Were you aware that there was a pending meeting or that is — this is the first that you - - -?---This was the first that I'd heard of like a formalised meeting but I understood that naturally one would occur but this was just how she flagged it.

Did one occur?---Absolutely.

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Do you remember what date it was?---I am of the belief it was on the 1st of April.

Right, and what happened at — what did you say at that meeting? Tell us about that meeting?---That meeting happened in the minister's suite, first and foremost, so that was like quite a distracting element, so I was quite panicked just on the basis that I was in the room with the couch, so the words were a little lost. There was a general level of empathy. She said something to the effect that 'I didn't think he was capable of something like that'. She apologised.

MR WHYBROW: Who is she? There is two women at this meeting.

MR DRUMGOLD: Yes?---Sorry, Minister Reynolds apologised. At that point it then became a conversation about the election, about what I was going to do and if I did something that I needed to let the office know.

What did you understand about that? What did you understand that to mean?---I felt – my understanding of it was — I don't know – I just – I know that they were just trying to feel out whether or not I was going to the police and how they were going to deal with me. That's what I understood.

MR WHYBROW: I object, your Honour.

THE WITNESS: Sorry. Sorry, I don't - - -

MR WHYBROW: This is speculation.

HER HONOUR: She started the answer by saying 'I felt'. Her responses are, in light of what you have outlined as to what the defence position is, relevant as part of the complaint evidence.

MR WHYBROW: Yes. No, it's when 'I know that they'. It is when it gets into 'I know that they' that I have a problem, not that 'I felt'.

HER HONOUR: Ms Higgins, could I just explain the objection is when you say what someone else was thinking?---Okay.

If you could confine your evidence to what was in your mind - - -?---Okay.

- - or what you saw or heard or otherwise observed - -?--Okay.
- 5 --- with any of your senses?---Okay.

But don't try and look into the mind of another person?---I can do that. Thank you.

Thank you?---Thank you for clarifying.

Yes, Mr Prosecutor.

MR DRUMGOLD: Thank you, your Honour.

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It is a subtle but important distinction?---Yes.

So we are talking about what you said to them and the environment as you understood it that led to that being said. So - - -

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- HER HONOUR: And I should be clear that can include something you apprehended, but not you can't give evidence as to what another person is thinking?---Yes, okay. I didn't know what they were thinking. I it was made clear to me that me they stated that they were concerned about me going to the police, they stated that they wanted to know if I went to the police and they made a reference to the election. I had a certain interpretation of what those things meant.
- MR DRUMGOLD: Okay. I am just getting some timing. I am sorry about this, just bear with me.
  - HER HONOUR: Mr Prosecutor, you haven't asked, but there can't be an objection to her saying what her interpretation was.
- 35 MR DRUMGOLD: Yes, Yes, I was - -

HER HONOUR: Because that is part of the complaint - - -

MR DRUMGOLD: So, what was your interpretation - - -

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HER HONOUR: --- version.

MR DRUMGOLD: - - - of what they meant by that?---My interpretation of that was that if I raised it with police there were going to be problems and they wanted to be involved or informed. But just by having the meeting in the room it all seemed really off and my interpretation of that was a bit of a scare tactic or an intimidation tactic. Whether it was intentional or not, that's

.Lehrmann 06/10/2022 SCC 264/2021 Epiq not a fair assumption, but that's just – as someone going into that space the first time after something traumatic had happened there, to then have such an intense and loaded conversation about whether or not I take police action, it – my interpretation was that was quite an adversarial space.

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And what problems did you — was it your perception that they were communicating to you?---That this could theoretically be perceived in the broader public sense as a political problem for the Liberal Party with women.

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Now, we are at 1 April here, we are in a meeting. The Prime Minister hadn't called the election at that stage. Were you aware of whether or not that was pending?---Yes, I was already making material and packs and we've known since the moment even Steve Ciobo was let go out of Cabinet that the election was imminent, so we were ready.

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So I think it ultimately came to pass that the announcement of the election was 11 April and the - it was 10 days after that and the election was called for 18 May. Did you know that level of detail at that stage?---We knew kind of to the week. Like, the week - - -

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The date of the election - - -?---That it would be - - -

- - - or the date it would be called?--- - - that week. We didn't know the specific day.

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Now, evidence will be led that you went and spoke to two federal agents in Parliament House on 1 April?---That's correct.

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How did that come to pass?---On the basis of what the security breach reported, it naturally triggered a series of events inside Parliament House and the AFP were alerted, which is how I then first came into contact with the AF – or, sorry, not the AFP. I – the police unit inside Parliament House.

Yes?---I'm not quite sure what their title is.

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What detail did you give to Linda Reynolds and Fiona Brown at that meeting on 1 April?---Pretty – I didn't go into the specificity of that we were at The Dock or that we were at – like, the names of the bars. I said that I was very, very drunk, I was very inebriated, it was the weekend and Bruce and I had came – come through security and that I'd been assaulted on the couch. So the high level detail is what they knew, not like the granular things that are now privy to everyone.

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And I would just like to ask you in as accurate a language the language that you used. I know we have used different languages. You have just used the word 'assault'. Is that the word that you used?---Yes. So, when I would speak with them we would call it 'the assault', but whenever we WhatsApped

or messaged it was always 'the incident', and there was always a very clear delineation when messaging what we said as opposed to when speaking frankly in person.

