

AFP RECORD OF CONVERSATION

Tel: (02) 6131 3000

**RECORD OF CONVERSATION BETWEEN DETECTIVE LEADING SENIOR
CONSTABLE TRENT MADDERS AND HEIDI YATES CONDUCTED VIA
TELEPHONE ON WEDNESDAY, TWENTY-TWO SEPTEMBER, TWO THOUSAND
AND TWENTY-ONE**

PERSONS PRESENT: DET. LEADING SENIOR CONSTABLE TRENT MADDERS
SENIOR CONSTABLE EMMA FRIZZELL
[REDACTED]
HEIDI YATES

TIME COMMENCED: TEN THIRTY-SIX AM

MADDERS: This is a record of conversation between Detective Leading Senior Constable Trent MADDERS and Miss Heidi YATES, conducted via telephone on Wednesday, the twenty-second of September, twenty twenty-one. The time is now ten thirty-six am. For the purpose of voice identification, I'll have all persons present state their full name. I'll start with myself, Detective Leading Senior Constable Trent MADDERS, [REDACTED]

FRIZZELL: Senior Constable Emma FRIZZELL, [REDACTED]

MADDERS:

Q1. Miss YATES?
A Heidi YATES, ACT Victims of Crime Commissioner at the Human Rights Commission.

Thank you. And [REDACTED]

[REDACTED] [REDACTED] [REDACTED] Director at Victims Services, ACT.

MADDERS: Brilliant, thank you.

Q2. Is it okay if I call you Heidi?
A Of course.

Q3. Okay. Thank you. So, Heidi, as I previously explained, prior to this taped record of conversation, Emma and I are making inquiries into an allegation made by Miss Brittany HIGGINS about an alleged sexual assault that occurred in March, twenty nineteen at Australian Parliament House. Do you understand what we wish to talk to you about today?

A Yes.

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- Q4.** We intend to ask you questions in relation to this matter. I want you to understand that any questions I ask and any answers you care to make will be recorded as the conversation takes place. Do you understand?
- A** Yes.
- Q5.** I further want you to understand that the record of conversation may later be produced as evidence to the court in any future proceedings. Do you understand?
- A** Yes.
- Q6.** I want you to understand that any statement or answer you may care to make during this record of conversation is to be true to the best of your knowledge and belief and it will accurately set out the evidence you'd be prepared to give in court as a witness. Do you understand?
- A** Yes.
- Q7.** I want you to understand that if you knowingly state anything false or anything you do not believe to be true and it is tendered into evidence, you may be liable to prosecution. Do you understand that?
- A** Yes.
- Q8.** Cool. And you have [REDACTED] in there with you for this interview?
- A** Yes.
- Q9.** Yep. And do you have any concerns before we start?
- A** No.
- Q10.** No. Awesome. All right, Heidi, if you don't mind just going through what your title is and your role thanks?
- A** I'm the ACT Victims of Crime Commissioner appointed by Cabinet, the ACT Government. My functions are set out across, um, a range of different pieces of legislation, um, but in particular in the Victims of Crime Act in Part Three. So, I have responsibilities, um, to manage Victim Support ACT, ah, which includes the provision of advocacy, support and assistance to anyone who is a victim of crime in the ACT. Um, I have responsibility to advocate, um, for the interest of victims. More broadly, to ensure the provision of efficient and effective services to victims. To ensure that victims receive information and assistance, as required, in connection with their involvement with the justice system. And to provide advice directly to the minister in relation to matters affecting victims. They're some of my key respective responsibilities.
- Q11.** Okay. So, in regards to the allegation that I read earlier, made by Miss HIGGINS, how did you become of this matter?
- A** My first contact with this matter was in the week of twenty-six April, twenty twenty-one.

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- Q12. Mm-hmm.
A Um, when Miss HIGGINS and her partner made contact seeking support.
- Q13. Okay. And what medium did you use in regards to that?
A The initial contact was made via email.
- Q14. Okay.
A On Monday, the twenty-sixth of April.
- Q15. All right. And was it Miss HIGGINS who reached out to you?
A Ah, it was her partner, David SHERAZ, who sent the initial email.
- Q16. Okay. And what happened then?
A I contacted Mr SHERAZ, in this first instance and – and explained the types of support that our office was able to provide. I noted my understanding based on the broader media coverage of Miss HIGGINS's matter that I understood that she was eligible to receive services.
- Q17. Mm-hmm.
A As someone and who had reported being subjected to a crime in the ACT. And – and then a number of discussions occurred regarding how we could best support her.
- Q18. Okay. And then what happened?
A Ah, I guess we've had many months of providing contact and support. Are you seeking any particular information about points in that working relationship?
- Q19. What conversations did – did Miss HIGGINS discuss the incident with you at all?
A No.
- Q20. Okay. So, would it be fair to say you were basically just a conduit for support services for Miss HIGGINS?
A Correct.

Okay.

██████████: Heidi, sorry to jump in here, I just want to, um, I guess ask the question and clarify. Now, I'm aware that you were present during a meeting with, um, Miss HIGGINS, Detective Superintendent MOLLER and Detective Inspector Marcus BOORMAN, um, some months ago up in Queensland. Is that right?

YATES: Yes, I attended a meeting on the twelfth of July in Brisbane at AFP Headquarters and at Miss HIGGINS's request in the capacity of a support person.

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FRIZZELL:

- Q21. Okay. Could you please tell us about that meeting?
A Sure. So, I attended as I mentioned in my capacity as a support person. I took notes in that meeting, ah, primarily of information that police were communicating to Miss HIGGINS, so that she had for her records, some information about what was communicated. And so, are you wanting – how can I best assist, what – what information are you seeking about that meeting?
- Q22. Yeah, I guess what was discussed during that meeting.
A Sure. Well, shall I give you based on my notes, um, which as I say, primarily are about the information police gave to Miss HIGGINS, a brief overview of the matters I recall being raised based on my notes?
- Q23. Yeah, that would be great and any responses I guess that you recall that Brittany provided.
A Sure. So, we met at the AFP station and – and are you happy for me to use, um, the police officers first names, Marcus and Scott?
- Q24. Yeah, of course.
A Okay. So, initially Marcus provided some advice regarding, um, advised police had received from the DPP on a partial brief.
- Q25. Yep.
A Um, and then they indicated that they had some further questions – having communicated that advice, which I presume was in police records.
- Q26. Yep.
A They then indicated they had a few questions to discuss with Miss HIGGINS. They discussed images, ah, available on Miss HIGGINS iCloud account.
- Q27. Yep.
A Ah, I recall some conversation about where certain images had been stored. Miss HIGGINS referred to her Google Drive and her iCloud account and indicated that she – that all of that was accessible through the password that she had already provided to police. Ah, and there was some discussion that police weren't aware of the Google Drive, where some of the photographs were. Miss HIGGINS said she was certainly happy to provide any assistance in assisting them to access those photos. And I recall Miss HIGGINS opening her Google Drive on her phone, um, and showing police one of the photographs which was of a drink, ah, I think on the afternoon before the alleged offence. Um, which was referenced in police comments. And I also noted police asked her a question about a photograph of a bruise on her leg, and that they were trying to confirm the timing of the initial taking of that photograph.

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- Q28. Mm-hmm.**
A Um, my notes indicated that Miss HIGGINS responded that she had taken that photograph, um, around Budget week, twenty nineteen.

MADDERS:

- Q29. Yep.**
A And that police indicated the only copy they had was dated sometime in January this year. And Brittany confirmed that she thinks that was the date where she sent that photograph to The Project.

FRIZZELL:

- Q30. Right. Okay.**
A To the best of my recollection there was then a conversation about whether there was any clear way or evidence available to indicate the date on – or substantiate the date on which that photograph was taken. And – and I don't recall there being a clear answer.

- Q31. Yep.**
A We weren't able to identify a clear way for that to be obtained.

- Q32. Perfect, thank you for that. In regards, sorry, in regards to the picture of the drink, you said that it was a picture of a drink the afternoon before the incident. Sorry, are you aware is that from Friday, the twenty-second of March or do you mean the Thursday?**
A I don't have knowledge of that, of when – what date the photo was taken.

- Q33. Right. Okay. Just that it was the afternoon before the incident?**
A To the best of my recollection, yes.

Yep.

MADDERS:

- Q34. Did you see the image at all or remember what the image was?**
A To the best of my recollection it was a drink on a table, had some hands around it and it was a tall glass.

- Q35. Yep. I know it's stretching the memory a bit for that one, seeing it was quite a while ago. Have you had any other interactions with Miss HIGGINS about this incident or about the alleged incident, I should say?**
A No.

- Q36. No. Okay. So, all right. So, just so I can clarify with you, Heidi, so basically in your role, you've – your interactions with – with Brittany is in regards to purely to assisting with support?**
A It has been within the functions required of me in this role, which are – relate as I outlined earlier to the provision of support.

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Q37. Yep.
A Advocacy and the provision of information and assistance.

Q38. Yep. Okay. And she hasn't disclosed about the incident to you directly?
A No.

Okay.

FRIZZELL:

Q39. Heidi, would it be at all possible to grab a copy of those notes that you took from that meeting in Queensland?
A I – I – I pause for a moment. Is there any reason why I couldn't provide those to you? And I – I'm very – if I can provide them, I'm very open to that.

Q40. Yep.
A I may just need to seek advice if you're comfortable?

Yes.

MADDERS: Yeah, yes.

FRIZZELL: Absolutely, of course.

MADDERS:

Q41. Understand.
A Um, I have some hand-written notes which I had then typed up. I'll seek advice and come back to you on that.

FRIZZELL: Absolutely.

MADDERS:

Q42. Yeah, that's okay, that's not a problem. All right. Well, I think that's about all we – we actually needed. Is there anything else about this allegation that you can – you can tell us, that may be relevant?
A I don't think so at this point.

Q43. Okay. Thank you. And is there anything further you wish to say in relation to this matter?
A No, thank you.

Q44. Have the answers you've given during this conversation been made of your own free will?
A Yes.

Q45. And has any threat, promise or inducement been held out to you to

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**A provide the answers you have given?
 No.**

**All right. So, the time is now ten fifty-one am, and this record of conversation is
concluded.**

ROC CONCLUDED AT TEN FIFTY-ONE AM