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EXCLUSIVE

Director of Public Prosecutions denies Karen Andrews' Brittany Higgins claims

The government says there's one reason charges are yet to be laid against Brittany Higgins' alleged rapist. But the DPP disagrees.



Samantha Maiden

 @samanthamaiden  3 min read July 29, 2021 - 2:46PM

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The Director of Public Prosecutions in the ACT has flatly rejected Home Affairs Minister Karen Andrews' claim that prosecutors are the reason for the delay on the decision whether or not to charge the man at the centre of the Brittany Higgins rape allegations.

The DPP Shane Drumgold has confirmed, [as previously reported by news.com.au](#), that his advice on whether or not charges should be laid were finalised and provided to the Australian Federal Police on June 28.

Mr Drumgold is not at liberty to reveal that advice. The AFP provided a partial brief of evidence to Mr Drumgold on June 21. Mr Drumgold provided his advice to police around a week later.

But given that he has provided his advice on the partial brief, that means any decision on whether or not to arrest and charge the man that Ms Higgins who she alleges raped her at Parliament House in 2019 now lies with police.

"The Director forwarded his advice to the AFP on Monday 28 June 2021, and the matter currently rests with the AFP," Mr Drumgold told news.com.au.

"On Monday 21 June 2021 the ACT DPP received a partial brief of evidence and a request to provide advice for consideration of prosecution. The Director of Public Prosecutions provided that advice to the Australian Federal Police on Monday 28 June 2021.

"The content of that advice is subject to Legal Professional Privilege, and therefore, cannot be disclosed by the DPP."

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Minister for Home Affairs Karen Andrews said prosecutors were behind the delay in the decision about whether to charge Higgins' alleged rapist.
Picture: NCA NewsWire/Joel Carrett

The AFP Police Commissioner Reece Kershaw also told the National Press Club on Wednesday that the matter was now with the DPP.

"I have been on the public record on this. It is a matter with the ACT DPP right now so it wouldn't be appropriate for me to comment any further," he said.

Mr Drumgold said this was simply "wrong" to suggest it was still with the DPP and he had finished all of his considerations in this matter.

The Morrison government announced this week that it had adopted an independent complaints mechanism for serious incidents.

It is also offering one-hour training sessions on respectful workplaces for politicians and their staff. MPs who do not participate will be "named and shamed."

"It's actually a start at least," Ms Andrews said.

"It's not the answer, it's not the answer, but all MPs and senators and their staff should actually go through that training process."

Queensland senator Gerard Rennick told news.com.au this week that he would not participate, saying the proposal to name and shame was harrassment itself.

In a statement, ACT Deputy Chief Police Officer Peter Crozier said Commissioner Kershaw's comments at the National Press Club were consistent with advice provided to him by ACT Policing.

"The investigation is on-going and additional information is to be provided to the ACT Director of Public Prosecutions," he said.

"Any decision to commence proceedings will be a matter for ACT Policing."

Where to find help

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

- National Sexual Assault, Domestic Violence Counselling Service 24-hour helpline **1800 RESPECT** on **1800 737 732**
- 24-hour Emergency Accommodation helpline on **1800 800 588**
- Safe At Home helpline on **1800 633 937**
- National Violence and Abuse Trauma Counselling and Recovery Service on **1800 FULLSTOP (1800 385 578)**. They also have a specific line for the LGBTIQ+ community called the Rainbow Sexual, Domestic and Family Violence Helpline on **1800 497 212**
- SHE (free and confidential counselling and support) on **6278 9090**
- Sexual Assault Support Services on **6231 1811**, or after hours **6231 1817**
- Family Violence Crisis and Support Service on **1800 608 122**

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- Bravehearts – Sexual Assault Support for Children on **1800 BRAVE 1**
- Kids Helpline is for young people aged 5 to 25 on **1800 551 800**

Don't go it alone. Please reach out for help by contacting **Lifeline** on **13 11 14**

- Men who have anger, relationship or parenting issues, should contact the **Men's Referral Service** on **1300 766 491** or the **Don't Become That Man** helpline on **1300 243 413**

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