:16:17.4

Brittany:

Did anyone help you in that moment, when you fell over?

0:16:20.6

Brittany:

Yeah, yeah Bruce helped me up.

0:16:27.2

Brittany:

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My senior male colleague helped me up. And he was actually quite helpful in terms of sort of just getting me into a cab on the basis that I really couldn't walk. I don't know I was really, I wasn't fully composed or myself and I just yeah. He helped me up.

0:16:48.4

Lisa:

So you get into the taxi, but your colleague is in the taxi as well. Why is that, given that you're going home?

0:16:55.8

Brittany:

Apparently, we sort of lived in the same direction. I mean I don't specifically remember the exact conversation, but I just remember sort of the general tone was, we live in the same direction but I've got to stop somewhere first. And I guess he's kind of was broadly sort of what I regarded as like my boss essentially and so, I'm not going to argue, and I wasn't really in a position personally, I wasn't quite together to argue.

0:17:22.5

Lisa:

So, he said that he had to stop somewhere, where was that somewhere?

0:17:26.3

Brittany:

Parliament. So he wanted to go to Parliament House.

0:17:29.4

Lisa:

Why?

0:17:30.0

Brittany:

It wasn't every really made clear. He just had to pick something up. Some vague non-descript something. And it didn't seem, I mean it was obviously strange, it was a Saturday night, it was midnight. It was, why would you need to. All these sorts of thoughts I got back and look back at now. And I go, of course, that's very strange, but at the time Parliament was my workplace, it's the most secure building in the country.

0:18:00.3

Brittany:

There are security guards everywhere. It didn't seem unreasonable to just pop in to Parliament House I guess.

0:18:08.0

Lisa:

At any point in the evening, right up until and including in that taxi, did you get any impression whatsoever that this senior male colleague was interested in you romantically, or sexually?

0:18:25.5

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Brittany:

I thought maybe, I don't know how, I had like a sort of a suspicion that maybe he sort of liked me a little bit. I don't know what grounds that was on. But I just, you just kind of have an impression. I kind of thought maybe he liked me. But I didn't think that it was ever an issue. I kind of thought it wouldn't ever, I don't know. I thought that he maybe liked me, but I don't know what sort of led me to think that.

0:18:54.1

Lisa:

Did you at any point in that evening to the best of your knowledge indicate to him that you were in any way interested in him romantically or sexually?

0:19:04.3

Brittany:

No, not at all. I started that night with a different date. I wasn't there for him at all. And I invited him in a professional context. So I just, no.

0:19:20.0

Lisa:

You had no interest in him whatsoever?

0:19:21.9

Brittany:

No.

0:19:22.3

Lisa:

Is there any chance that he could have misread anything that you said that evening?

0:19:33.4

Brittany:

No, I mean I was deeply inebriated. I don't remember all of the night and so I feel like it would be a lie for me to say outright, that I have every recollection of what was said and done that night. I don't. But no, I came here, I came there with a date, we had a professional relationship. We just broached friendship, I just didn't think that it was something that was even conceivable.

0:20:02.1

Lisa:

So, you were being nice to him because you thought, this is a guy who previously has been rude to me, he's bullied me at work and finally I feel like I've got some sort of relationship with him that will work professionally beyond this evening.

0:20:21.9

Brittany:

Yeah, exactly. Sounds so stupid.

0:20:24.8

Lisa:

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No it doesn't. So, you're in the back of the taxi and you stop at Parliament House, what happens next?

0:20:33.3

Brittany:

Well, obviously the taxi leaves. And –

0:20:36.4

Lisa:

Well hang on, why did the taxi leave? If he, did he tell you how long he was going to be in Parliament House to pick something up?

0:20:43.9

Brittany:

No, no he paid the fare, he got out and just said, oh we'll be quick or, or something to that effect. Like it just, I don't know what he was picking up, I don't know, I didn't know how long it would be. I felt like it was just going to be a short sort of stint, in and out. And so, it didn't seem, it felt better to go into the building than stand outside in the dark by myself.

0:21:06.8

Lisa:

Well, you were trusting this guy?

0:21:09.0

Brittany:

Well yeah, I mean it's Parliament. I just I, there are so many cameras and there are so many people. I just remember we went through the Ministerial Entrance which is the back entrance. And it's sort of the only entrance you can get into Parliament out of hours. Because at this point it was like one-o'clock in the morning, it was quite late.

0:21:27.9

Brittany:

And so we went through and then down in the ministerial sort of carpark is where sort of all the ministers and all the senior advisors get to park their cars. So, you kind of walk through there every day. And then you go through to another checkpoint. And this is where physical security guards are. And it's sort of like, airport security, you've got to sort of take off all your metal things, take off your shoes, go through.

0:21:53.6

Brittany:

And I think at this point I remember him saying something to the effect of effect just, just be quiet. Just be quiet. We'll go through, just be quiet. And he had his pass, which is the only way we got into the building. But I didn't have mine because I was out for a night on the town, I wasn't really anticipating going into work.

0:22:15.7

Lisa:

It was a weekend.

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0:22:16.9

Brittany:

It was a weekend.

0:22:17.7

Lisa:

Why would he have his pass on the weekend?

0:22:20.6

Brittany:

I don't know. I mean it is a weird job, you do get asked to go back at crazy hours sometimes. Maybe he just had it on him all the time.

0:22:34.6

Lisa:

So, by this point, how many security guards had seen you?

0:22:39.8

Brittany:

Had contact with two security guards. They had to actually physically sign me in. Because I didn't have my staff pass and it was after hours. And so at that point they had to, they have to bring out like a little guest sign in book. And apparently, I don't remember this myself, but other people who have witnessed me going through said that I had trouble signing my name.

0:23:04.7

Brittany:

Like I was very, very intoxicated. Like to the point where I couldn't write my name and then we went through security and up into the lift into the Ministerial Suites.

0:23:17.1

Lisa:

How much had your colleague had to drink at this point?

0:23:20.7

Brittany:

I kind of assumed that this person had been drinking and keeping pace with the rounds that he was buying. I just kind of thought that he was sort of at the same level as us. But I heard later through other channels that he hadn't been drinking at all that night. And that sort of reframed how I felt about so many things but, yeah.

0:23:43.7

Lisa:

Why did he tell you to be quiet?

0:23:47.3

Brittany:

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I think on the basis that I was very visually, and I was very visually drunk, and I think it was an issue. Why would they let a very, very drunk girl in a cocktail dress into parliament house at one-o'clock in the morning. I didn't think of that at the time. I thought, I don't know what I thought, yeah.

0:24:07.9

Lisa:

So, it was clear to the security guards that you were drunk?

0:24:10.9

Brittany:

Yeah, yeah very much so. I think, they would have the sign in book but yeah. I think me not being able to write my own name is pretty indicative.

0:24:22.7

Lisa:

So, once you passed through security, where did you go?

0:24:25.8

Brittany:

We went up the lift into Minister Reynolds' suite. And so, I go through those doors in that lift every day, that same process. There are eight cameras between that front entrance and that suite. And that's sort of where we ended up.

0:24:44.6

Lisa:

How often are those cameras monitored?

0:24:48.2

Brittany:

Oh like, twenty-four-seven. They have little, there are security guards stationed at every sort of entry point into the Ministerial Wing. So there'd be, one near the Prime Minister's Office, there'd be about five on every night, at least in that side of the building.

0:25:04.0

Lisa:

So, there would have been somebody monitoring all of those cameras and they would have seen you walk along that corridor, went into that lift, a drunk woman with apparently a sober man.

0:25:15.5

Brittany:

Yep.

0:25:17.3

Lisa:

Did anybody come and check to see what you two were doing?

0:25:21.6

Brittany:

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Not during the night, not at that point.

0:25:26.2

Lisa:

So, you go into Minister Reynolds' office, what happens then?

0:25:30.9

Brittany:

I remember that he was sort of taking a really long time with something. I don't know, it felt like he was taking a really long time and I was sitting on the ledge of the office sort of windows that overlook the Prime Minister's courtyard. And I was really feeling, I was feeling very out of it. And so, I got to the point where I don't know if he guided me there, or if I went the myself. But I ended up laying down and passing out on the Minister's couch.

0:25:56.9

Lisa:

Are there any CCTV cameras in the Minister's office?

0:25:59.6

Brittany:

I don't think so, not to my knowledge. I think it's like a privacy or a national security thing.

0:26:05.3

Lisa:

So, that's right inside the Minister's office, what about outside the office?

0:26:09.1

Brittany:

Oh outside, yeah, there's every hallway has a camera yeah. And there's swipe ins so they would know the time that the senior staff are swiped into our, into the Minister's suite and what time he swiped out. There's logs everywhere. There are cameras everywhere. It's the most and it's not only just a Minister's office, it is a Defence Minister's office which has an added layer of security as well.

0:26:35.8

Brittany:

And an added layer of protection on top of that. So it's the most monitored place that I can conceive of in Canberra almost.

0:26:45.8

Lisa:

So, whose idea was it that you lay down on the Minister's couch?

0:26:50.1

Brittany:

I don't know, I really don't. I just, at that point I passed out. So I don't, the last sort of key thing that I touch on that really fully remember is sitting over the Minister's courtyard. And then I was on the couch.

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0:27:08.0

Lisa:

What's the next thing that you remember?

0:27:13.2

Brittany:

Then next thing I remember is when I came to and the senior staffer was on top of me. Sorry –

[Interruption 0:27:31.7]

0:28:05.1

Lisa:

So, what's the next thing that you remember happening?

0:28:08.3

Brittany:

The first thing that sort of awoke me was I was in a pain. My leg was kind of being crushed and I remember sort of, that was the first thing that sort of woke me up essentially. And at that point, it didn't take me that long to sort of ascertain pretty much what was happening. Bruce, sorry, the senior staffer was on top of me. He was clearly almost finished.

0:28:42.0

Lisa:

Sorry, was there sexual intercourse going on?

0:28:44.9

Brittany:

Yeah, I was, I woke up mid-rape essentially. I don't know why I knew he was almost finished but I felt like it had been going on for a while. Or that he was almost done, he was sweaty, I couldn't get him off of me, at this point I started crying and it was just, it was like this out of body experience of just, you felt like completely trapped.

0:29:15.2

Lisa:

What did you say to him?

0:29:16.3

Brittany:

I told him to stop.

0:29:18.4

Lisa:

Did he?

0:29:19.5

Brittany:

No.

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0:29:20.6

Lisa:

Did he say anything to you?

0:29:22.3

Brittany:

No, not at all.

0:29:24.9

Lisa:

Can you describe the pain?

0:29:29.7

Brittany:

It was just a big pressure on my leg. I was pinched into the corner of the couch, so I was laying down in sort of the leather couch, I was sort of jammed into the corner and his knee or his thigh was, I think it was his knee was directly on this part of my leg. And I was pinned into the corner. I couldn't get out of it.

0:29:55.9

Lisa:

So you were being raped and forcibly held in position by one of his legs? How much longer did it go on?

0:30:05.7

Brittany:

Like a minute or two. It wasn't a particularly long time from by the time I sort of came to it was sort of finishing, I could tell he was almost sort of done. And he didn't speak to me the entire time. I just remember him eventually, he stopped, and he got up and he looked at me and I kind of looked at him and I couldn't get up. And then he left.

0:30:34.8

Lisa:

Without saying a word?

0:30:35.8

Brittany:

Didn't say anything.

0:30:38.1

Lisa:

How many times would you estimate you said to him to stop?

0:30:43.0

Brittany:

I felt like it was on a loop endlessly. At least half a dozen. I was crying the whole way through it.

0:30:54.0

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Lisa:

Do you remember the look on his face?

0:30:57.1

Brittany:

He was kind of hovering over me and it was dark. He wasn't even looking at me to be honest. It kind of just felt like, I don't know, it just felt like I was sort of a body that was there. It didn't feel like it was anything about me at all.

0:31:15.4

Lisa:

Did you say anything to him when he finished?

0:31:19.9

Brittany:

No, I said stop half a dozen time a dozen times at that point. I think at that point I was pretty resigned. I just kind of felt a bit broken.

0:31:34.2

Lisa:

What was going through your head?

0:31:37.3

Brittany:

It kind of just felt like a dream, it didn't even feel real. It was like something was just, it was happening to me, but I wasn't fully internalising that it was reality yet. And so, it was just, I don't know it was this sort of hard, it just, it seemed so obscene. And I wasn't even, I didn't even understand how I was even A, in parliament and then B, how this was happening. And see that he was there and then he was leaving, and it was, I was quiet at that point, I didn't have any words left.

0:32:17.4

Lisa:

Do you know if he used any protection?

0:32:20.1

Brittany:

No, I don't think so. I don't know, I don't have any idea.

0:32:25.8

Lisa:

At any point in that evening, do you remember him telling you that he wanted to have sex with you?

0:32:31.1

Brittany:

No.

0:32:32.1

Lisa:

ANNEXURE A – Statutory declaration of Brittany Higgins

At any point in that evening, do you remember him asking for permission to have sex with you?

0:32:38.2

Brittany:

No, no.

0:32:42.3

Lisa:

You have a photo that you took of a bruise that developed from that night. What does that photograph show?

0:32:50.7

Brittany:

Oh it's just essentially where his leg pinned me down. It's quite a large bruise and it's just the weight obviously of his leg pinning me down.

0:33:04.6

Lisa:

It's basically the shape of someone's leg –

0:33:08.0

Brittany:

Yeah, yeah.

0:33:09.3

Lisa:

Having been forced. So, how were you found?

0:33:16.2

Brittany:

So, apparently a security guard, they do these regular checks in Parliament House, came in and found me at one point. My dress was apparently up, that's sort of what was relayed to me by someone who worked in the Department of Defence. And then eventually the reason I sort of woke up was, they were doing sort of subsequent calls into the office.

0:33:40.8

Brittany:

So, they were sort of yelling out into the office just checking. Because they broadly sort of had an understanding that something had happened.

0:33:49.8

Lisa:

It sounds like it was pretty obvious that something, if a security guard came in and found you in a state, your dress was up, your top was down, you had no panties on, would any reasonable person expect that you had just been raped?

0:34:08.9

Brittany:

ANNEXURE A – Statutory declaration of Brittany Higgins

Yeah.

0:34:11.0

Lisa:

Do you know if a doctor was called?

0:34:12.6

Brittany:

No, no I think no one was sort of called. There was this just sort of this panic moment. Sorry I'm posturing on their behalf, I don't know. But I think there was a sort of panic that they knew an issue had happened, they knew they were sort of on the watch and that they were sort of broadly accountable. And so, they were just, they came in, they saw me and then they were subsequently just yelling into the office, just hoping I'd wake up.

0:34:39.8

Brittany:

I think they just wanted me to get up. And that's how I woke up.

0:34:46.4

Lisa:

So, as a result of you being found in that state. The man who had, sorry. So after being found in that state by at least one security guard subsequent to that, all they did was knock on the door and say, are you ok?

0:35:03.2

Brittany:

Yeah.

0:35:06.1

Lisa:

Wouldn't that security guard know that you're not ok?

0:35:10.2

Brittany:

I would assume so.

0:35:12.7

Lisa:

Would this be possibly one of the same security guards that would have seen you arrive drunk with a sober man? And also seeing that sober man leave without that woman?

0:35:22.8

Brittany:

It could have been, I mean I remember sort of, I think the two security guards on duty that night were two guys. And the voice who called out to me was a woman. But they're all on overnight and they all just swap positions so they would be aware that there were people in the building. They would be aware that it was strange. And they would be aware that one left.

ANNEXURE A – Statutory declaration of Brittany Higgins

0:35:44.8

Lisa:

Would it be normal for those security guards to communicate with each other that something was going on Minister Reynolds' office?

0:35:51.7

Brittany:

Absolutely, absolutely. It's a part of their job, that's what they do.

0:35:59.6

Lisa:

So, when you finally woke up. Can you describe what state you were in?

0:36:05.4

Brittany:

My dress was up around my waist, the straps were kind of down. I was pretty dishevelled. And at that point, I don't know, the first thing I sort of really remember was obviously the light was streaming through into the office and I was just panicked. I was so scared. And it wasn't even, I wasn't even scared immediately about the assault. I was scared that I was at work. My first thought was, oh my God I'm at work.

0:36:36.5

Lisa:

Did you think you were going to be in trouble?

0:36:38.3

Brittany:

A hundred percent. I don't know why that was my first instinct. I thought I was in trouble.

0:36:44.6

Lisa:

Did you also think, I've just been raped?

0:36:47.4

Brittany:

No, that didn't come for like a day after. I didn't, I think it was too painful to sort of tend to that issue yet. I think it was just the immediate facts in front of me which was I was dishevelled, I was interesting the office, I had to get out.

0:37:05.0

Lisa:

Do you know roughly what time it was?

0:37:07.4

Brittany:

I did sit in the office for about an hour pulling myself together. I ate some of a box of chocolates. I was then sick at one point and then I cried. Pulled myself together and then left at about nine-ish. Nine AM.

ANNEXURE A – Statutory declaration of Brittany Higgins

0:37:22.9

Lisa:

So you had to get dressed again?

0:37:24.6

Brittany:

Yeah, yeah Minister Reynolds had like a box of leftover sort of clothes that she wanted me to drop off to goodwill and I borrowed one of her jackets, threw it over my cocktail dress and that's how I left.

0:37:36.7

Lisa:

So, how would you describe how you looked when you left Minister Reynolds' office?

0:37:45.0

Brittany:

Obviously, I looked dishevelled. I did my best by it was still strange at nine AM to be walking out in a cocktail dress on a Sunday. I was pretty distraught. I'd obviously been crying quite a lot, yeah.

0:38:00.9

Lisa:

And this all would have been caught on CCTV?

0:38:03.3

Brittany:

Yeah, yeah.

0:38:04.9

Lisa:

How many security guards did you see on your way out?

0:38:08.7

Brittany:

I saw the two gentlemen at the Ministerial entrance on the way out. I didn't really make eye contact with them. They didn't really make any sort of overtures of talking to me. It was just sort of, I just was embarrassed. And I just wanted to get out.

0:38:25.6

Lisa:

Do you know if they were the same security guards that saw you on the way in?

0:38:28.9

Brittany:

No, but they do sort of twelve-hour shifts, so I assume it would be the same ones.

0:38:36.8

Lisa:

ANNEXURE A – Statutory declaration of Brittany Higgins

Did any of those security guards ask if you were ok?

0:38:39.8

Brittany:

No, no. I mean besides the one who called into the office in the morning who said, is everyone ok in there. That was it.

0:38:47.4

Lisa:

From a distance.

0:38:47.8

Brittany:

Yeah.

0:38:49.5

Lisa:

So, at no point before you left Parliament House, most particularly Minister Reynolds' office, no doctor was called. No ambulance was called, were the police called?

0:39:03.8

Brittany:

They were notified, I don't know how they were notified and at what point they were notified. But they were notified that there had been a security breach and that there had been an incident. As it has sort of been labelled ever since. And that sort of started triggering a series of events inside of Parliament House about how they handle these, sort of, incidents when they occur.

0:39:30.9

Lisa:

But at no point before you left Parliament House that morning was there any attempt to find out what had just happened from you or to offer any kind of medical support or advice?

0:39:45.6

Brittany:

No.

0:39:47.5

Lisa:

Where did you go once you left Parliament House?

0:39:51.0

Brittany:

I went home. I had a share house in the outer suburb of Canberra.

0:39:57.0

Lisa:

Did you call anyone?

ANNEXURE A – Statutory declaration of Brittany Higgins

0:39:58.9

Brittany:

I spoke to a friend on the phone and I had said that I had gone out and we ended up back at Parliament House. And I tried to sort of make it flippant, but I couldn't lie about where I was and I didn't feel like I could like, so I just sort of tried to brush over it as much as possible and make it seem like it was normal.

0:40:15.7

Lisa:

What happened when you got back to your apartment?

0:40:17.6

Brittany:

I saw my roommate, she introduced me to a friend of hers. And I was just very out of it. I was really, I'm pretty closed off at the best of times, but apparently, I was bit stoic to the point of, my roommate thought it kind of weird and I was acting weird. But I just sat in my room all day and cried.

0:40:37.8

Lisa:

Did you contact anyone that day and tell them what happened?

0:40:41.9

Brittany:

I was just so scared. This person was like sort of my boss-ish. And I didn't know anyone in Canberra realistically anymore and I was just, I was so cognizant of the fact that I'd just managed to keep my job and I didn't know what to do.

0:41:01.9

Lisa:

Did you think you were going to lose your job?

0:41:03.8

Brittany:

I didn't think anyone would believe me to be honest. But yeah, I definitely thought I was going to lose my job.

0:41:14.6

Lisa:

Was there any reason why you didn't tell anyone that day?

0:41:20.6

Brittany:

I was just scared on the basis that I thought that like, you know, this is my first, this had been my dream career, my dream sort of, I'd worked my entire life to get to this point. And so, I was just terrified that if I vocalised it, that I would have some sort of reprisal. Or he knew more people than I did and that somehow it would get back and it would negatively affect my career.

0:41:52.5

ANNEXURE A – Statutory declaration of Brittany Higgins

Brittany:

And so, I was just terrified, and I just wanted to sit on it, just for a day. I just needed to think, I needed to get my head clear, I needed to sort out what had even happened. Because I still didn't, I hadn't conceivable sort of put together the entire night in such a chronological way that I have even now. And so, I was still sort of dealing with that immediate trauma of what had just happened.

0:42:14.9

Lisa:

So, how did you spend that Sunday?

0:42:17.2

Brittany:

I just spent it in bed crying. I was by myself predominantly. I came out intermittently for food but that was about it.

0:42:30.3

Lisa:

What sort of patrols do the security guards normally do overnight and on weekends in Parliament House?

0:42:38.1

Brittany:

So, they do regular sort of sweeps in all the offices. And this about sort of, well you sort of get like speeding tickets essentially when we've done a security breach. So, if we leave out a classified document, and to be fair, classified is anything we send in an email that's considered official. So our classification system is very broad in Parliament. So, we'll get little notes going, oh you've made an infringement and you'll get a demerit type thing.

0:43:05.2

Lisa:

Big on secrecy in Parliament.

0:43:07.5

Brittany:

Oh very much so, yeah. So, yeah they do sweeps of the office and we get our little tickets essentially, and yeah.

0:43:15.8

Lisa:

So just leaving an email open is –

0:43:20.5

Brittany:

An infringement.

0:43:21.7

Lisa:

Right.

ANNEXURE A – Statutory declaration of Brittany Higgins

0:43:22.0

Brittany:

Yeah.

0:43:22.5

Lisa:

And you get into trouble for that?

0:43:24.2

Brittany:

Yeah, yeah.

0:43:24.6

Lisa:

So, they're serious about security in Parliament House?

0:43:27.4

Brittany:

Very much so, a hundred percent. Even just an individual infringement on a single staff member's desk, gets elevated to the Chief of Staff which is like the Manager. So, every sort of incremental, tiniest possible breach is considered like a, quite a big issue.

0:43:46.9

Lisa:

So, Parliament House security guards saw you arrive around one-o'clock in the morning, so drunk you were incapable of signing your own name. Not walking terrible well and being assisted by a man who was sober and led into one of the Minister's offices, Linda Reynold's office.

0:44:08.3

Brittany:

Yeah.

0:44:10.9

Lisa:

They then must have seen that same man leave without the woman who was drunk.

0:44:18.3

Brittany:

Yeah.

0:44:19.4

Lisa:

Shouldn't that have raised some sort of alarm bells with them?

0:44:22.7

Brittany:

ANNEXURE A – Statutory declaration of Brittany Higgins

You would assume so, yeah. Nah it's something that I sort of personally toil with every day going to work. I see those same people and I'm always wondering, was this one of the people who was on duty that night? Or did they know, or did someone on security tell them and it's a sort of running commentary on my mind of, was it you, was it you, I just, you try and piece together as much as you can.

0:44:46.9

Brittany:

And I always feel like there's that level of, there's a deeply personal horrific thing happened to you and you're constantly sort of wondering and looking over your shoulder about who knows.

0:45:01.3

Lisa:

That must be a very uncomfortable feeling when you walk into work.

0:45:04.6

Brittany:

Yeah, it's not enjoyable. I don't love coming through the Ministerial entrance. I try and park on the other side of the building where possible.

0:45:14.2

Lisa:

So, you've since learned that a security guard did come into the room after the allege rape took place.

0:45:20.7

Brittany:

Yeah.

0:45:21.8

Lisa:

Saw you passed out alone and in that very dishevelled undressed state. How did you find out that that guard saw you?

0:45:30.9

Brittany:

I found out through another party who was a staffer. And he sort of works as a liaison between the Minister's office and the Department of Defence. He was alerted to a security breach because that's part of his role, and I think he was given enough facts about the situation, more so than I was. That he ascertained that an assault had happened, and he was the first person to point blank ask me if I had been raped.

0:45:59.3

Brittany:

Yeah, so he was the person who told me that I'd been found first.

0:46:06.7

Lisa:

ANNEXURE A – Statutory declaration of Brittany Higgins

Is this a [0:46:07.2] person?

0:46:08.4

Brittany:

Yeah, yeah. He is from sort of the Department of Defence, but he is yeah, he's sort of in his forties and was regarded highly from the Department of Defence. So, yeah.

[Interruption 0:46:25.6]

0:47:07.6

Lisa:

So you're answering so well that we're [0:47:09.8], it's good.

0:47:14.3

Lisa:

So, do you know if that security guard –

0:47:30.8

Lisa:

So do you know if that security guard was male or female that came in and saw you in that undressed state?

0:47:36.3

Brittany:

I have no idea.

0:47:37.6

Lisa:

Do you know if that security guard tried to render any assistance to you?

0:47:42.6

Brittany:

Not to my awareness, no.

0:47:46.6

Lisa:

Can you understand how someone whose job it is to keep Parliament House secure, would not call for medical help?

0:47:57.7

Brittany:

No, I wrestle with it myself all the time, yeah, I don't know.

0:48:04.2

Lisa:

So, who do you think those guards at Parliament House are trying to keep secure, if not a woman who appears to have just been raped?

ANNEXURE A – Statutory declaration of Brittany Higgins

0:48:14.4

Brittany:

I think it's all about external threats as evidenced.

0:48:17.7

Lisa:

Can you explain that?

0:48:19.9

Brittany:

I think it's more about sort of external, they're more conscious of sort of, terror attacks or bringing in sort of, unsolicited paraphernalia into the building. They seem more concerned about that sort of thing broadly, than they are about sort of policing the individual conduct of staffers in offices. I don't feel like they feel like that's their remit.

0:48:47.6

Lisa:

It's weird that it didn't ring alarm bells.

0:48:49.6

Brittany:

I think there is a level of, there's a pecking order in Parliament. And I think sort of, security guards in their role in ministerial security, they're there to patrol and they're there to sort of make sure that no ones coming into the building who's not meant to be there. But internal stall relations, I think they wipe their hands of it. I don't think they think it's their job.

0:49:12.4

Lisa:

[0:49:11.9] nothing.

0:49:13.7

Brittany:

Essentially.

0:49:16.3

Lisa:

Did you go to work that next day on the Monday?

0:49:19.2

Brittany:

I did.

0:49:21.7

Lisa:

Was the man you allege raped you, there that day?

0:49:26.0

Brittany:

ANNEXURE A – Statutory declaration of Brittany Higgins

He was.

0:49:27.1

Lisa:

How did he act towards you?

0:49:29.9

Brittany:

He didn't talk to me at all that day and to be fair I didn't talk to him either. There was a very weird silence over the entire office as much as possible I'd try and leave. But it was this strange sort of calm before the storm moment of, he wouldn't look at me, I wouldn't look at him. And that was strange for someone who usually sort of bosses me around quite a lot.

0:49:55.8

Lisa:

Did he look embarrassed?

0:49:59.9

Brittany:

I don't think it was embarrassment. I don't think there was shame. I just, I think he was just avoiding me. I just don't think he wanted to deal with me. Yeah, no he didn't seem embarrassed.

0:50:14.0

Lisa:

Did you think about confronting him that day?

0:50:16.3

Brittany:

No, God no.

0:50:18.0

Lisa:

Why?

0:50:19.4

Lisa:

Just on the basis that I'd just gotten this job two weeks before, he is Minister Reynolds' man or sorry, was Minister Reynolds' right-hand man. And so, I just, confronting him didn't seem like a solution. Because I was still kind of scared of him, I guess. I just, I didn't know what to do. I had no idea.

0:50:43.6

Lisa:

Did you get any sense that anyone in that office on the Monday knew what had happened on Saturday night?

0:50:50.2

Brittany:

ANNEXURE A – Statutory declaration of Brittany Higgins

No, no I kept sort of waiting for the other sort of shoe to drop. Because I knew how intense Parliament House is about security and I knew it would have been a security breach. I knew I was there till the morning and I knew I'd been found. And so, I was waiting for that moment of like ok, we're going to talk about what happened. And I was waiting for that.

0:51:06.3

Brittany:

And I was sort of, I think a little part of me didn't want to confront this person on the basis that I thought that it was going to eventually, this conversation was going to be raised. I thought it was going to, it was inevitably going to be a discussion. And it never happened on the Monday.

[Interruption 0:51:23.6]

0:52:58.6

Lisa:

So Brittany, things changed on the Tuesday, can you tell me what happened that morning?

0:53:03.2

Brittany:

Yeah, so immediately sort of the tone in the office had changed and we had an Acting Manager, or we call the Chiefs of Staff named Fiona Brown. And she had been sort of seconded from the Prime Minister's office and she is the Director of Operations. So she's really experienced, she really knows the work and so they brought her in to sort of act as our interim manager in this strange sort of six week period before we actually went into the election.

0:53:35.4

Lisa:

Is that normal? Why was she brought in?

0:53:38.1

Brittany:

Because they didn't actually sort of want to hire a full time Chief of Staff when in six weeks' time our contracts were all going to expire anyway. And we're going into an election. So I think they were just sort of like, well ok, we'll make do, you're Acting Chief of Staff, you can deal with Minister Reynolds' office.

0:53:53.9

Brittany:

And so, Fiona came in and she was not based in Canberra. So it was kind of it wasn't a sitting week and so it was noticeable her being in the office first and foremost. And I knew immediately sort of what it would be referring to. And she said that she needed to be, that she needed to speak both Bruce and I in the morning. Sorry, senior staffer in the morning.

0:54:23.1

Brittany:

So, she came in on the Tuesday morning and asked if the senior colleague and I would go into the office and speak with her. So she originally brought in the senior colleague and they were probably in there for about forty-five minutes. And I sort of –

ANNEXURE A – Statutory declaration of Brittany Higgins

0:54:38.0

Lisa:

So you weren't in that meeting?

0:54:38.6

Brittany:

No, I wasn't in that meeting.

0:54:40.6

Lisa:

You were waiting at your desk?

0:54:41.6

Brittany:

Yeah, yeah.

0:54:42.5

Lisa:

You knew that you were next.

0:54:44.0

Brittany:

Yeah absolutely. I knew I was next, and I knew that we were sort of, I knew what it would be pertaining to. Like we had had a, known it was coming and, yeah I'd known it was sort of coming and it so it was this forty-five minutes of just, it was obviously quite stressful.

0:55:03.7

Lisa:

Could you hear anything through the door?

0:55:05.7

Brittany:

No, no.

0:55:06.4

Lisa:

So the door just closed –

0:55:07.2

Brittany:

Yeah.

0:55:08.2

Lisa:

The senior male colleague was in there, what did you think was happening?

0:55:13.3

ANNEXURE A – Statutory declaration of Brittany Higgins

Brittany:

I assumed it was a disciplinary sort of meeting. I assumed that I was probably going to go in and have the same meeting.

0:55:24.5

Lisa:

What did you think was going to happen to you?

0:55:27.5

Brittany:

I just thought I was going to be fired. Just for being there overnight, I just thought that you know, it wasn't appropriate conduct for a Minister's office and in my mind, I was like, that seems fair. I guess, I don't know how at the time, I just thought that that was what was happening.

0:55:43.7

Lisa:

So this colleague came out –

0:55:45.5

Brittany:

Yeah.

0:55:47.0

Lisa:

Did he say anything to you or anyone?

0:55:49.1

Brittany:

No, so he immediately walked out of the office and started packing up his things. Didn't say a word to anyone and it sounds strange, but in sort of staffing culture, that's not unheard of. That happens kind of a bit, there's just sort of this, don't ask, don't tell mentality around you know when someone leaves, when someone comes in. It's just sort of they're either, yeah. There's this sort of mentality that you don't ask follow up questions.

0:56:17.1

Lisa:

So, how are you feeling at this point before you walk into Fiona Brown's office?

0:56:21.4

Brittany:

I was pretty resigned to the fact that I was going to be fired. I felt sort of, I don't know, I wasn't even sad about it anymore. I think I'd gone through that stress of the day, I'd been so upset over the weekend and for some reason I was walking in with this sort of, this is fine. I've had a good run, I only thought I was going to get six months. This has been ok. And so, when I went in there and actually spoke with her and she asked me to sort of recount the events of the night, I was completely you know, verbatim sort of exactly what I've told you.

0:56:54.2

ANNEXURE A – Statutory declaration of Brittany Higgins

Brittany:

I started from the start and I went all the way through. And that was sort of the first time I'd vocalised that I'd been raped. And I think as I was telling it, it was the first time I'd sort of pieced it together myself, what had happened was an assault. I think I hadn't sort of wanted to process what had happened. So being forced to recount the events on the Tuesday, it, that was the first time I'd even sort of, felt it.

0:57:23.9

Lisa:

So, what was her tone towards you until you told her that you had been raped?

0:57:31.0

Brittany:

It was very procedural, it felt like a disciplinary meeting. The first thing she sort of brought me in and mentioned that you know, it was, we'd been made aware of the events of Saturday night and that you guys were here after hours and you know that's not acceptable. And I was just sort of broadly accepting sort of what I was hearing.

0:57:53.6

Brittany:

And then she made me resign this thing called the Ministerial Code of Conduct.

0:58:00.2

Lisa:

Why was that?

0:58:01.1

Brittany:

I don't really know. I think I guess because we were acting in a way that was out of, not in accordance with the Code of Conduct. And I signed it, I think at that point I just sort of wanted to stem the bleeding. I was like ok, this is happening, I'm just going to just do whatever. And so, yeah, and then I think as soon as I'd sort of gotten to that point in the night where I was like, I don't remember, but then, then this is what happened.

0:58:28.4

Brittany:

And then I got to the couch and then that was when the entire sort of tone changed, I think. Yeah, then she sort of moved into sort of, a different hat came on and she wasn't disciplining me, it was more about managing a situation. And that's how it felt.

0:58:48.0

Lisa:

What does that mean?

0:58:51.1

Brittany:

ANNEXURE A – Statutory declaration of Brittany Higgins

I think it felt like I became, this was like immediately became sort of like a political problem. It felt like that immediately. It wasn't a staffing problem, it wasn't a HR problem, it wasn't a human problem, but immediately it was like, ok, we have an issue.

0:59:07.2

Lisa:

Because you were just weeks away from the Federal Election being called?

0:59:11.5

Brittany:

Yeah, and I think there'd been sort of broad talk around sort of women in the Liberal Party and how this had been an issue for us and I think there was that sort of conversation flying about. So that was sort of the context at the time. And then I'd come in, recounted this story to her and I think immediately as soon as she realised that I'd identified it as a rape, she was like, ok we've got a problem.

0:59:35.7

Lisa:

Because for a long time, the Liberal Party was known as having a women problem and you looked like you were about to be another woman problem.

0:59:45.2

Brittany:

Yeah, and issue. Yeah, literally yeah, six weeks or eight weeks out from the election realistically.

0:59:52.3

Lisa:

Were you asked to sign any other documents during that meeting?

0:59:56.2

Brittany:

Not during that meeting. I know I signed something else and to this day I have no idea what it was. I think it was like a second wave of trauma hit when I internalised what had happened to me. Finally, I was in hysterics because I'd know that I'd been raped, and I'd been violated and that was something that I just sort of got my head around. And so, I signed something else but no one else in the office knew what had happened.

1:00:23.3

Brittany:

No one else was sort of there witnessing it. So I was just sort of, me and this lady who I'd met from PMO maybe three times who I thought was going to fire me a couple of minutes ago, asking me to sign and do things. And so I did, I just signed it, I just wanted it done.

1:00:37.7 PART ONE ENDS

ANNEXURE A – Statutory declaration of Brittany Higgins**Brittany****1:00:37.7 PART TWO BEGINS**

1:00:37.7

Lisa:

Would she have known that you were traumatised at that point?

1:00:41.1

Brittany:

I assume so, I mean I feel like it's any reasonable person. I was crying, I was quite upset.

1:00:47.0

Lisa:

But she got you to sign this document that you, don't know what it was?

1:00:50.4

Brittany:

I have no idea. I'm sure she explained at the time. But you know, I think when you're in sort of the, in the aftershock of an immediate sort of trauma you're just a little bit all over the place to be honest.

1:01:05.1

Lisa:

Did she tell you what happened to your senior male colleague who had just left the office?

1:01:10.3

Brittany:

She said that she had fired him. She didn't say why she had fired him but that he had been, yeah let go. And that he wasn't coming back. And that sort of didn't quite compute, why was he being fired, and she'd already fired him but. I don't know, I just, I was kind of confused at that point in time. Sort of, it felt like she either, she sometimes it felt like she knew what had happened and then other times it sort of switched tense and it seemed like she was sort of playing dumb, like she didn't know. And I thought that was really confusing at the time.

1:01:44.6

Lisa:

So, you had just told a senior advisor to Prime Minister Scott Morrison that you had been raped on Minister Reynolds' couch in her private office.

1:01:56.1

Brittany:

Yes.

1:01:57.2

Lisa:

That's a serious crime.

ANNEXURE A – Statutory declaration of Brittany Higgins

1:01:58.6

Brittany:
Yeah.

1:01:59.6

Lisa:
Did she call the police?

1:02:03.1

Brittany:
She said, internal mechanisms were already at play.

1:02:06.6

Lisa:
What does that mean?

1:02:08.1

Brittany:
That I think there'd been a security breach and that during that process, and the, so in Canberra, inside of Parliament House, it's its own unique AFP unit. And so, that act independently from the ACT Police and they're a branch of the Federal Police apparently. And they had been notified in this process of Minister Reynolds' Chief of Staff being notified. It was this automatic sort of series of events that had been triggered on the basis that there'd been a breach of security in the Minister's office.

1:02:43.4

Lisa:
Did she ask you if you wanted to take this to the police?

1:02:46.6

Brittany:
Not at that point no.

1:02:49.2

Lisa:
Did that seem strange to you?

1:02:51.4

Brittany:
In hindsight yes, yeah.

1:02:56.3

Lisa:
What support were you given by Fiona Brown?

1:02:59.9

Brittany:

ANNEXURE A – Statutory declaration of Brittany Higgins

We have an employee assistance program. And I remember she gave me a brochure for the Employee Assistance Program. And I think she told me that day that I could take the rest of the day off and I did.

1:03:14.8

Lisa:

So you went home with a brochure?

1:03:17.2

Brittany:

I did.

1:03:18.2

Lisa:

Not having spoken to any police?

1:03:20.1

Brittany:

No.

1:03:22.9

Lisa:

Did Fiona Brown ask how you were physically?

1:03:29.2

Brittany:

I don't recall her going into much detail about how I was as a person. Whether it was physicality or emotionally. I think it was kind of, ok, you've got this, you've signed your code of conduct, just go home. Just, I was a wreck and I think she just sort of, was like ok, this, we have to get this person out of the office, yeah.

1:03:53.4

Lisa:

So, what was in the brochure that you were left with?

1:03:56.0

Brittany:

A phone number. I did call it. I think it was like a two-month wait to speak to a psychologist. I knew I would be hopefully in campaign mode at that point, so I didn't take them up on it. Because I didn't know where I would be in the country.

1:04:12.5

Lisa:

Did you let Fiona Brown that you couldn't see someone for two months courtesy of the brochure she'd just given you?

1:04:18.1

Brittany:

ANNEXURE A – Statutory declaration of Brittany Higgins

She enquired if I had called the number and I said, yes but there was like a long wait time. And then she was like, oh sometimes it's like that. And that was sort of the extent of our exchange about support beyond the event.

1:04:29.9

Lisa:

So, she didn't offer any assistance for you to see a counsellor of any type?

1:04:37.8

Brittany:

No real counsellor. It was all very much, you've got the EAP and at that point it sort of became and moved more into what I was going to do with this sort of event. Whether I was going to be, whether I wanted to proceed with it, whether I wanted to go onto the election, and it became a conversation about where I was taking this.

1:05:03.9

Lisa:

Was she at all concerned that you couldn't see a counsellor for two months?

1:05:08.2

Brittany:

It didn't seem like it. She didn't, it wasn't really a priority for her. I think she was already in campaign mode. She was going to be based in CHQ which is in Brisbane and she was going to be running a lot of things. So I think more she wanted to know, was I taking this to police. Was I going to be in WA for the election campaign, or was going to go home and take a payout?

1:05:33.4

Lisa:

Ok, well let's go through that. When she asked you, were you going to take this to the police, what did you say?

1:05:40.3

Brittany:

So I said I would speak with the police and I did. I did on the Wednesday. So I immediately on the Wednesday I was met with the AFP Canberra Parliament House Unit. I went down and I, it wasn't a formal statement, but I gave them sort of, I sat down with them and I went through all the events. I let them know about when I came in, what time I left, I ran through everything.

1:06:05.8

Brittany:

And at that point, they decided that they would elevate it to the Belconnen AFP Sexual Assault Crimes Unit. And they had jurisdiction over that sort of crime in the region, I guess. But there was obviously a bit of a time difference between when they originally referred it and when I could go in and speak to those officers. So I was proceeding down that route. Absolutely.

1:06:29.9

Brittany:

ANNEXURE A – Statutory declaration of Brittany Higgins

I don't know, I think the fear of reprisal from the senior staffer was kind of gone and so I was starting to move in that direction of, ok this is just what happens next.

1:06:39.8

Lisa:

If I can just go back, so –

1:06:51.7

Lisa:

So Fiona Brown sacked your senior male colleague. Did she say that she knew you had been raped?

1:07:00.4

Brittany:

No, she was very careful around all of her words. I don't think she ever wanted to confirm that the assault had happened. I don't think she wanted to confirm, it was all sort of political jargon. You know how you sort of distance yourself from the actually meaning of the word. It was all kind of dancing around the subject.

1:07:21.5

Lisa:

Did she give you any indication of what this senior male colleague had told her had happened in that office that Saturday night?

1:07:29.8

Brittany:

She mentioned that he said that he was coming up to grab a bottle of alcohol or something. And that was his reason for coming back to the office after hours. And she said that he had stated that he hadn't been drinking that night. And that's where I got that information from. Beyond that, that was all she sort of told me specifically about what he said during that meeting.

1:07:55.3

Lisa:

So, you received this request to meet with the police unit that's within Parliament House, can you tell me more about that meeting?

1:08:04.9

Brittany:

Yeah, so they came up to the Minister's office and obviously it's a little strange. I remember a colleague in my office commenting like that's pretty strange, the police are here. And I went with them and you sort of have to go down into the bowels of Parliament and it's like two levels down underground and they walked me through, and I sat with two women, two lovely officers and yeah, at that point they just wanted a verbal statement from me recounting the event.

1:08:36.8

Brittany:

They just wanted to ascertain broadly what had happened and they were taking notes throughout. So they had a casefile open, they'd been notified of it through Parliament House security.

ANNEXURE A – Statutory declaration of Brittany Higgins

1:08:46.5

Lisa:

So these women, these police officers are part of the AFP? External to the Parliament House policing unit?

1:08:54.4

Brittany:

Sorry no, these are that Parliament House policing unit. So they were notified by security, they had sort of the broad details of what had happened, they just needed me personally to fill in the blanks so that they could refer it to another AFP. It was very bureaucratic, it's a bit of a nightmare when you're going through a trauma, it's quite hard to manage.

1:09:19.4

Lisa:

What did they tell you they had been told to investigate?

1:09:23.3

Brittany:

A sexual assault.

1:09:40.5

Lisa:

So at any point, did you ask to see the CCTV footage of you on that Saturday night, into the Sunday morning?

1:09:50.3

Brittany:

Yeah. I became weirdly fixated on it personally. Because I didn't have so many of the details of that night, I really wanted to sort of contextualise it for myself. I just wanted to see it so I could understand it. And if I could understand it, then I could process it and just you know, emotionally sort of deal with it.

1:10:08.9

Lisa:

Because at this point, you knew that quite a few people had seen this CCTV?

1:10:13.5

Brittany:

Yeah, yeah I knew that Fiona had seen it, I knew that sort of, one of my other colleagues had seen it from Defence. And so it was this strange thing where it felt like everyone had all this information on my own assault, and I didn't have any. And I had no idea sort of what was going on. I felt like I was getting second hand information. I was kind of getting palmed off all the time to all these sort of different people in the process.

1:10:37.8

Brittany:

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And it wasn't even, I didn't even feel a part of my own sort of assault somehow. Like it was being case managed by a number of other people and they were ten steps ahead of me. I didn't see it and I desperately wanted to. I asked at least half-a-dozen times to see that CCTV and she always said no.

1:10:58.3

Lisa:

Who's she?

1:10:59.6

Brittany:

Fiona.

1:11:00.5

Lisa:

So who were the people that you asked to see the CCTV footage?

1:11:04.7

Brittany:

Fiona, she was my Chief of Staff, she was the only person realistically that could report to. I know down the track the police were trying to also get a copy of the footage.

1:11:15.7

Lisa:

Well, let's not jump forward.

1:11:17.1

Brittany:

Sorry.

1:11:18.4

Lisa:

So when you asked Fiona Brown for access to that footage, what did she say?

1:11:25.0

Brittany:

She kind of just rebuffed it. It was, because I did ask a number of times and it was never a flat no on the basis that I think she was sort of trying to protect herself. But she clearly didn't want me to see it.

1:11:38.2

Lisa:

Why?

1:11:40.0

Brittany:

Because apparently I was very, visually intoxicated and I think it was incriminating.

1:11:46.7

ANNEXURE A – Statutory declaration of Brittany Higgins

Lisa:

To who?

1:11:48.1

Brittany:

I don't know whether it's to the security guards, whether it's, I think it wasn't even, they weren't trying to protect the senior staffer, I think they were just trying to broadly protect themselves from any liability or blow-back. That's how it felt.

1:12:02.6

Lisa:

So everybody else got to see this footage, but you?

1:12:05.8

Brittany:

Yeah.

1:12:06.8

Lisa:

How did that make you feel?

1:12:10.6

Brittany:

It hurt, it really hurt. It felt like a betrayal kind of. I don't know how, but it just felt like, you dedicate so much of your life and your time when you work in politics and the people you work for. And for them to sort of withhold this one really small thing that I needed just personally for myself to process, to move on, or just to understand what had happened to me. And knowing that everyone else who really broadly didn't have any vested interest in seeing it, had witnessed it. It was just, it was really hard. Yeah, really hard. I don't know why, it really upset me.

1:12:55.7

Lisa:

Do you know how far into the Minister's office that CCTV followed you?

1:13:05.0

Brittany:

It, it went from the very front entrance of where the taxi would have stopped all the way through, going through security, all the way up to the suite. So they've got cameras all the way up. And they would have seen when he left, what time he left and I think just, they just sort of had sort of all the pieces that I was kind of missing in my own personal sort of recollection. Not recollection, but just understanding of the events so I could contextualise it for myself.

1:13:52.6

Lisa:

So when did Minister Reynolds speak to you about what happened?

1:13:55.8

Brittany:

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So, I let them know that my dad was going to come down just to sort of support me over that weekend. He sort of knew of an incident that had happened, he knew that senior staffer had been fired and he broadly knew that it was an assault. But I didn't give him any of the details. So my dad came down and I let them know that my dad was coming down.

1:14:14.5

Brittany:

And I think at that point it kind of made them nervous. Because beyond that, I'd only been speaking to them and I didn't have a support network in Canberra, I'd only lived there for a few months and everyone who I'd know had been fired recently. So I think that made them nervous. So I got a WhatsApp from Fiona Brown indicating that Minister Reynolds would like to have a meeting with me and Fiona on the following Monday.

1:14:38.1

Lisa:

So you'd been working in Minister Reynolds' office all of that week?

1:14:43.0

Brittany:

Yeah, yeah.

1:14:45.0

Lisa:

After the assault on the Saturday night, where had she been for that week?

1:14:48.4

Brittany:

In WA, in Western Australia.

1:14:51.5

Lisa:

Was she coming back specifically to see you?

1:14:55.6

Brittany:

I can't remember if it was a sitting week or not. I think maybe she was, yeah.

1:15:01.8

Lisa:

Can I just check one thing with you, going back to the CCTV, did you ask the police unit within Parliament House if they had seen the CCTV footage?

1:15:10.8

Brittany:

I didn't specifically ask them, but they seemed to, they had enough facts and figures that I assumed they had seen it. They sort of knew when we came in, time, logins, like they had that sort of information that made me feel like they had already seen it.

ANNEXURE A – Statutory declaration of Brittany Higgins

1:15:24.5

Lisa:

Did you ask them if you could see it?

1:15:27.8

Brittany:

No I didn't ask them if they could see it, I only asked Fiona.

1:15:30.9

Lisa:

Ok. So you had a meeting with Minister Reynolds, did you have any idea what that meeting was going to consist of?

1:15:41.2

Brittany:

I sort of, I knew she'd that she'd want to sort of speak about what had happened in the office. I wasn't sort of given an agenda or anything, I didn't specifically know. But yeah, I just remember that it was first thing and I kind of expected to walk into Fiona's office where we'd been having all of our other meetings and we actually went into the room where it happened.

1:16:07.9

Brittany:

And it was just like a whiteout in my mind. Because it's the first time I'd ever had to go back there. And so, we had this sort of this round table in the corner of the Minister's office and the Minister was sitting there and Fiona was sitting on the other side. And between sort of me and their table was the couch. And I just remember feeling so, I'm sure they were saying words but I barely remember a single word they said during that entire process.

1:16:38.7

Brittany:

Because I was just so cognizant of, this is where it happened, it's right there. That's exactly where it, and it was just this loop playing in my mind of this trauma that I'd just sort of come to terms with and I just thought it was unfathomable that they would put me in that space again.

1:16:55.2

Lisa:

Did Minister Reynolds know that that was the couch that you allege the rape happened on?

1:17:00.1

Brittany:

There's no way she wouldn't, she knew it was in her office.

1:17:05.2

Lisa:

So what did she say to you?

1:17:07.5

Brittany:

ANNEXURE A – Statutory declaration of Brittany Higgins

She was apologetic. She was nice, she did say nice words. She was apologetic, she asked how I was. And then pretty quickly the conversation turned to sort of, the police. And if I chose to go to the police, we would support you. And it was this sort of, it felt like a weird sort of, HR ticking a box moment that they sort of could fulfil that quota. That the minister said that to me on record and that I would then, it didn't feel like a real conversation. They were kind of talking to me for like a real human being.

1:17:45.8

Brittany:

And then it kind of switched into, ok, we have to say this, this was said, done. And then successively, all their actions following that, made it very clear that that wasn't anything that was actually a real feasible thing for me to do.

1:17:59.8

Lisa:

How traumatic, sorry. How traumatic was it to be back in that room, looking at that couch?

1:18:07.7

Brittany:

I can't even fully put it into words, but it was just, it was kind of like all of the sound went out and I couldn't hear anything, and I was just so cognizant of it being there, it was, I felt like I was reliving it, every second of being in that room.

1:18:26.1

Lisa:

Did she, did Minister Reynolds or anyone else in that meeting apologise of the inappropriateness of that location being where this meeting took place?

1:18:35.8

Brittany:

No, I don't, it was never acknowledged, it was never brought up. It was just sort of like this weird sort of side feature of this meeting, yeah.

1:18:48.1

Lisa:

Was there any mention of police being called in and this becoming a full police investigation?

1:18:55.3

Brittany:

No, it was very much it felt like it was like, if it was like an independent side project of mine. If you choose to, we won't stop you essentially. And that was sort of the tone. It was like very flippant, it wasn't an office involved thing, it was more, if this is something you do, go for it.

1:19:14.7

Lisa:

Did Minister Reynolds ask you if you had seen a counsellor at that point? We're a week or so after the alleged rape?

ANNEXURE A – Statutory declaration of Brittany Higgins

1:19:21.8

Brittany:
No, no.

1:19:24.7

Lisa:
Did Fiona Brown ask you at that point if you had seen a counsellor?

1:19:27.6

Brittany:
No.

1:19:29.3

Lisa:
The same Fiona Brown who gave you the brochure a week before?

1:19:31.8

Brittany:
Yeah.

1:19:34.3

Lisa:
So what support was offered to you at that meeting?

1:19:37.3

Brittany:
I think it was more just like a verbal confirmation of them saying, we're sorry that this happened to you. That was sort of the agenda and then the sort of, once that was done then the next thing was, if you choose to go to the police, we won't stop you. And those were the sort of the two issues that were broadly covered. And then at that point, I mean I'd only met Linda Reynolds probably three times at this point.

1:20:03.5

Brittany:
So it was, it was a strange dynamic of this person who suddenly just viewed me as a liability and it kind of, I felt that shift in tone. I felt like a liability in her office pretty much immediately.

1:20:19.3

Lisa:
Were they the words that they used? If you go to the police, we won't stop you?

1:20:25.1

Brittany:
Yeah, I think so. I mean it was, it wasn't, they weren't supporting me or encouraging me. They didn't tell me, you should go to the police, we will support you, like let's do this. Like it wasn't, it was conferred as, if this is your sort of choosing to go down this path, we're not going to stop you, you can do it.

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1:20:43.4

Lisa:

If you [1:20:44.3] was there any talk of what would happen to your job?

1:20:50.0

Brittany:

It was never sort of, overtly stated but every time I sort of talked about sort of long-term sort of any sort of mental health leave or when I spoke about needing time off to go speak to the officer, it always became quite a different sort of issue in the office. I could tell that it made Fiona uncomfortable. I could tell that –

1:21:15.9

Lisa:

It made Fiona Brown uncomfortable if you brought up anything that referred at all –

1:21:20.7

Brittany:

To the incident.

1:21:21.1

Lisa:

To the alleged rape?

1:21:22.7

Brittany:

Yeah, yeah. And so, it became a topic that was really hard to raise with her. And she was sort of my only point of contact in terms of HR or anything. She was my only sort of person I could go to. The minister clearly didn't want to hear about it anymore. She didn't broadly want to see me anymore. And so, Fiona was like my sort of, the only person I could talk to. And it was dismissed, it was played down, and it was made to feel like it was my problem.

1:21:53.2

Brittany:

And so I would, sorry. And so I would try and raise it and I would try and bring it up and it was always, it always sort of came back to sort of being a me issue. And if you can't deal with it, then you can leave. Yeah, and that was difficult to contend with because obviously they've been around the block in Parliament for a really long time. Especially Fiona, she's been around since the John Howard era.

1:22:28.2

Brittany:

And so, they never overtly would say no, but it was very clear that they didn't want me doing these sorts of actions. And it was, it was always difficult trying to take any steps forward.

1:22:56.6

Lisa:

These are two very powerful women and they're talking to a junior staffer who's alleging that she's been raped. They've given you a brochure, at any point, was there any suggestion that they could

ANNEXURE A – Statutory declaration of Brittany Higgins

fast-track some counselling. That they knew people and they could have organised help that would have made a difference to where you were emotionally at this point?

1:23:29.7

Brittany:

I mean it just didn't fundamentally feel like it was their concern. It felt like this was my, if I independently wanted to seek assistance, I could go do it. If I independently wanted to try and go down the police route, they would not stop me. It was this sort of, either you're a part of the team and you're moving forward with the team, or you're going to focus on yourself and we're going to leave you there.

1:23:52.6

Brittany:

And that was sort of the rhetoric that continued to come up, time and time again, every time I brought it up. Whenever I asked for the CCTV or to see it, it was never an explicit no, but they would, they obviously never showed me. It's just, it was sort of this round a bout game where I felt like I was chasing things and they were just sort of putting me on the backburner for as long as possible.

1:24:15.0

Lisa:

There was an election coming.

1:24:16.3

Brittany:

Yeah, yeah.

1:24:22.3

Lisa:

So at that stage you were only dealing with the internal Parliament House police unit. Who called in the AFP?

1:24:30.5

Brittany:

The internal Parliament House decided to elevate it to them. So, that's when the Belconnen Sexual Assault Crimes Unit got involved.

1:24:41.1

Lisa:

Was Minister Reynolds or Fiona Brown alerted to that fact?

1:24:46.5

Brittany:

I believe they were alerted. I didn't explicitly tell them myself. But they knew I was starting to progress down that line.

1:24:54.4

Lisa:

So when did you first speak to the sexual assault investigators?

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1:24:58.1

Brittany:

It was probably about a week or so after the actual event itself, or two weeks about. And they actually came and picked me up from Parliament House. And so they, that was the first time I had a real counsellor. So I had a lady from the Canberra Rape Crisis Centre there with me. And I met her for the first time, and I had two officers there.

1:25:24.0

Brittany:

And they were very proactive. From the onset, they had already sort of started acquiring footage from the venues we'd been at earlier in the night. She already sort of knew who was at the event at the start of that day. And so, this officer was already starting to get information together but immediately she raised the fact that she was already having difficulty with Parliament House getting copies of the CCTV footage.

1:25:51.4

Brittany:

And that was sort of another sort of way it was confirmed to me that, you know, they would say to my face that they were supportive, but when it came down to it, it was tooth and nail trying to get anything from them to help me in any way. Either A, process or B, go forward.

1:26:09.9

Lisa:

Do you know who was knocking the AFP back on getting that CCTV?

1:26:13.9

Brittany:

I don't personally know who she was speaking to, but yeah, she was going through the appropriate channels I guess.

1:26:20.7

Lisa:

And that police officer elevated it to their senior superintendent to try and get access to the CCTV?

1:26:31.6

Brittany:

Yeah, so at one point during the election campaign, I ended up ultimately going. I was pretty resigned to the fact that this was going to be, sorry –

[Interruption 1:26:51.0]

1:27:06.0

Lisa:

So footage that could have gone some way to supporting your allegation of your rape was not available to you and was now not available to the Federal Police.

1:27:18.1

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Brittany:

Yeah.

1:27:18.6

Lisa:

Did anyone tell you why?

1:27:20.5

Brittany:

No, no.

1:27:23.4

Lisa:

Did anyone tell the police why?

1:27:27.5

Brittany:

No, but she didn't seem surprised that they were having difficulty getting this footage. She said that this would be a bit of a battle. She didn't know if she'd be able to get it.

1:27:37.9

Lisa:

And she was so concerned she elevated it to her superior.

1:27:42.1

Brittany:

Yeah, that's correct.

1:27:43.4

Lisa:

And did her superior have any luck getting that CCTV?

1:27:46.5

Brittany:

Not to my knowledge.

1:27:47.7

Lisa:

Same knockbacks.

1:27:48.9

Brittany:

Yeah.

1:27:57.7

Lisa:

The question then remains, who are the police within Parliament House, who had control over this footage, answerable to, if not the Australian Federal Police.

ANNEXURE A – Statutory declaration of Brittany Higgins

1:28:13.1

Brittany:

I have no idea. I mean –

1:28:15.0

Lisa:

Who is more powerful than that? Policing unit or the AFP?

1:28:21.1

Brittany:

It is a strange relationship I can't even begin to comprehend; I have no idea, I don't understand the pecking order and I don't understand the flow of command. But it's, it's deeply complex and interwoven and yeah. And they have direct sort of, conversations with the minister's office and it's strange the way that that system works.

1:28:45.9

Lisa:

It's been two years since this all happened, have you been able to get access to that CCTV yet?

1:28:52.4

Brittany:

No, no I don't think I'll ever see it.

1:28:54.6

Lisa:

Do you know if it still exists?

1:28:56.5

Brittany:

No. I have a friend I was talking to sort of about it who works in policing and he sort of politely sort of brought me back to reality and said that he assumes it was quietly destroyed at some point. It's yeah, it was lost.

1:29:18.0

Lisa:

So this all happened just weeks before the Federal Election of 2019 was called. And I believe that Fiona Brown from the Prime Minister's office gave you two choices on how to proceed.

1:29:30.9

Brittany:

Yeah.

1:29:31.3

Lisa:

Once this was all out in the open with her and Minister Reynolds, can you tell us what those choices were that you were given?

ANNEXURE A – Statutory declaration of Brittany Higgins

1:29:38.6

Brittany:

Yeah, so essentially, I could go home. They'd pay me and I could just sort of take leave and I could just sort of process what had happened to me and I could just go home.

1:29:49.3

Lisa:

So pay you out and leave their employment?

1:29:52.5

Brittany:

Yeah, I would technically be employed but I wouldn't be doing anything, I would just at home.

1:29:57.8

Lisa:

So just disappear for the course of the election?

1:30:00.8

Brittany:

Essentially.

1:30:01.8

Lisa:

Would you have a job beyond the election?

1:30:04.1

Brittany:

That was what my question was. I did want to take leave for myself to sort of process, to see a therapist, to I don't know do any sort of self-care to sort of deal with what had just happened.

1:30:15.1

Lisa:

To try and heal.

1:30:16.3

Brittany:

Yeah. And I asked, so what's the process of coming back. And she said, well you wouldn't. And that was the really clarifying moment for me where I fully sort of internalised that this is a political issue, my job is on the line for this, I don't really have a choice.

1:30:39.4

Lisa:

So you were just continually being seen as a problem?

1:30:41.5

Brittany:

Yeah.

ANNEXURE A – Statutory declaration of Brittany Higgins

1:30:43.6

Lisa:

Not as a woman who alleged that she'd been raped in a Federal Minister's office?

1:30:49.2

Brittany:

Yeah.

1:30:51.0

Lisa:

So what did you choose?

1:30:54.5

Brittany:

This was my dream job; I had worked my entire life to get here. You know, these people weren't just my colleagues, they were sort of my social network at this point, I regarded them as sort of extended family to an extent now. I'd become sort of so ingrained in it.

1:31:13.9

Lisa:

Some family.

1:31:15.8

Brittany:

Yeah, and so I just I saw, I wanted this future, I wanted to be a part of it for my entire sort of working life. So yeah, I went to WA.

1:31:34.5

Lisa:

What was in WA?

1:31:36.7

Brittany:

I was sort of just a part of Minister Reynolds' sort of WA based team, we were helping in the seats of [1:31:45.3], Canning and Swan. And we were just coordinating media releases and events and opportunities, and it was pretty much hell. It was a horrible, horrible six weeks.

1:31:57.6

Lisa:

Why was that?

1:31:59.5

Brittany:

Mostly because I didn't know anyone there.

1:32:02.4

Lisa:

So you were isolated.

ANNEXURE A – Statutory declaration of Brittany Higgins

1:32:04.1

Brittany:

Yeah, I was by myself for six weeks in this, up in a hotel room but we were sort of working seven days a week pretty much. If we weren't, if we weren't sort of in office we were at events and campaigning and so, I was just, I was pretty suicidal to be honest at the time. Because you're just alone, it was really hard.

1:32:30.6

Lisa:

Did you think it was a curious option to send someone who just alleged rape to the other side of the country with no support network around her at all?

1:32:41.4

Brittany:

Yeah. I thought it felt intentional. Sorry –

1:32:53.3

Lisa:

How did Minister Reynolds treat you during those six weeks?

1:32:57.0

Brittany:

I mean she was never outright rude to me, but she did sort of actively try and avoid me as much as possible. She didn't like me coming to her events. She didn't like me going to things with her. I think I made her uncomfortable. And I sort of, I gathered that pretty quickly and so I just kind of stayed out of her way, I tried to do as much as I could for other people in other seats, but I was kind of kept at an arm's length indefinitely.

1:33:22.1

Lisa:

Did she ask you how you were?

1:33:24.6

Brittany:

No, no.

1:33:24.4

Lisa:

Did she ask you if you'd seen a counsellor?

1:33:27.6

Brittany:

No.

1:33:29.0

Lisa:

ANNEXURE A – Statutory declaration of Brittany Higgins

Did she ask you how the police investigation was going?

1:33:32.2

Brittany:

No, no it was never raised again. Beyond that one time in her office, she never spoke to me directly about the incident ever again.

1:33:40.7

Lisa:

Why did you decide not to pursue the case with the AFP at that point?

1:33:46.3

Brittany:

Because we were already coming up with so many blockades and I realised my job was on the line. I didn't feel like I had a choice.

1:33:55.0

Lisa:

Who did you tell that you were not going to pursue the case?

1:33:58.5

Brittany:

The officer who had been really helpful to me, I let her know. I sent her an email and I thanked her and I just said because of work, because of my current work demands, I just can't do it.

1:34:10.4

Lisa:

Did you feel pressured in any way whatsoever not to proceed with the case with the police?

1:34:18.9

Brittany:

Oh absolutely, I mean there is a strange culture of silence in the parties, and you just, you don't, the idea of sort of speaking out on these sort of issues especially around a campaign is just, it's like letting the team down. You're not a team player, like it's just, it's this culture where, it's, everyone's, yeah, yeah, sorry.

1:34:51.8

Lisa:

So you would have been seen as somebody who wasn't supporting the party had you proceeded with that police case?

1:35:01.4

Brittany:

Yeah.

1:35:03.9

Lisa:

After the election why did you leave Minister Reynolds' office?

ANNEXURE A – Statutory declaration of Brittany Higgins

1:35:07.0

Brittany:

My contract immediately as soon as we get into Government, we all lose our jobs again. So, I realised pretty quickly given our past history she wouldn't want to keep me on. So I immediately started going around to everyone I possibly could, trying to get another job. But yeah, I knew she didn't want me there.

1:35:26.2

Lisa:

The man that you allege raped you, was a favourite of hers, did she ever discuss him with you after she found out what had happened?

1:35:36.2

Brittany:

No, I think honestly on some social media platform, she still follows this person. I think that, I think she believed me to the extent in which she had to, but I don't, she still kind of, still sort of friendly with his [human? 1:35:55.1] I guess to an extent. And I felt like I was like an imposition, or an issue or a problem this entire time. And I just didn't feel like she really didn't like me afterwards.

1:36:12.9

Lisa:

Even though Minister Reynolds didn't offer you a job after the election, plenty of other ministers did, who offered you work?

1:36:21.3

Brittany:

I was offered a job in Minister Cash's office, Minister Cormann's office and Minister Robert's office, yeah.

1:36:28.1

Lisa:

Were you surprised you got so many offers?

1:36:30.4

Brittany:

Yeah, I was. I was fretting about whether I'd get even one, so to get three was pretty overwhelming.

1:36:36.7

Lisa:

And you took a job with Minister Cash, how did she find out about the assault?

1:36:41.5

Brittany:

So she didn't know for a really long time. So she didn't know until October of 2019.

1:36:50.1

Lisa:

ANNEXURE A – Statutory declaration of Brittany Higgins

So about six months after the assault?

1:36:52.3

Brittany:

Yeah. And she found out because Minister Reynolds called my new sort of Office Manager about a journalist enquired about an assault in Minister Reynolds office. And so, she decided that it was information that my current boss needed to know, and she called him. And that's how they found out.

1:37:20.1

Lisa:

How would a journalist find out that a sexual assault had taken place in Linda Reynolds' office?

1:37:24.3

Brittany:

I have no idea, honestly. There's, some people think that maybe the AFP maybe tipped them off. Or maybe other people in the security kind of got frustrated. I don't really know. But it was a really small circle, like I barely had told my family at that point. They knew an incident had happened, they knew that I'd been sort of, they knew I'd been assaulted. But they didn't know the ins and outs and the complications of it all. So it was a really small circle of people.

1:37:57.3

Lisa:

Seems to be a growing number of people within Parliament House who knew about it thought.

1:38:01.9

Brittany:

Yeah, yeah. naturally it's sort of like a strange little, I'm going to use the bubble analogy, it's like a bubble and it's very gossipy. And so, people that I hadn't told, knew about it and would sometimes broach it with me and that was obviously distressing.

1:38:19.7

Lisa:

What did they say they knew?

1:38:21.2

Brittany:

They said that they knew that I'd been sort of assaulted and that don't worry, people won't find out, like the media will never know and that was sort of seen as being supportive or placating me. Like oh, don't worry, it's fine, it will never get out. And that was the way it was always framed to me. Like it was my dirty secret. And I had never spoken about it with people because I was made to feel like I had to be silent on it.

1:38:49.1

Brittany:

I never let my friends know, I never really let my family know. Because it was this weird, it's this culture of silence. And it felt like it was mine. It was my issue.

ANNEXURE A – Statutory declaration of Brittany Higgins

1:39:00.0

Lisa:

So it wasn't that people within this Canberra bubble, inside Parliament House, wanted to know if you were ok, they wanted to assure you that your dirty little secret wasn't going to get out?

1:39:10.4

Brittany:

Yeah, yeah.

1:39:13.4

Lisa:

You know that's not healthy?

1:39:14.4

Brittany:

No, no.

1:39:15.5

Lisa:

You know that's not normal, you know that's not the way that real life works?

1:39:19.0

Brittany:

Yeah, it's just hard when like, this is kind of your primary sort of working experience, you sort of accept these things as, maybe this is just life, maybe this is just working. So I didn't, I don't really have another scope of vision to compare it to. But yeah, no I understand that this is strange.

1:39:37.7

Lisa:

So it wasn't their concern, was how you were dealing with this and whether this was going to end up as a police matter, it was how this would affect you professionally within Parliament House?

1:39:51.5

Brittany:

Yeah, very much so.

1:40:00.2

Lisa:

So once Minister Cash knew the detail of what had happened, did she or anyone in the office suggest that this should return to being a criminal investigation?

1:40:13.0

Brittany:

No, no at that point it was squashing the story. It immediately became about squashing the story. Who was the leak, how do we stop it, it was a week before estimates, senate estimates. And so, that was the primary focus. There was no discussion about anything else.

1:40:32.8

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Lisa:

Was there a concern at that point that you were going to speak to the press?

1:40:36.2

Brittany:

I think primarily they thought I was the person who had told people about it. That I'd gone to the Canberra Times, sorry, the outlet, or the journalist about, about the incident.

1:40:51.7

Lisa:

So you were feeling pressure that they were looking sideways at you –

1:40:56.2

Brittany:

Yeah.

1:40:56.0

Lisa:

Thinking that you were going to possibly let the party down?

1:40:59.5

Brittany:

Yeah.

1:41:01.0

Lisa:

And talk about an alleged rape?

1:41:03.3

Brittany:

Yeah.

1:41:07.4

Lisa:

Tell me about the staffer who suggested it would be wise for you not to talk about this.

1:41:15.6

Brittany:

She's actually very nice. It's shocking. It's just, she sort of likened it to the Rochelle Miller Four Corners story and said that you know, we could always tell that she was going to talk, but we know you never will. That it's, don't worry we just know that you would never talk about it. And I don't think it was coming from a bad place, but it reinforced that idea that somehow this was my problem, my secret, my fault.

1:41:45.3

Brittany:

And it was coming all the time, every time it would be raised or any time that there would be an issue related to the, sort of going back to the, to the assault. It was always the onus was, this was

ANNEXURE A – Statutory declaration of Brittany Higgins

always my issue. My fault, I was brining it into this office. It was, now I'm tarnishing anther office. And so it was this reinforcement of this idea that somehow this thing that had happened to me was sort of, I was bringing it in.

1:42:10.7

Lisa:

So was the suggestion, if you want to survive in this place, you keep your mouth shut?

1:42:14.7

Brittany:

Yeah, absolutely, yeah.

1:42:19.2

Lisa:

So how open were you with Minister Cash about the difficulty that you had dealing with what happened to you?

1:42:27.9

Brittany:

I didn't go in depth sort of about how I felt about how the issue was handled. I told her all about the assault. I told her about sort of the ins and outs of what had happened that night. But I didn't tell her how I felt about how the party handled it. I just, I knew that you know, it's, these people will talk and it's poor form if I have, I state openly kind of how I felt about it, I just knew it would get back to them so I figured I didn't need to give her that part.

1:43:01.5

Lisa:

Did you at any point get the impression that she was concerned you might speak to the press?

1:43:09.6

Brittany:

Yeah, yeah. I think every time sort of a similar sort of story came out or any time sort of anything even, anytime I even took extended leave. There was always this sort of hypersensitivity of checking in on Brittany. And this was a systematic thing that would happen all the time. Anytime I'd sort of take a day off, everyone would check in. And it wasn't in a concerned tone.

1:43:34.4

Brittany:

Because as evidenced by minister's offices, they're not broadly concerned about their staff. So it was strange and it was weird that I was getting all these strange check ins from people every time a Liberal sort of woman issue story would pop up.

1:43:50.9

Lisa:

Minister Cash was in fact asked by the press in the middle of 2019, there were other, sorry. Minister Cash was actually asked by a number our journalists in the middle of 2019 about other allegations, staffers being assaulted. And she said those women should report whatever happened to the appropriate authorities. You did that –

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1:44:18.7

Brittany:

Yeah.

1:44:18.7

Lisa:

And it go you nowhere?

1:44:20.1

Brittany:

Yeah, I was actually down the hall from her, when she'd said that, I was in the press gallery at the time. And yeah, it was hard to hear that because I knew it fundamentally wasn't true. I knew that you know, even if you go down the right pathway, they're not going to, the party isn't willing to help or support you.

1:44:43.3

Lisa:

And there's processes in place that will in fact block you.

1:44:47.0

Brittany:

Yeah, they systematically discourage you from it on the basis of your career.

1:44:52.8

Lisa:

Did Minister Cash have any advice for you on how to deal with the trauma that you were going through?

1:45:01.1

Brittany:

Not really, I mean, she would check in when I would take days off. And I, originally, I really, I thought that she sort of was doing it out of a nice place. And I guess over time I realised, oh maybe it's not as wholesome as I kind of genuinely thought. But no, it was never really, never any guidance or assistance or, it was more just sort of kind words and if I took a day off then I'd get a check in message but that was about it.

1:45:35.1

Lisa:

When we spoke the other day, you said something about her saying, you've just got to suck it up, or you've just got to deal with it.

1:45:41.3

Brittany:

Yeah. Yeah, yeah of course.

1:45:45.4

Lisa:

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Did Minister Cash have any words of advice on how you should deal with the trauma that you were going through?

1:45:50.9

Brittany:

Yeah, I was having difficulties actually coming through the entrance at Parliament House. It was that same entrance where the incident had happened and so I felt every time I walked through it, I'd get quite panicky and I'd sort of, said that I was having difficulties just coming in. And at that point she was like, well you're just going to have to sort of suck it up essentially.

1:46:09.7

Brittany:

And it was, it's that same idea of, you deal with it or you leave. And it was, it was the exact same rhetoric that I'd gotten before. It was like, it was played back on a tape essentially. It was the exact same thing, you deal with it or you leave. It was my issue.

1:46:29.4

Lisa:

This was the Minister for Women?

1:46:32.2

Brittany:

Yeah, former, yeah.

1:46:36.2

Lisa:

So this is the former Minister for Women?

1:46:38.4

Brittany:

Yeah.

1:47:09.6

Lisa:

So, apart from Fiona Brown, has anyone else from the Prime Minister's office been in touch with you over the assault?

1:47:17.5

Brittany:

Yeah, so I've had Yaron Finkelstein sort of, broadly in proximity around it. During the actual week after the event, we'd had sort of his Chief of Staff and the Chief of Staff's Assistant in and out of the office and everyone thought that that was strange as well.

1:47:36.2

Lisa:

Who is Yaron Finkelstein?

1:47:37.6

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Brittany:

He is the Principal Secretary to the Prime Minister I think is his official title. But essentially, he just like the fixer, he fixes problems. Not just people but other issues but he's the fixer.

1:47:54.6

Lisa:

So when Yaron Finkelstein turns up, if he's a fixer, were you a problem?

1:48:00.4

Brittany:

Yeah, yeah. Yep I'd known that the entire time.

1:48:07.9

Lisa:

How did he fix your problem do you think?

1:48:13.8

Brittany:

I think he was obviously advising Fiona how to handle my situation. They never outright said no, they never, it was always this, they just made it difficult and they just made it clear that I wouldn't have a job. And so it was this sort of systematic process over about four weeks of, of making it clear without ever having to say it, that this was my job. My job was on the line. And I think he was part of that process. Sort of advising, sort of Fiona about how to handle me.

1:48:55.5

Lisa:

So your job was on the line, why?

1:49:03.2

Brittany:

Because I'd caused an issue. Because I had caused damage, political damage, I guess. And you know, my fundamental job as a media advisor I guess, is to make the government look good. It's like the antithesis of what I'm employed to do. And so I think that was broadly what was sort of conveyed to me. But yeah, this was, this was my job.

1:49:28.2

Lisa:

As the Prime Minister's problem fixer, do you think he had any idea that you couldn't get access to the CCTV?

1:49:38.5

Brittany:

I'm, I assume so. I mean, I don't think that's a decision that Fiona would make out of hand by herself.

1:49:48.0

Lisa:

Do you think as the Prime Minister's fixer, Yaron Finkelstein would have made sure that he saw the CCTV?

ANNEXURE A – *Statutory declaration of Brittany Higgins*

1:49:54.8

Brittany:

I assume so, he's pretty hands on with everything.

1:49:58.9

Lisa:

So he has to know all the details of every problem –

1:50:02.7

Brittany:

Yeah.

1:50:02.7

Lisa:

That arises in order to be able to fix it.

1:50:04.9

Brittany:

Absolutely.

1:50:10.3

Lisa:

Did you hear from Yaron Finkelstein after that initial period?

1:50:15.0

Brittany:

I did, I did. It was just like a strange sort of check in essentially. But those happened to me kind of pretty regularly.

1:50:23.4

Lisa:

What was the timing of that check in?

1:50:26.8

Brittany:

There was some sort of story about, I forget whose story, but it was another sort of Liberal women issues, Four Corners potentially.

1:50:36.4

Lisa:

The Canberra bubble story on Four Corners?

1:50:38.3

Brittany:

Yeah that's correct.

1:50:38.5

ANNEXURE A – Statutory declaration of Brittany Higgins

Lisa:

So he called you when?

1:50:42.0

Brittany:

I'd taken a week off following that story. I'd been unwell and he called me in the middle of that week.

1:50:46.9

Lisa:

And what did he say?

1:50:48.9

Brittany:

Just checking in.

1:50:51.4

Lisa:

Is it normal for a junior staffer to get a call from the Prime Minister's chief fixer?

1:50:56.7

Brittany:

No, no it's not normal.

1:50:59.7

Lisa:

What did you think that phone call was about?

1:51:02.3

Brittany:

I understood it to be about my assault, I think –

1:51:10.9

Lisa:

Did he mention the assault at all?

1:51:12.3

Brittany:

No, no. No one talks about it, no one ever explicitly discusses it. I'm the only person who will ever even call it an incident or an assault. No one will ever even name it.

1:51:24.4

Lisa:

How did you feel getting that call?

1:51:29.5

Brittany:

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Just confused. I'd already gotten a couple of sort of check ins at that point from Minister Cash and I genuinely was, wasn't well. And so it just sort of reinforced this thing that I always knew was that they viewed me as a ticking timebomb. Or an issue, or something that was poorly managed. Or I think they always fundamentally knew there was something wrong that had happened here.

1:51:52.6

Brittany:

And so, I think it was just this sort of following up process, just making sure this hadn't triggered something or I wasn't a part of it or yeah.

1:52:04.1

Lisa:

How many people in Parliament House including all the security guards and within the Liberal Party, know about what happened to you?

1:52:18.1

Brittany:

At least, sort of twenty-five or so people probably. Maybe more that haven't directly addressed it with me. But at least twenty-five that I know of.

1:52:29.3

Lisa:

Canberra's a pretty gossipy place.

1:52:31.0

Brittany:

Yeah.

1:52:36.2

Lisa:

How does it make you feel knowing how many people in Parliament House know about what happened to you? From security guards to the internal police to senior staffers, to cabinet ministers. They not only know your story but have also possibly seen this footage of you. On that Saturday night. That you yourself cannot access.

1:53:00.2

Brittany:

You know, it's, it hurts a lot. It's hard because I used to idolise people, like Julie Bishop and all these women that I kind of just wanted to be just like. I wanted a career in this. I wanted this to be my life and I so whole heartedly believed and supported and so to have them sort of, systematically shut you out and not support you in a time when you really are vulnerable, and you need it. It's this betrayal and it hurts. Yeah, it feels like a betrayal.

1:53:46.4

Lisa:

Did you watch the Four Corner's, did you watch the Four Corner's bubble story?

1:53:53.7

ANNEXURE A – Statutory declaration of Brittany Higgins

Brittany:
Yeah, of course.

1:53:55.0

Lisa:
How was it for you watching it?

1:53:57.6

Brittany:
Strange, really strange. I only just missed Rochelle Miller in my office by a very short period. We only just missed each other. And so, it was –

1:54:32.8

Lisa:
So did you watch the Four Corner's Canberra bubble story?

1:54:36.6

Brittany:
I did.

1:54:37.3

Lisa:
How was that for you?

1:54:38.6

Brittany:
It was strange. I'd only just missed Rochelle Miller. Our sort of, we didn't quite crossover, but she had been in Minister Cash's office at the end of sort of her tenure. And I had, obviously was working when the Four Corner's story broke. And I was working with people who used to work with her. And so, hearing their commentary about her personally, and the story and, it was really difficult for me because not everyone in that office knew about what had happened to me.

1:55:14.5

Brittany:
So some people took sort of, weren't as cautious about what they were saying about the Four Corner's story to me as others were. And yeah, it was this sort of, all the feedback was that she wasn't a good staffer, that she you know, just wasn't coping at Parliament. And there was all this negative reinforcement about her. And so, I just, it hit me particularly hard because this was my story essentially in some way or another.

1:55:44.8

Brittany:
Yeah and so, just hearing it and hearing how they viewed it, it was, it was difficult, it was painful.

1:55:54.3

Lisa:
So the judgement was on the women in those stories, it wasn't on the behaviour of the politicians involved in those stories?

ANNEXURE A – Statutory declaration of Brittany Higgins

1:56:02.2

Brittany:

No, no not at all. It was always about sort of the credibility of the women and why they were coming forward. And what they were getting out of it and that she wasn't a very good staffer and she was rejected by [Star? 1:56:13.9] Chamber and that's why she was mad. And so that was the commentary that was just flying around sort of the building.

1:56:20.1

Brittany:

And I'd lived that and I'd experienced sort of my own iteration of her story and I just felt like it was so wrong and so gross and just I was, sort of an anger I never quite sort of managed to shake. I just was, I think it vile the way she was treated. And I think it was horrible the way that they talked about her afterwards.

1:56:43.8

Lisa:

Did you recognise all of the scenarios that you saw play out on that episode of Four Corners?

1:56:48.4

Brittany:

Oh absolutely, it's the same story over and over. It's the same issues, it's the same power structures, it's the same silencing. And it's the same sort of silo effect of, where do you go when things go wrong.

1:57:01.2

Lisa:

Is Parliament House a safe place for women to work?

1:57:05.2

Brittany:

Honestly, that's the only reason why I'm even here today. I just, I needed to internally know that you know, I knew that I couldn't, I just couldn't feel right within myself if I didn't say something. Because I don't know that it's not an ok place for another person. And I just, I barely feel like I made it out of this. I'd just hate for someone else to have to go through it too if I didn't say something.

1:57:36.3

Lisa:

When you couldn't get the CCTV footage, you tried other ways to gather evidence that you would be able to take to the police. What did you do?

[Interruption 1:57:57.5]

1:58:18.7

Lisa:

More recently, to possibly take these allegations of rape further, you started taking some screenshots of some WhatsApp messages –

ANNEXURE A – Statutory declaration of Brittany Higgins

1:58:27.7

Brittany:
I did.

1:58:28.8

Lisa:
Interactions you had with people who knew what happened. What happened to those messages and those screenshots?

1:58:34.5

Brittany:
I lost them all. I don't exactly sort of know what happened but yeah, my WhatsApp sort of crashed and even though I've swapped handsets before, it lost all of my previous sort of memory.

1:58:53.2

Lisa:
Your phone, what inexplicably died?

1:58:56.5

Brittany:
Yeah, yeah it's gone. So, and I don't know what to chalk that up to personally. But it's just the timing of it and the fact that I've lost all these conversations with these senior people about specifically the assault. I find it strange.

1:59:12.9

Lisa:
Was this a phone that was yours? Did you own this phone?

1:59:16.3

Brittany:
Yeah, this was my phone.

1:59:18.1

Lisa:
Did anyone in the office that you were working in, have access to that phone?

1:59:23.4

Brittany:
No, no they shouldn't have, I mean they all, all of our parliamentary devices have data, they've got like their own apps and stuff installed so that they've got the ability to access pretty much anything on it. And it had that in it. But beyond that, they shouldn't have had access I guess to anything else.

1:59:51.6

Lisa:
So, what's happened to the man that you say raped you, on Minister Reynolds' couch?

1:59:57.2

Brittany:

ANNEXURE A – Statutory declaration of Brittany Higgins

He's fine, he's, he's working in, can I say where broadly? Sydney?

2:00:05.4

Lisa:

Yeah.

2:00:07.1

Brittany:

Yeah, he's fine, he's working in Sydney, he's got a good job. Everyone, people don't know why he left, and I don't think he's been, I don't think he's suffered any consequences for it at all. I think he just kind of got to keep going.

2:00:26.3 PART TWO ENDS

ANNEXURE A – Statutory declaration of Brittany Higgins**Brittany****2:00:25.1 PART THREE BEGINS**

2:00:26.0

Lisa:

With no ramification whatsoever?

2:00:28.4

Brittany:

No, nothing. I mean, I don't even know if he was, technically on his leave form, whether he was fired or if he got to say that he left.

2:00:40.3

Lisa:

Does he still have any contact with anyone in Parliament House that you know.

2:00:45.2

Brittany:

He's friends with all of them still. They're all still Facebook and Instagram and Twitter. They're all following, he's still followed by you know, ministers on Twitter. It's, he's ingrained in this and I think is, he's fine and he will continue to be fine.

2:01:03.4

Lisa:

Including Minister Reynolds?

2:01:05.9

Brittany:

Last I checked, yeah.

2:01:08.7

Lisa:

But Minister Reynolds knows that this is the man that you allege raped you on her parliamentary office couch.

2:01:17.0

Brittany:

Yeah.

2:01:19.0

Lisa:

Do you know if he's been interviewed by police about the matter?

2:01:24.0

Brittany:

No. I don't think so, I don't know.

ANNEXURE A – Statutory declaration of Brittany Higgins

2:01:29.6

Lisa:

Have you ever asked the police if they ever interviewed him?

2:01:33.1

Brittany:

No, as soon as we kind of started getting to the blockade with parliament and it came about my job, I stopped pushing.

2:01:40.6

Lisa:

Does he still have any kind of access to Parliament House?

2:01:44.1

Brittany:

No, they, they apparently blocked him from actually getting access into the building even as a lobbyist. So, that happened. He was harassing me online. Liking, un-liking photos on my bosses Facebook and Instagram so I'd get the notifications. And I told my current sort of manager and he made sure that he couldn't get a lobbyist pass, so he can't get into the building.

2:02:12.2

Lisa:

Why would he start harassing you on social media?

2:02:17.9

Brittany:

I honestly don't know. It was kind of the start of COVID and maybe everyone kind of got a little strange, but yeah.

2:02:26.2

Lisa:

How do you think he explains the fact that he can't get into Parliament House and doesn't have a job there anymore?

2:02:31.9

Lisa:

I feel like he just told people that he left. That it was time, that he left. I don't know how he explains not being able to get like a lobbyist pass, but I don't a hundred percent know that he's ever applied to get a lobbyist pass. I don't know if this is actually ever impacted him at all. He may not ever know that he can't get a lobbyist pass. And he can still be signed in as a guest. So it doesn't really matter whether or not he can't get a lobbyist pass, he can still get in.

2:02:58.5

Lisa:

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

2:03:14.4

ANNEXURE A – Statutory declaration of Brittany Higgins

Brittany:
Yeah, yeah.

2:03:21.6

Lisa:
How does that make you feel?

2:03:29.4

Brittany:
It just sort of, disappointed, I don't know. I dreamed of working there like my entire life. And so, it's just sad that it's, I don't know, I just, I kind of held all these people to sort of this really high standard. I looked up to them and so it's sad that this stuff happens under their nose and they're fine with it. Well, they accept it, they tolerate it at least. And yeah.

2:03:58.5

Lisa:
Why, because that's just the way that Canberra works?

2:04:02.0

Brittany:
I think it's, it's just fundamentally the way that party political structures work. I don't just think it's a Liberal thing, I think it's a Labor thing, I think it's an everyone thing. There's this, it's like an institutional sort of issue that there is, there's this protectionist culture around both of them where it's in everyone's interest to make the problem go away. And so, there is, you're working obscene hours, there is that sort of, you live inside Parliament House.

2:04:32.4

Brittany:
You're doing sort of sitting weeks, where people are coming and going. And so it's a strange culture. That only sort of exists there and there's no HR, there's no sort of recourse and if something goes wrong, I could go to the Department of Finance. And that's run by Minister Birmingham now who is my boss's boss.

2:04:53.0

Brittany:
I could go to the police which is technically looked after by Minister Dutton which is my Boss's colleague. So if something goes wrong, like I don't know who I can talk to about it, you know.

2:05:06.9

Lisa:
So if something goes wrong, you've got to go to other people with vested interest in squashing the story?

2:05:15.9

Brittany:
Yeah.

2:05:17.2

ANNEXURE A – Statutory declaration of Brittany Higgins

Lisa:

How can there be no HR at Parliament House?

2:05:21.8

Brittany:

I have no idea, it's a place that sorely needs it.

2:05:26.6

Lisa:

So this is the Canberra bubble?

2:05:29.1

Brittany:

Yeah it protects itself, it's its own institution with its own rules. That it sort of, it protects itself and it's, it's not an easy fix, I don't know how you'd fix it but it protects itself and it has its own set of rules that no one else sort of has to live by in the country. It's very weird.

2:05:51.9

Lisa:

Shouldn't a young woman, who just wants to go and do her job, feel safe in Parliament House?

2:06:00.0

Brittany:

Yeah.

2:06:01.7

Lisa:

Shouldn't a young woman, who's working for two female ministers, feel particularly safe in Parliament House?

2:06:10.4

Brittany:

To be honest I kind of think they're vulnerable to [2:06:11.6]. There's so few of them and they're in this, and obviously in an elevated position, but they're still in the same system. It's still that same boy's club. And I don't know, I think it sort of, over time it warps and changes people. And it changes their priorities and their values, but fundamentally it's that same boy's club and they're just playing along to sort of their iteration of it which is obviously much higher than mine, but it's the same issue but just elevated.

2:06:41.1

Lisa:

So for a woman to survive in Canberra, she's got to go into survival mode and play like the boys.

2:06:47.0

Brittany:

Yeah, exactly.

2:06:48.2

ANNEXURE A – Statutory declaration of Brittany Higgins

Lisa:

And side with the boys.

2:06:49.5

Brittany:

Exactly.

2:06:51.3

Lisa:

And protect the boys.

2:06:52.9

Brittany:

Yeah.

2:06:54.8

Lisa:

That's no place that anyone should be working in.

2:06:58.8

Brittany:

I know, no.

2:07:03.2

Lisa:

So, why did you decide to speak out now?

2:07:07.3

Brittany:

I think my personal tipping point was the Four Corner's story. And it wasn't just the story, it was, it was the reactions. It was the conversation afterwards. It just was, it was so gross, and it was so disparaging. And they made it, they blamed the women, and I was that woman in my eyes and so I just, how could I work for these people who want to victimise people who have been victims.

2:07:36.0

Brittany:

I just think it's gross. I couldn't do it. I couldn't go in there every day.

2:07:43.7

Lisa:

How would you describe your treatment by those around you and in positions of power in Parliament House?

2:07:56.9

Brittany:

See, collectively it's been broadly ok. But I think in it's in these moments of crisis when things go wrong, it's been shambolic and pretty abhorrent. Like a brochure is not support, it's just not. And they intentionally made me feel as if I was going to lose my job so I wouldn't go to the police and

ANNEXURE A – Statutory declaration of Brittany Higgins

that's, I was so quiet for so long. Even in my personal life, on the basis that I was not just silenced from telling this story, but I just became silent in every aspect of my life.

2:08:40.4

Brittany:

It was, and I feel as if I'm, when I look back, that they did it knowingly. And I think there was intent there. I think they were trying to silence me, and I think that's so wrong.

2:08:55.2

Lisa:

There's talk of another Federal Election possibly happening later this year. You seeing any signs that they're concerned now that you might talk?

2:09:05.7

Brittany:

Yeah, yeah, I have been sort of asking more questions lately. And it has been sort of obvious that I'm not happy with happened. So yeah, they know I'm uncomfortable, yeah.

2:09:25.2

Lisa:

You getting check in phone calls again?

2:09:26.9

Brittany:

Yeah, yeah, all the time.

2:09:28.6

Lisa:

What do you say?

2:09:30.2

Brittany:

I'm good, it's you, yeah.

2:09:35.0

Lisa:

Well, they wanted to silence you.

2:09:36.9

Brittany:

Yeah.

2:09:44.5

Lisa:

Linda Reynolds calls herself a passionate champion for gender equality and female empowerment in politics. Did you find her treatment of you empowering?

2:09:58.1

ANNEXURE A – Statutory declaration of Brittany Higgins

Brittany:

Not personally no, not at all.

2:10:01.3

Lisa:

Professionally?

2:10:03.3

Brittany:

No.

2:10:06.3

Lisa:

As a woman who had survived an alleged rape?

2:10:11.9

Brittany:

No, no not at all.

2:10:14.8

Lisa:

What would a woman who fits that description, have done for another woman who alleged that a rape had taken place in her office?

2:10:26.8

Brittany:

I just think she should have championed them. Helped them, rallied around them. Done everything she could to make sure that I had access to everything I needed to do this right. To go through the appropriate channels, to actually get a prosecution, to get an outcome. Because that's not only your duty as like a minister of the Government of like the Crown, but fundamentally as a good human being.

2:10:46.4

Brittany:

I don't feel like that's a massive ask. But I think it should be a fundamental requirement of a minister.

2:10:55.5

Lisa:

And to make sure it doesn't happen to other women.

2:10:57.5

Brittany:

Oh exactly.

2:11:01.2

Lisa:

How would you describe her treatment of you?

ANNEXURE A – Statutory declaration of Brittany Higgins

2:11:04.4

Brittany:

Dismissive.

2:11:07.6

Lisa:

Are you able to keep working in this environment?

2:11:10.4

Brittany:

No.

2:11:12.9

Lisa:

Have you resigned?

2:11:14.6

Brittany:

Yeah.

2:11:15.7

Lisa:

What reason did you give?

2:11:18.6

Brittany:

I wrote it in a letter. I just said, appreciate the opportunity working here and essentially, I just wrote it down to the assault that happened in the Minister for Defence Industries office. I elaborated it personally to Minister Cash so she knows that you know, I fundamentally can't walk through those doors anymore, those same ones that I talked to her about before. And you know, they never addressed the assault.

2:11:49.7

Brittany:

They sidestepped the assault, they asked me to come in and talk about other opportunities. But it's this, they never want to address it. And I think it'd be fine if we could, if in the first instance if there'd been support and it wouldn't have been an issue. It would have just been one horrible individual doing something awful. But the way they handled it made it so much worse and it was a choice.

2:12:16.8

Lisa:

That individual also, should have been brought to justice.

2:12:20.6

Brittany:

Exactly, yeah.

ANNEXURE A – Statutory declaration of Brittany Higgins

2:12:25.4

Lisa:

Does Minister Cash want you to stay?

2:12:29.5

Brittany:

Yeah, yeah, not now, but yeah.

2:12:34.5

Lisa:

What did she say in response to your letter of resignation?

2:12:37.8

Brittany:

She called me a couple of times and then asked me to get coffee with her and we could talk a plan out of this, and you know, if that had maybe been offered to me two years prior, I may have been open to it, but at this point, it's so too little too late.

2:12:53.7

Lisa:

The damage has been done.

2:12:55.2

Brittany:

Yeah.

2:12:59.1

Lisa:

With that election looming, are you at all concerned that maybe by resigning you've just taken this problem out of your boss's hands? Out of the Government's hands?

2:13:17.3

Brittany:

No, I think that resigning is the only thing that I can personally do to sort of, say that I'm not a, I didn't co-sign to this behaviour. That I don't think that what they did is right. And I don't think they should do it to anyone else. I think by being silent and by working with them and continuing on like nothing had ever happened, would make me complicit and if they ever did that to anyone else, that would make me feel like I was somehow saying that you can do that to people.

2:13:45.0

Brittany:

And that's ok, it sets a precedent. And no, I don't want that, I don't think anyone else should go through what I went through. So, I'm resigning on the grounds that what little I can, I'm going to say that that wasn't ok and that they should do better.

2:14:04.1

Lisa:

Are you ok?

ANNEXURE A – Statutory declaration of Brittany Higgins

2:14:04.8

Brittany:

Getting there.

2:14:09.6

Lisa:

What sort of help are you getting?

2:14:11.4

Brittany:

I'm speaking to someone now and I'm obviously going home to a support system back home in Queensland. So, I'll be ok. You know, it's sad, it's sort of death of a lifelong dream. And that was really hard to give up. And I had an apartment and a partner and all these sorts of things and it's a lot to sort of you know, I'm not gaining anything from this. I'm losing so much but I know fundamentally, it's the right thing to do.

2:14:44.5

Lisa:

Can you ever imagine working in politics again, ever going back to Canberra again?

2:14:49.4

Brittany:

No, no.

2:14:52.1

Lisa:

But that was always your dream?

2:14:54.6

Brittany:

It's ok, I'll find another one.

2:14:59.7

Lisa:

So, where to from here for you?

2:15:02.7

Brittany:

Home, uni, I'll be fine. You know, I'm obviously aware of the recourse that happens after women speak out. I know Rochelle had a job offer, she lost her job. I know the other woman in the Four Corner's story, she also lost her job or didn't end up getting her position. I know, I'm not blind, I know going into this I'm limiting myself professionally long term. I know that. And that's hard because I take a lot of pride in my work. It's a lot of who I am, yeah.

2:15:43.0

Lisa:

I hear you were very good.

ANNEXURE A – Statutory declaration of Brittany Higgins

2:15:45.5

Brittany:

I really liked it.

2:15:51.3

Lisa:

So what sort of ramification do you think there will be once this goes public?

2:15:58.4

Brittany:

I'll obviously sort of lose all of my sort of friends in politics and my professional contacts in politics. Yeah, it'll be, it'll be, personally it will be quite devastating. But yeah.

[Interruption 2:16:18.9]

2:16:40.6

Lisa:

Just a few weeks ago, the Prime Minister handed to a young woman called Grace Tame, the Australian of the Year award. Sexual assault survivor who had a lot to say. I'm wondering how that felt for you, to see the Prime Minister hand that award over, knowing the way his office works. Knowing what people in his office know about you. How did that feel?

2:17:14.8

Brittany:

It kind of felt like a cruel joke. I have nothing but the utmost respect for Grace and I think she's an incredible individual, but it just, it made me sick to my stomach. I was in a ball, all night just, crying. I don't know why, I found it really personally triggering on the basis that this is someone who is advocating for women to let her speak, as per her hashtag.

2:17:41.4

Brittany:

But at the same time, was complicit in silencing me. And so, it felt like a betrayal. Like it was a lie. It hurt.

2:17:52.7

Lisa:

Did you feel like she was complicit in silencing you?

2:17:56.3

Brittany:

No not at all, not at all. I just, I felt like he was sort of taking credit or at least taking some level of ownership of the great achievement that she had in letting women speak and he was my sort of, in my eyes, one of the people who silenced me. Not personally, but you know, his team is an extension of him. And so seeing him on that stage, it was just like seeing everyone else up on that stage.

2:18:33.7

Lisa:

ANNEXURE A – Statutory declaration of Brittany Higgins

What would you like to get out of this going to air? Sorry, what would you like to see happen as a result of this going to air?

2:18:45.9

Brittany:

For things to get better. I just couldn't live with myself if it happened to someone else. And I don't know how to make it better, I'm not saying that I do. I'm just saying it has to.

2:19:02.5

Lisa:

If the Prime Minister is going to champion an incredible young woman like Grace Tame, do you think he should step in?

2:19:13.0

Brittany:

Yeah, yeah absolutely, I think, this isn't an issue for the Turnbull Government, it's not an issue for, it's a parliament problem. And as the leader of the parliament, yes. This is something that needs to be addressed. These are his people; these are the people that support him every day. I feel like it's his duty to look after them.

2:19:40.7

Lisa:

And to look after you and every young woman who works in Canberra.

2:19:45.1

Brittany:

Yeah.

2:19:48.6

Lisa:

Brittany thank you, and good luck with it all.

2:19:51.4

Brittany:

Thanks, thanks.

2:19:57.0

Lisa:

You're a superstar. You did so well.

[Interruption 2:20:02.7]

2:21:14.3 PART THREE ENDS

2:21:14.3 AUDIO ENDS