IN THE SUPREME COURT OF WESTERN AUSTRALIA
COMMERCIAL AND MANAGED CASES LIST
DEFAMATION

CIV 1840 of 2023

B E T W E E N:

Linda Karen REYNOLDS

Plaintiff

and

Brittany Mae HIGGINS

Defendant

SECOND FURTHER RE-AMENDED STATEMENT OF CLAIM
(WRIT OF SUMMONS FILED 31 JULY 2023; AMENDED WRIT OF SUMMONS FILED 13 SEPTEMBER 2023)

Date of Document:	~~1913 April 2024~~ ~~14 September 2023~~ ~~4~~ 27 June 2024
Filed on behalf of:	The Plaintiff
Date of Filing:	~~1913 April 2024~~ ~~14 September 2023~~ ~~4~~ 27 June 2024

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The Parties

1. The plaintiff:

1.1 is and at all material times was a Senator for the State of Western Australia, having been elected in 2013 (the result of which was subsequently declared void by the Court of Disputed Returns), then at the Senate special election held on 5 April 2014, and then re-elected in the 2016 and 2019 federal elections;

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1.2 was a Cabinet Minister for the period 2 March 2019 to 23 May 2022;

1.3 during the period 2 March 2019 to 29 May 2019 held the portfolio of Minister for Defence Industry and Minister for Emergency Management and North Queensland Recovery;

1.4 during the period 29 May 2019 to 30 May 2021 held the portfolio of Minister for Defence;

1.5 during the period 30 March 2021 to 23 May 2022 held the portfolio of Minister for Government Services and Minister for the National Disability Insurance Scheme;

1.6 is and was at all material times from 1987 to the present day a member of the Liberal Party in which capacity the plaintiff was elected as referred to in paragraph 1.1 hereof;

1.7 prior to her election to the Australian Senate was a military officer, rising to the position of Army Adjutant General at the rank of Brigadier in 2012;

1.8 was born in South Perth, Western Australia on 16 May 1965;

1.9 grew up in the Perth suburb of Gooseberry Hill;

1.10 went to primary school at Kalamunda and Gooseberry Hill Primary Schools;

1.11 went to secondary school at St Brigid's College in Lesmurdie;

1.12 attended Curtin University and graduated in 1994 with a Bachelor of Commerce in Commercial Law and Industrial Advocacy;

1.13 resides in Como, Western Australia;

1.14 has friends and family resident in Perth, Western Australia;

1.15 maintains an electoral office at 117 Great Eastern Highway, Rivervale Western Australia;

1.16 represents the Liberal Party in 2 Western Australian Federal seats presently without Liberal Members, Hasluck and Pearce; and

1.17 in the last Federal election she contested (in 2019):

1.17.1 was pre-selected by the Western Australian Liberal Party to lead the Liberal Party Senate ticket in Western Australia, which received 575,743 group ticket votes in Western Australia;

1.17.2 received 12,878 first preference votes from below-the-line voters in Western Australia.

2 The defendant:

2.1 is and at all material times was the account holder and user of Instagram account @brittanyhiggins___, which account has and had approximately 60,800 followers, of which some are located in Western Australia;

2.2 was at all material times the account holder and user of Twitter (now known as X) account @britthiggins_~~, until it was deleted on or about 3 August 2023~~;

2.3 was employed in the plaintiff's ministerial office between about 2 March 2019 to about 7 June 2019 in the role of Assistant Media Advisor;

2.4 is the de facto partner of Mr David Sharaz (**Mr Sharaz**), who:

(a) describes himself on his LinkedIn profile as a 'Media and Communications Specialist';

(b) the account holder and user of Twitter account @SharazDavid;

(c) a friend of Labor Senator Katy Gallagher

2.5 is the author and publisher of the defamatory posts pleaded herein.

3 The defendant describes herself on her LinkedIn profile as:

3.1 a Visiting Fellow at the Global Institute for Women's Leadership;

3.2 currently studying a Doctor of Law (JD) at Bond University;

and there claims to have previously worked:

3.3 from April 2023 to May 2023 as an Associate at the United Nations at the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);

3.4 from August 2022 to October 2022 as an Interim Media Advisor for the Queensland Human Rights Commission;

3.5 from February 2021 to April 2022 as a freelance Public Speaker, Advocate and Commentator;

3.6 from March 2021 to May 2021 as a Media Advisor at the First Peoples' Assembly of Victoria;

3.7 from July 2019 to February 2021 as a Media Advisor for the Ministerial Office of the Minister for Employment, Skills, Small and Family Business, the Hon Senator Michaelia Cash;

3.8 from March 2019 to July 2019 as Assistant Media Adviser and the Ministerial administrator to Senator The Hon Linda Reynolds CSC, the Minister for Defence Industry;

3.9 from August 2018 to March 2019 as Media Assistant for the Hon Steven Ciobo MP, Minister for Defence Industry;

3.10 from June 2020 to November 2020 as a Media Advisor for Glowing Green Australia;

3.11 from February 2018 to November 2018 as a News Reporter for 105.7 Radio Metro; and

3.12 from January 2018 to October 2018 as an Assistant Electorate Officer for office of Mr Sam O'Connor MP, Member for Bonney.

4 The defendant's education includes a Bachelor of Business/Bachelor of Public Relations and Communications from Griffith University obtained in 2022.

Matters known to the readers of the Publications

5 As a result of extensive media coverage and reports, the following matters were generally known to readers of the Publications identified at paragraphs 6, 10, ~~and~~ 13 and 15B below (collectively, the **Publications**) at the time of each of the Publications:

5.1 The defendant had alleged that at the time she was employed as the Assistant Media Advisor to the plaintiff, she was raped at Parliament House in the plaintiff's ministerial office by a colleague, Mr Bruce Lehrmann (**the Rape Allegation**);

5.2 The defendant had publicly revealed the Rape Allegation in a televised interview on Network 10's *The Project* (**The Project Interview**), following which she participated in an interview with police regarding the Rape Allegation;

5.3 During The Project Interview the defendant had criticised how she had been treated by the plaintiff and the plaintiff's chief of staff, Ms Fiona Brown, after allegedly informing them of the Rape Allegation;

5.4 Upon viewing The Project Interview, and in response to the allegations concerning her conduct set out paragraph 5.3 above the plaintiff had said the words 'lying cow' within earshot of some of her staff, which resulted in the defendant threatening a defamation claim against the plaintiff, which was settled and for which the plaintiff apologised;

5.5 The trial of Mr Lehrmann in respect of the alleged rape had been aborted by reason of juror misconduct;

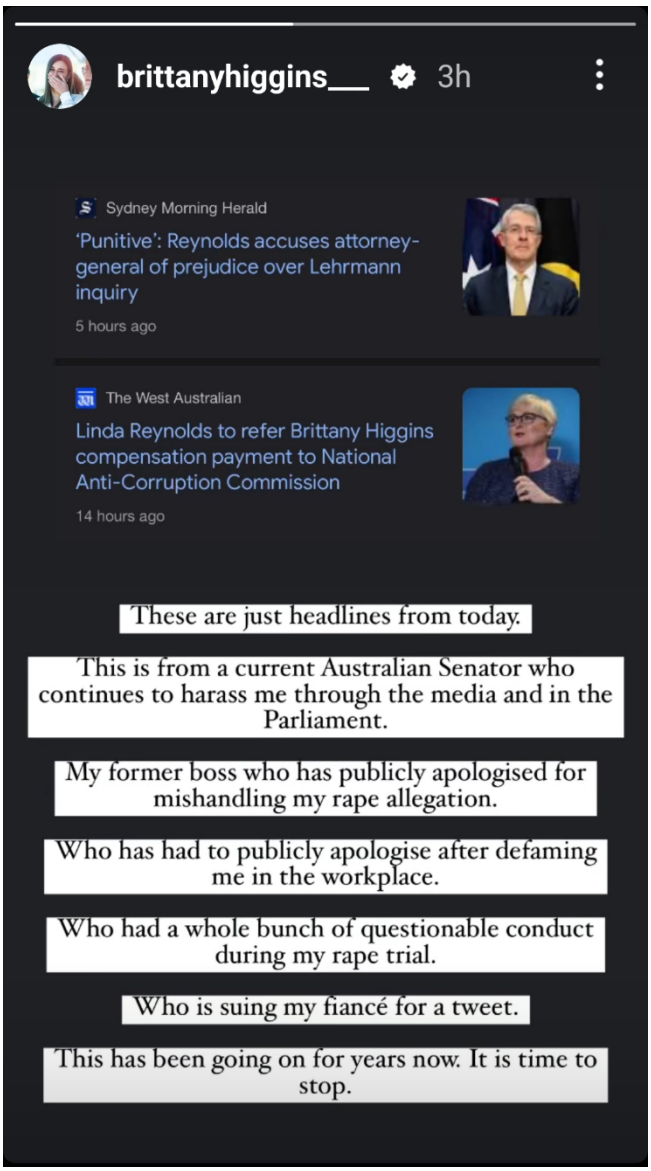
5.6 The charges against Mr Lehrmann had been discontinued by the ACT Department of Public Prosecutions;

5.7 The defendant had issued a civil claim against the Commonwealth, the plaintiff and Senator Michaelia Cash in relation to the circumstances surrounding the Rape Allegation, which was settled at a confidential mediation; and

5.8 The conduct of the investigation of the Rape Allegation and the trial of Mr Lehrmann was the subject of the ACT "Board of Inquiry - Criminal Justice System" known as the Sofronoff Inquiry.

4 July 2023 Instagram Story

6 On 4 July 2023 the defendant authored and published the following compilation of image and text of and concerning the plaintiff on her Instagram account as a 'story', which was defamatory of the plaintiff:



(4 July Instagram Story)

Particulars of publication

(a) ~~The 4 July Instagram Story was published on the internet for a period of 24 hours and was viewed in Australia, including in Western Australia, which can be inferred from the number of followers of the defendant and their location in Australia and in Western Australia, and the defendant's status as a public figure in Australia;~~ The 4 July Instagram Story was published on the internet and viewed in Australia, including Western Australia.

(b) The 4 July Instagram Story received at least:

(i) 19,465 views;

(ii) 985 likes;

(iii)52 shares; and

(iv)22 replies.

(c) The 4 July Instagram Story was initially only published on the internet for a period of 24 hours, but on a date unknown to the plaintiff the defendant published the 4 July Instagram Story to an Instagram Story Highlight available on her Instagram profile titled "Advocacy" which made the otherwise temporary post a continuously available Story Highlight on the defendant's Instagram page.

(d) As at the date of this Amended Statement of Claim the 4 July Instagram Story was still publicly available for viewing on the defendant's Instagram profile under the highlight " Advocacy" .

~~(b)~~(e) The 4 July 2023 Instagram Story was republished in the media ~~in~~ as particularised at Schedule A;

~~(c) Further particulars of publication will be provided after discovery and the issue of subpoenas.~~

7 The 4 July 2023 Instagram Story identified the plaintiff by:

7.1 name;

7.2 image; and

7.3 reference to her position as "a current Australian Senator" and "my former boss".

8 In its natural and ordinary meaning, having regard to the matters generally known to the readers of the Publication (set out in paragraph 5 above) the 4 July Instagram Story meant and was understood to mean:

8.1 The plaintiff was engaging in a campaign of harassing the defendant;

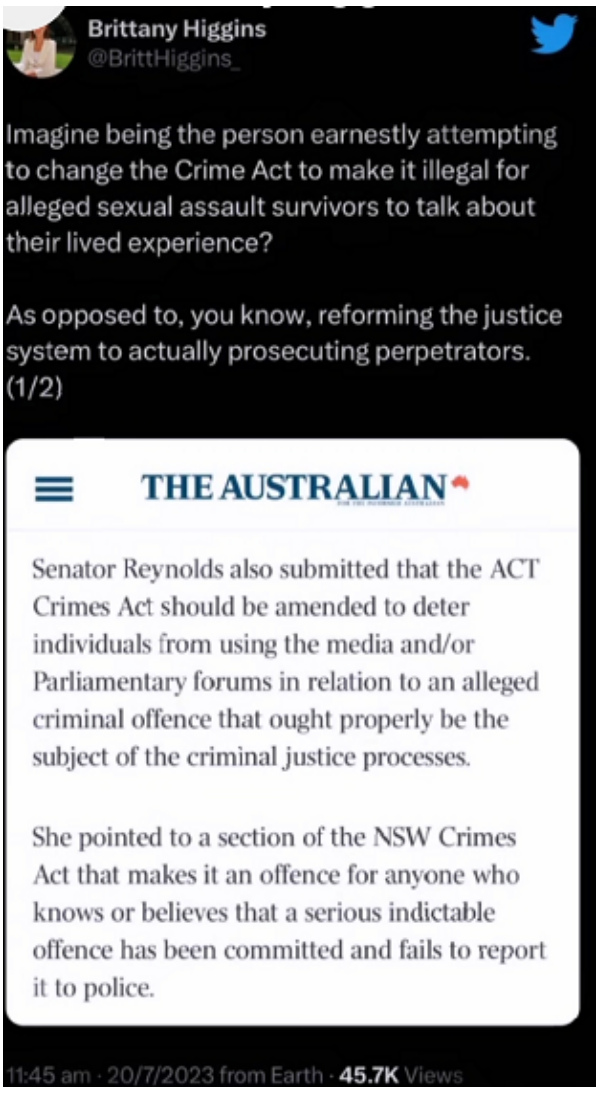
8.2 The plaintiff mishandled the defendant's Rape Allegation by failing to provide her with any support;

8.3 The plaintiff engaged in questionable conduct during the criminal trial of Mr Lehrmann.

9 Alternatively to paragraph 8.2 and 8.3 above, the 4 July Instagram Story meant and was understood to mean the imputations pleaded at paragraph 8.2 and 8.3 by way of true innuendo to a recipient who was possessed of knowledge of the matters pleaded at paragraph 5.

20 July 2023 Tweets

10 On 20 July 2023 the defendant authored and published the following 2 tweets of and concerning the plaintiff as a 'thread' on her Twitter (X) account, which was defamatory of the plaintiff:



(20 July Tweets)

Particulars of Publication

(a) The 20 July Tweets were published on the internet ~~(until the defendant deleted her account on or about 3 August 2023)~~ and

were viewed in Australia, including in Western Australia, which can be inferred from the number of views, reactions and comments on the tweet and the defendant's status as a public figure in Australia.

(b) The 20 July Tweet marked '1/2' received at least:

(i) ~~45,700~~ 400,600 views;

(ii) ~~6,900~~ 7,300 'likes';

(iii) ~~632~~ 652 comments;

(iv) ~~1,800~~ 2,200 retweets; and

(v) 85 quote retweets.

(c) The 20 July Tweet marked '2/2' received at least:

(i) ~~8,061~~ 51,000 views;

(ii) ~~2,600~~ 2,800 'likes',

(iii) ~~84~~ 107 comments;

(iv) ~~403~~ 466 retweets; and

(v) 6 quote retweets.

(d) The 20 July Tweets were republished in the media as particularised at Schedule B.

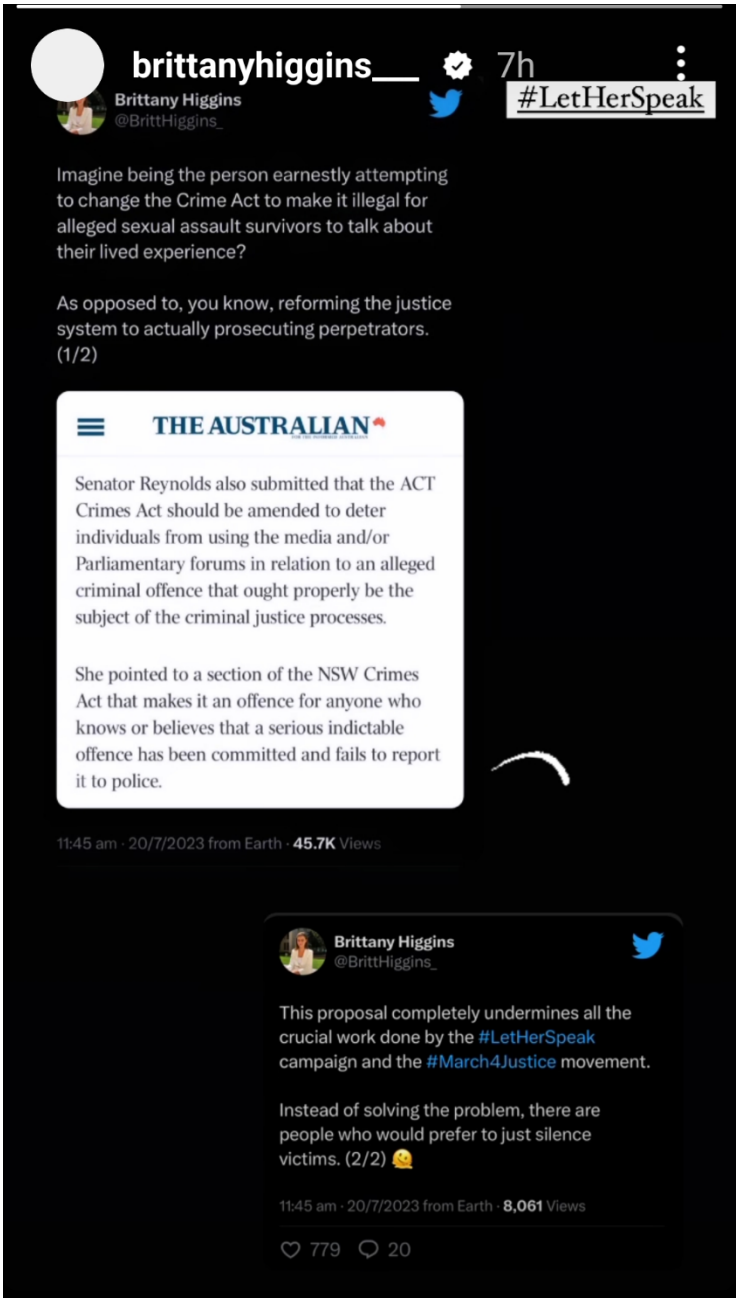
(e) Further particulars of publication will be provided after discovery and the issue of subpoenas.

11 The 20 July Tweets identified the plaintiff by name, by reproducing and commenting on an extract from an article in *The Australian* newspaper that named her.

12 In its natural and ordinary meaning, having regard to the matters generally known to the readers of the Publication (set out in paragraph 5 above) the 20 July Tweets meant and were understood to mean the plaintiff wants to silence victims of sexual assault.

20 July 2023 Instagram Story

13 On 20 July 2023, the defendant authored and published the following compilation of image and text of and concerning the plaintiff to her Instagram account as a 'story', which was defamatory of the plaintiff:



(20 July Instagram Story)

Particulars of publication

(a) ~~The 20 July Instagram Story was published on the internet for a period of 24 hours and was viewed in Australia, including in Western Australia, which can be inferred from the number of followers of the defendant and their location in Australia and in Western Australia, and the defendant's status as a public figure in Australia;~~ The 20 July Instagram Story was published on the internet and viewed in Australia, including Western Australia.

(b) The 20 July Instagram Story received at least:

(i) 13,361 views;

(ii) 368 likes;

(iii) 17 shares; and

(iv) 2 replies.

(c) The 20 July Instagram Story was initially only published on the internet for a period of 24 hours, but on a date unknown to the plaintiff the defendant published the 20 July Instagram Story to an Instagram Story Highlight available on her Instagram profile titled "Advocacy" which made the otherwise temporary post a continuously available Story Highlight on the defendant's Instagram page.

(d) As at the date of this Amended Statement of Claim the 20 July Instagram Story was still publicly available for viewing on the defendant's Instagram profile.

~~(b)~~(e) The 20 July 2023 Instagram Story was republished in the media ~~in~~ as particularised at Schedule B;

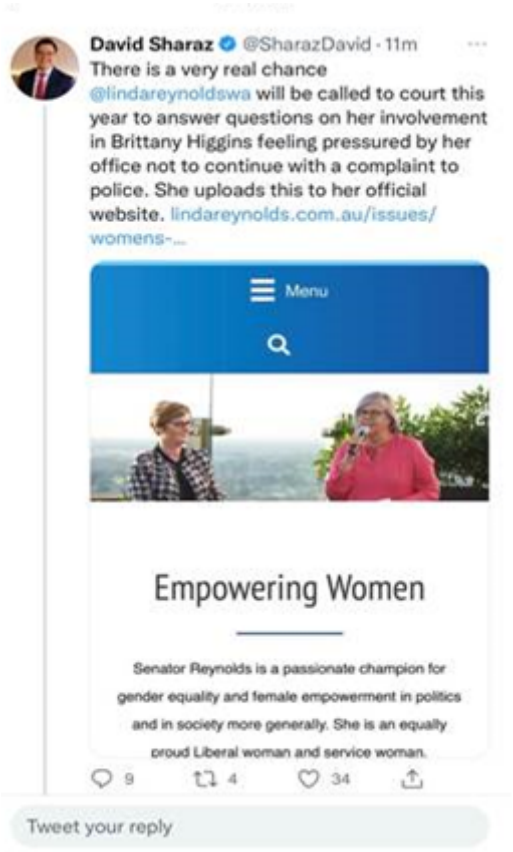
~~(c) Further particulars of publication will be provided after discovery and the issue of subpoenas.~~

14 The 20 July Instagram Story identified the plaintiff by name, by reproducing and commenting on an extract from an article in *The Australian* newspaper that named her.

15 In its natural and ordinary meaning, having regard to the facts generally known to the readers of the Publication (set out in paragraph 5 above) the 20 July Instagram Story meant and was understood to mean the plaintiff wants to silence victims of sexual assault.

The 27 January 2022 Tweet

15A On 27 January 2022 David Sharaz authored and published the following tweet on his Twitter account (now known as X) of and concerning the plaintiff, which was defamatory of the plaintiff:



(27 January 2022 Tweet)

15B The defendant was also a publisher of the 27 January 2022 Tweet by reason of the following:

15B.1 collaborating in the preparation and posting of the 27 January 2022 Tweet; and

Particulars

(a) The plaintiff relies upon a thread of WhatsApp messages between David Sharaz and the defendant, being document 0372 of the defendant's discovery.

(b) The thread was discovered by supplementary discovery given on 14 May 2024 and was not previously known to the plaintiff.

15B.2 knowingly seeking to attract a wider audience to the 27 January 2022 Tweet by replying to the 27 January 2022 Tweet with a comment "@SharazDavid and @lindareynoldswa I have no words. emoji" which comment was then commented on by 45 users, re-tweeted by 89 users and liked by 919 users.

Particulars

(a) The plaintiff relies upon screenshots of Mr Sharaz's then Twitter Account showing the Defendant's comment together with the engagement by Twitter users with that comment: REY.001.001.0495 and REY.001.001.0500.

(b) The plaintiff relies upon a thread of text messages between David Sharaz and the Defendant and the second defendant, being pp 25-26 of document 0368 of the defendant's discovery.

(c) The thread in particular (b) was discovered by supplementary discovery given on 14 May 2024 and was not previously known to the plaintiff.

15C As at the date proceedings were commenced, the 27 January Tweet had been removed or deleted from Sharaz's Twitter account but was available to access via at least WinCalendar.com as a 'top tweet' for the date 28 January 2022.

Particulars of Publication

(a) The 27 January 2022 Tweet was published on the internet and viewed in Australia, including in Western Australia which is to be inferred from the number of followers of Mr Sharaz and their location in Australia and Western Australia.

(b) As at the date of this Further Re-Amended Statement of Claim the 27 January 2022 Tweet had received:

(i) 175 re-tweets;

(ii) 621 likes; and

(iii) 68 comments.

(c) The 27 January 2022 Tweet was deleted on a date unknown to the plaintiff.

(d) Mr Sharaz's Twitter account is followed by approximately 16,700 other accounts.

(e) Further it can be inferred that the 27 January 2022 Tweet was read in Australia, including in Western Australia, by reason of the fact followers of Mr Sharaz's account who are located in Australia, including in Western Australia, have engaged with other tweets published by Mr Sharaz.

(e) Further particulars of publication and re-publication will be provided after discovery and the issue of subpoenas.

15D In its natural and ordinary meaning, having regard to the facts generally known to the readers of the Publication at date of publication (set out at paragraphs 5.1-5.4 above) the 27 January 2022 Tweet meant and was understood to mean:

18.1 the plaintiff pressured the defendant not to proceed with a genuine complaint of sexual assault to police; and

18.2 the plaintiff is a hypocrite in her advocacy for gender equality and female empowerment.

Damage

16 By reason of the publication of the 27 January 2022 Tweet, the 4 July Instagram Story, the 20 July Tweets and the 20 July Instagram Story and each of them, the plaintiff:

16.1 has been greatly injured in her credit, character and reputation;

16.2 has been brought into public hatred, scandal, odium and contempt;

16.3 has been lowered in the estimation of right-thinking members of the community;

16.4 has been injured in the way of her future occupation and calling; and

16.5 has suffered distress and embarrassment.

Aggravating Conduct

17. The defendant's authorship of the Publications, and the defendant's conduct, has been improper, unjustifiable and lacking in bona fides, in a manner which has both aggravated the hurt, damage and distress suffered by the plaintiff and aggravated the reputational damage suffered by the plaintiff in that:

17.1 In circumstances where Mr Sharaz and the defendant claim to have the experience pleaded in paragraphs 2.4 and 3 above, the defendant has

outwardly behaved in a way which has led the plaintiff to reasonably believe she acted maliciously in publishing the Publications, as they were published in furtherance of a plan by the defendant and Mr Sharaz to use the defendant's allegations of a rape (**Rape Allegation**) and the allegations concerning the plaintiff being unsupportive of Ms Higgins Rape Allegation, mishandling the Rape Allegation and being involved in a broader political coverup of the Rape Allegation ~~same~~ (collectively the **Coverup Allegations**), (collectively the **Allegations**) as a weapon to inflict immediate political damage ~~Rape Allegation as a weapon against~~ upon the plaintiff and the then Government (the **Plan**), which came to the attention of the plaintiff in or about June 2023 following reports in the media which the plaintiff believed to be true, thereby aggravating her hurt.

Particulars of Plan to use ~~a~~Allegations against the plaintiff

(aa) shortly after meeting Mr Sharaz in May 2020, the defendant created the idea of the Plan and recorded the idea as a note on her mobile phone which read: *Thesis idea – "the cult of politics, the media lens of a political sex scandal, anatomy of a political sex scandal*"

(ab) the defendant and Mr Sharaz met with ACT Labor Party Operations Manager Ms Sandra Fisk and her husband Martin Fisk in August 2020 during which the defendant disclosed the ~~her~~ ~~a~~Allegations and over the following months discussed the implications of going to the media with ~~her~~ the ~~a~~Allegations with them and Mr Sharaz;

(ac) in or around January 2021, the defendant created a timeline of her version of events regarding the response to the security

incident after 23 March 2019 for the purpose of distributing it to journalists and politicians for background on the upcoming story (**The Dossier**);

(a) in or around January 2021, Mr Sharaz made arrangements for the defendant to meet with the producer and host of Network 10 programme The Project for an exclusive interview in respect of her allegations;

(baa) in or around January 2021, Mr Sharaz made arrangements for the defendant to meet with journalist Ms Samantha Maiden of News.com.au for an article in respect of the Allegations;

(bab) Mr Sharaz selected Ms Lisa Wilkinson and Ms Samantha Maiden to be the journalists to break the news story of the defendant's Allegations due to his existing friendly relationships with Ms Wilkinson and Ms Maiden;

(ba) in or around January 2021, the defendant alternatively Mr Sharaz provided Ms Maiden with the Dossier and the defendant met with Ms Samantha Maiden during which meeting the defendant revealed details of the ~~a~~Allegations which resulted in the publication of an article on 15 February 2021 entitled "*Young staffer Brittany Higgins says she was raped at Parliament House*";

(bb) on 18 January 2021, Mr Sharaz emailed Ms Lisa Wilkinson with the heading "*MeToo Liberal Party Project Pitch*"~~:~~ in which he stated, inter alia, "*I've got a sensitive story surrounding a sexual assault at Parliament House; a woman*

who was pressured by the Liberal Party and female cabinet minister [sic] not to pursue it. She's asked me to be the one to get the story told this year.". At all times thereafter Mr Sharaz acted as the conduit for communication between Ms Wilkinson and Executive Producer Angus Llewellyn and the defendant;

(bca) on 19 January 2021, Mr Sharaz emailed Ms Wilkinson a copy of the Dossier stating 'I'm sending this on behalf of Britt…";

(bd) on 20 January 2021, Mr Sharaz:

(i) received a telephone call from Ms Wilkinson regarding the logistics of Ms Wilkinson and her Executive Producer meeting with Mr Sharaz and the defendant;

(ii) sent a text message to the defendant saying "*Lisa rang, Let's chat tonight, its good news. … She wants to fly me and you down on Monday for a meeting with her and the EP at a non-disclosed location. She wants to potentially change the format of the show and do the 7:00-7:30 hour in this. Include Sam. Have Sam grabs thought [sic] the piece. She also said "we need to make sure we hold britts hand through all this. She can call me at any time."*

(bc) having regard to Mr Sharaz's participation in the interview particularised at (b) with the defendant's consent and his ongoing relationship with the defendant, in the circumstances it can be inferred that Mr Sharaz's conduct referred to above was on the instructions or with the consent of the defendant;

~~(bd) on 20 January 2021, Mr Sharaz:~~

~~(i) received a telephone call from Ms Wilkinson regarding the logistics of Ms Wilkinson and her Executive Producer meeting with Mr Sharaz and the defendant;~~

~~(ii) sent a text message to the defendant saying "*Lisa rang. Let's chat tonight, its good news. … She wants to fly me and you down on Monday for a meeting with her and the EP at a non-disclosed location. She wants to potentially change the format of the show and do the 7:00-7:30 hour in this. Include Sam. Have Sam grabs thought [sic] the piece. She also said "we need to make sure we hold britts hand through all this. She can call me at any time.*"~~

(be)~~(bd)~~ on 25 January 2021, Mr Sharaz sent a text message to the defendant saying "*Just need to make sure this whole thing comes out in a sitting week etc*";

(bf) in around January 2021, the defendant provided the Dossier to Mr Angus Llewellyn;

(b) on 27 January 2021, the defendant and Mr Sharaz met with Mr Angus Llewellyn and Ms Lisa Wilkinson of the Project at the Star Hotel in Sydney and participated in a 5 hour interview during which ~~Mr Sharaz stated~~:

(ia) Mr Sharaz stated "*And you can't prosecute the Liberal Party and the only, it's the court of public opinion that can get them. You can't get them in court.*";

(ib) Mr Sharaz stated "*The twenty-first of Feb you could do that story, that's ahead of that sitting week. And the March is when estimates is.*";

(ic) the defendant stated "*I think it's two weeks in, and I think it's mid-March is when Senate estimates is back.*" and "*It'd be good to get a question time in, I think.*";

(id) Mr Sharaz stated "*So, you want to do it on the sitting week. So the Sunday ahead of the sitting week.*" and the defendant stated "*So, they're actually, they're all stuck in Parliament House with it.*"

(i) Mr Sharaz stated "*And for your reference, we'll get down to this later, but the reason we've chosen the timeline we've had is because it's a sitting week when we want the story to come out*,";

(ii) Mr Sharaz stated "*And then the Senate recommences in March and that's when I'm going to talk to, I've got a friend in Labor, Katie Gallagher on the Labor side, who will probe and continue it going*."

(iii) Mr Sharaz stated "*So sitting week, story comes out, they have to answer questions at question time, it's a mess for them. March, Senate estimates. Hopefully we can try and get the (Parliament CCTV) footage, that sort of stuff, for Britt's clarity, and then he's (Scott Morrison) going to call an election in whenever he calls it*"

(iv) Mr Sharaz stated "*That's why Britt's picked that timeline."*

(v) Mr Sharaz stated '*I asked Britt, "ultimately, what do you want out of this? 'And she goes "well, I want Bruce to forever have it difficult getting a job, like it's going to be difficult for me*.'

(vi) Apparently addressing the defendant directly, ~~he~~ Mr Sharaz then said, *'and then you said, best case scenario, Linda Reynolds"* and the group erupted with laughter.

(vii) Mr Sharaz asked Ms Wilkinson "*do you have friendly MPs you know that could fire questions at question time*" to which Ms Wilkinson responded identifying Mr Albanese and Ms Plibersek;

(viii) Ms Wilkinson stated "*I'm a great believer in people's time will come. I'm incredibly patient"* to which ~~the defendant~~ Mr Sharaz responded "*Linda's time, please god, let it be Linda's time*" and Ms Wilkinson stated "*Well, I think it might be*";

(ix) Ms Wilkinson read out her private X (formerly Twitter) messages with the plaintiff to the group to ridicule the plaintiff;

(x) Mr Sharaz suggested arranging sexual assault survivor and advocate Grace Tame to 'do media' the next day [after the broadcast]; ~~and~~

(xi) the defendant stated "*I would love to have a Court case on like civil, if he wants to go after me like on a civil basis, I think on the balance of probabilities I think I could win. I think if the onus of proof is beyond reasonable doubt, I think that would be different, I don't think I'd win that*";;

(xii) Mr Sharaz stated "*I'm sure you'll tell Lisa, you've got a photo of a bruise.*";

(xiii) the defendant stated "*...I've on my phone, a photo of my leg. I was, because he had pinned me down and I'm, I was in quite a lot of pain. I think that's kind of what woke me, sort of snapped me out of it, or woke me up. I was in a lot of pain, the way that my leg was sort of caught up against the couch. He was putting a lot of pressure on it. So, I had this big bruise on my thigh.*" Then when asked by Ms Wilkinson if she had the photo, the defendant said "*Yeah, yeah of course.*" And in response to Ms Wilkinson's question "*So, you took that when you were in the office, just when it happened, or a couple of days later?*" The defendant stated "*Couple of days after.*" Thus, creating the impression the bruise was from the sexual assault in circumstances where the defendant knew that it was not;

(ca) the day following the interview, on 28 January 2021, the defendant recorded a conversation between herself and Mr Daniel Try (Chief of Staff to her then employer Minister

Michaelia Cash), without Mr Try's knowledge or consent and provided a copy of that recording to Ms Maiden;

(cb) on 29 January 2021, on the defendant's instructions Mr Sharaz contacted the defendant's counsellor by text message and asked that she speak with the producer of the Project stating "*Brittany wanted to phone you to give you permission to talk to the project producer Angus, and I was hoping to do it on my phone for reasons you can understand. What would be a good time for Brittany to speak to you*?";

(cc) in late January 2021, the defendant informed Ms Maiden, Ms Wilkinson and a journalist from The West Australian, Ms Lanie Scarr, that she was ostracised by the plaintiff and that the plaintiff did not like her;

(cd) in later January 2021, the defendant provided Ms Maiden and Ms Wilkinson with a photograph purporting to be a bruise sustained by the plaintiff during the alleged assault;

(ce) on 2 February 2021, the defendant filmed an interview with Ms Wilkinson that was later broadcast on The Project;

(cf) on 3 February 2021, the defendant signed an "Adult Appearance Release" for The Project in which she agreed that the information contributed by her to the Program will be true and factually accurate in circumstances where she knew the matters she had informed Ms Wilkinson and Mr Llewellyn of on 27 January 2021 were false in the following respects:

(1) the defendant did not, on 26 March 2019, tell Fiona Brown that Bruce Lehrmann had assaulted her;

(2) on 27 March 2019, members of the AFP Parliament House unit did not inform the defendant that they wanted to refer the incident to the speciality sexual assault unit;

(3) Fiona Brown did ask the defendant if she was ok;

(4) Fiona Brown did not put pressure on the defendant to take a payout and leave her job;

(5) Fiona Brown never told the defendant that she had viewed the CCTV footage of 23 March 2019;

(6) the plaintiff did not keep the defendant at arms-length during the election period or refuse to have the defendant involved in any of the plaintiff's events;

(7) the plaintiff did raise the allegation with the defendant after the meeting held with the plaintiff and Ms Fiona Brown on 1 April 2019;

(8) neither the plaintiff nor Fiona Brown gave the defendant an ultimatum between her job and proceeding with a criminal complaint;

(cg)~~(cf)~~ on 3 February 2021, the defendant had a conversation with Ms Emma Webster, a senior political media advisor and former Labor advisor to discuss how to manage the media when the story drops;

(ch)~~(cg)~~ on 4 February 2021, the defendant contacted the Australian Federal Police to indicate that she was considering reopening a complaint from April 2019 but that she would first like to see a copy of the Police file;

(ci)~~(ch)~~ on 5 February 2021, the defendant recorded a conversation between herself and Senator Cash concerning the Rape ~~a~~Allegation without Senator Cash's knowledge or consent. Within 20 minutes of that conversation concluding, Ms Higgins provided a copy of the recording to Ms Webster;

(cj)~~(ci)~~ on 5 February 2021, the defendant and Mr Sharaz attended the Belconnen Police Station during which they appeared more concerned with the media campaign than the criminal investigation process as noted by the AFP after the meeting:

> "*The male she attended with raised the media coverage a number of times, and appeared more focused on media holding the POI to account than the Court. They both spoke about obtaining evidence options and I explained the AFP FOI process. I clarified both understood that Police don't investigate allegations to get a media campaign going, but to try and get a criminal prosecution and that evidence would be gathered as part of that investigation. Brittany stated she understood and appeared very genuine (and upset). The male remained quiet after that and whilst I think he was there out of genuine concern for Brittany, I question if he had a somewhat different focus*."

(c) in the period following the interview referred to at particular (b) above, Mr Sharaz shared the transcript of the interview with Labor Party Senator Katy Gallagher.

(daa) on 10 February 2021, the defendant made a statutory declaration stating that:

(i) the transcript at Annexure A to that declaration "represents the complete truth of the events surrounding the rape and sexual assault of me by Bruce Lehrmann that occurred in Minister Linda Reynolds office overnight on Friday/Saturday 22-23 March 2019, culminating in my decision to ultimately resign from working in the office of Minister Michaelia Cash on 29 January 2021.";

(ii) "I did not lie or misrepresent the truth at any stage during the interview.";

(iii) "I did not omit any key details that would undermine the veracity of my account during the Interview.";

(iv) "The photograph of the bruise on my leg, as I referred to in the Interview, is also annexed to and forms part of my statutory declaration (Annexure B);

(v) "The photograph at Annexure B shows the bruise on my leg that was caused by Bruce Lehrmann during the rape and sexual assault that occurred in Minister Reynolds office on 22-23 March 2019.";

(vi) "I took the photograph with my iPhone at Annexure B on 3 April 2019.",

in circumstances where she knew that the declaration was false in that:

(1) the defendant did not have a photo of a bruise arising from the sexual assault;

(2) the defendant did not tell Fiona Brown, on 26 March 2019, that she had been sexually assaulted;

(3) Fiona Brown never told the defendant that she had viewed the CCTV footage of 22/23 March 2019;

(5) Fiona Brown did not rebuff the defendant's request to view the CCTV footage from 22/23 March 2019;

(6) Fiona Brown did assist the defendant to speak with the Police on 1 April 2019 in that Ms Brown accompanied the defendant down to meet with the AFP at Parliament house at approximately 12 midday on 1 April 2019;

(7) Fiona Brown did not inform the defendant that she only had two options, those being she could return home and be paid out but that this would negatively impact her prospects of having a job to reapply to after the election,

alternatively she could go to Western Australia for the election campaign;

(8) the plaintiff did not keep the defendant at arms-length during the election period or refuse to have the defendant involved in any of the plaintiff's events;

(9) the plaintiff did offer the defendant a job after the election;

(10) Mr Yaron Finkelstein, Principal Secretary to the Prime Minister was not a regular presence in the plaintiff's office during the week following the sexual assault;

(da) on or around 11 February 2021, Mr Sharaz provided a copy of the Dossier and an advance copy of the Project interview to Senator Gallagher and facilitated the provision of questions and answers between Ms Higgins and Senator Gallagher:

"*Katy is going to come to me with some questions you need to prepare for...she's really invested now*" [Text Message from Mr Sharaz to the defendant dated 11 February 2021];

(db) having regard to Mr Sharaz's participation in the interview particularised at (b) above with the defendant's consent and his ongoing relationship with the defendant, in the circumstances it can be inferred that Mr Sharaz's conduct referred to above was on the instructions or with the consent of the defendant;

(dc) on 15 February 2021, Ms Maiden published the following article on news.com.au – "*Young staffer Brittany Higgins says she was raped at Parliament House*";

(dd) on 15 February 2021, during Question Time in the Senate, and with no notice, the plaintiff was asked a series of questions by Senator Gallagher and her colleague Senator Wong including:

a. *Gallagher: "My question is to the Minister for Defence, Senator Reynolds. I refer to the deeply distressing story published today in which a former staff member of Minister Reynolds has made public her alleged rape in March 2019 by a then colleague in the minister's parliamentary office, and the subsequent conduct of the minister and the government. That conduct included the minister and her then chief of staff meeting with her staff member in the same room the alleged rape occurred. Can the minister assure the Senate that she and her office have exercised and will exercise an appropriate duty of care, including the provision of support for the victim of an alleged sexual assault in the minister's office in March 2019?"*

b. *Gallagher: "Can the minister assure the Senate that she personally ensured her staff member was referred to support services and that her staff member was accessing them, and that she made clear her personal support for the staff member to report the incident on her terms and that her job would be secure, regardless of her decision?"*

c. *Gallagher: "Can the minister assure the Senate that neither she, her staff nor any of the Prime Minister's staff said or did anything which may have implicitly encouraged her former staff member not to pursue the incident with police?"*

d. *Wong: "What steps did this minister take to ensure that Ms Higgins was confident that her career with the Liberal Party would not be negatively impacted by a decision to make a complaint to the police?"*

e. *Wong: "My question is again to the Minister for Defence, Senator Reynolds. The minister has today referred to a meeting in her office between the minister and, amongst others, Ms Higgins. Can the minister confirm that this was the only meeting that the minister was personally engaged in with Ms Higgins in relation to the alleged assault?"*

f. *Wong: "Earlier in question time today the minister explained the location of the meeting by indicating she was at that point unaware of the alleged assault. Can the minister explain how she claimed she was unaware of the alleged assault at the time of that meeting, given the meeting took place after Ms Higgins had reported the assault to the minister's chief of staff?"*

(de) in the circumstances it can be inferred that the defendant provided Senators Wong and Gallagher with the information forming the basis of those questions referred to above in

circumstances where the defendant knew this information was false;

(df) on 15 February 2021, Mr Sharaz sent a text message to Mr Llewellyn stating "*i've pointed every single journalist to the project tonight*";

(dg) having regard to Mr Sharaz's participation in the interview particularised at (b) above with the defendant's consent and his ongoing relationship with the defendant, in the circumstances it can be inferred that Mr Sharaz's conduct referred to above was on the instructions or with the consent of the defendant;

(dh) on 15 February 2021, the defendant communicated with Ms Rosie Lewis of The Australian in relation to the story and provided her with a copy of the Dossier;

(di) in the evening of Sunday 15 February 2021, Ms Higgins' interview with Ms Wilkinson was broadcast to 500,000 viewers on Network Ten;

(dja) on 16 February 2021, the defendant caused a statement to be issued to various media outlets which contained the following statements inter alia:

It should not have taken my story, or the story of other victim-survivors to air on national television for the Prime Minister - or any Member of Parliament - to take action on workplace sexual harassment, assault or bullying. …

There needs to be an independent reporting mechanism for staff where they can confidently and safely make complaints –

similar to processes in many other workplaces in Australia and abroad. ...

Finally, everyone should feel safe to report sexual assault without fear of losing their job. These incidents shouldn't have to play out in the media for change to happen.

(djb) the defendant provided the statement referred to in (dja) above in circumstances where she knew her assertions of bullying and reporting and fear of losing their job were false;

(dj) on 16 February 2021, Mr Sharaz sent the following text messages to Mr Llewellyn of the Project:

"*Btw. You've got a great grab which hasn't aired about how she feels about Linda Reynolds. From a producing point of view and given Morrison is throwing Linda under the bus - I'd play that if I needed to feed this beast further"..*

"Linda calls her a passionate campaigner for women etc and Britt's response"

(dk) having regard to Mr Sharaz's participation in the interview particularised at (b) above with the defendant's consent and his ongoing relationship with the defendant, in the circumstances it can be inferred that Mr Sharaz's conduct referred to above was on the instructions or with the consent of the defendant;

(dl) on 16 February 2021, further questions were directed to the plaintiff by Senator Gallagher and Senator Tony Sheldon during Question Time including;

a. *Gallagher: "Reports indicate the alleged rapist's employment with the minister's office ended on Tuesday 26 March 2019. What was the reason for his employment ending, and did he resign or was he sacked?"*

b. *Gallagher: "So I think the answer is that he was sacked. Is that correct? The alleged rapist has been described as the minister's favourite, a go-to person who had a special bond with the minister. Did the minister consider it odd that her favourite go-to person would resign on the spot for a security breach, without a conversation with her? Has the minister had any contact with the alleged offender since his termination? If so, when?"*

c. *Sheldon: "My question is to the Minister for Defence, Senator Reynolds. On what date did the minister first become aware of the allegations of rape made by her former staff member? What action did the minister take as a result?"*

d. *Sheldon: "The minister's former staff member was allegedly raped in the defence minister's office almost two years ago. When was the Prime Minister's office informed, and how; and when was the Prime Minister informed, and how?"*

(dm) in the circumstances it can be inferred that the defendant provided Senators Sheldon and Gallagher with the information forming the basis of those questions referred to above in

circumstances where the defendant knew this information was false;

(dn) on 17 February 2021, further questions were directed to the plaintiff by Senator Gallagher, Senator Wong and Senator Kristina Keneally during Question Time including;

a. *Wong: "The alleged rape occurred on the evening of Friday 22 March 2019 or the morning of Saturday 23 March 2019. On or before Monday the 25th, the minister's office is made aware an incident took place. On Tuesday 26 March 2019 the minister's then chief of staff, who currently works in the Prime Minister's office, meets with both the alleged rapist and Ms Higgins. Ms Higgins discloses the alleged rape. On Monday 1 April, the minister finally meets with Ms Higgins. How can the minister maintain to the Senate and to the public that, six days after Ms Higgins disclosed the alleged rape to the minister's chief of staff, she, the minister, still did not know?"*

b. *Wong: "The minister has previously said any complaint of violence—verbal, physical or sexual—must always be taken seriously, particularly when, as members of parliament, we must be setting the standard for members of the community. Why has this minister so failed to meet her own standard? Why is she continuing the cover-up?"*

c. *Gallagher: "Just for the information of the chamber, Ms Higgins has given permission for us to ask questions about*

this incident. Just for your information—I don't think you should hide behind Ms Higgins by refusing to answer these questions."

d. *Gallagher: "By whom was this support from the Prime Minister's office provided and why did the Prime Minister's office only provide support in relation to the alleged rapist?"*

e. *Keneally: "The minister says she has always wanted Ms Higgins to drive this process. If that is true, why, as Ms Higgins says, was the alleged rape 'a taboo thing; it was never spoken about again'?"*

(do) in the circumstances it can be inferred that the defendant provided Senators Keneally and Gallagher with the information forming the basis of those questions referred to above in circumstances where the defendant knew this information was false;

(dp) on the same date, Senator Gallagher and Wong made the following comments to the Senate:

a. *Wong: "We know from the courageous public testimony from Ms Higgins this week that she did not feel supported when she told her minister she had been raped by a colleague. Ms Higgins says she was given the choice as to whether she was going to give up on her career. She was told by her superiors she could go to the police, but they also added: 'We need to know ahead of time. We need to*

know now.' She said she realised this alleged act of sexual violence in the minister's office was being seen as a 'political issue', a political problem. She said she 'realised my job is on the line'. So, rather than give up on her dream job, she agreed to be sent to Western Australia where she was 'just alone. It was really hard.' Where was Senator Reynolds while Ms Higgins was struggling through this?"

b. *Gallagher "By withholding information, what she is continuing is the cover - up that has been underway for two years, which has been the cause of much trauma to Ms Higgins. It's the cover - up, often, that is as traumatic as other elements of a serious crime like this because it compounds the trauma. It means that people she worked for, people she looked up to, who she expected to treat her properly haven't."*

(dq) in the circumstances it can be inferred that the defendant provided Senators Wong and Gallagher with the information forming the basis of those questions referred to above in circumstances where the defendant knew this information was false;

(dr) on 22 and 23 February 2021, the plaintiff continued to be aggressively questioned in the Senate by Labor party Senators. By reason of the conduct pleaded in (dq) above and in the premise of the Plan pleaded in ~~23.1~~ 17.1 above it can be inferred that the defendant either personally or in combination

with Mr Sharaz continued to provide the Labor Party with the information forming the basis of those questions;

(ds) On 23 February 2021, the plaintiff was hospitalised as a result of the stress caused by the Project broadcast and the aggressive questioning of her in the Senate which was a direct consequence of the conduct of the defendant referred to in ~~23.1~~ 17.1 above;

(dt) on 24 February 2023 the defendant and Mr Sharaz attended a formal interview with the Police during which the defendant disclosed that Ms Maiden was reporting to her what she uncovered before she reported it in the media. The defendant added that Maiden's comments influenced her memories and questioned if her memory is a result of being told information;

(du) on 15 March 2021, the defendant attended the March4Justice rally at which she made the following public statements inter alia;

I was raped inside Parliament House by a colleague and for so long it felt like the people around me only cared because of where it happened and what it might mean for them.

It was so confusing because these people were my idols.

I had dedicated my life to them.

...

I wasn't a person who had just gone through a lifechanging traumatic event, I was a political problem.

Amanda Vanstone, a former Liberal minister summed it up the other day: "If there was a young girl alleging she had been raped in a different office, would it be on the front page? No it wouldn't."

...

I watched as the Prime Minister of Australia publicly apologised to me through the media, while privately his team actively discredited and undermined my loved ones.

I tuned into Question Time to see my former bosses, people that I had dedicated my life to, deny and downplay my lived experience.

...

I was dismayed by senior male journalists who routinely implied that my partner was pulling the strings behind the scenes.

The subtle inference being that a traumatised woman wasn't capable of weaponising her own story.

...

I had my suspicions confirmed when the media exposed a long list of people who knew about what had happened to me, a list that seemed to grow by the day as truths about internal reviews, senate committee submissions, office cleans and witness accounts were all unearthed.

These are the people making our laws and governing the country.

As our leaders, they should be the exemplar — the gold standard.

Sadly, this just isn't the case.

If they aren't committed to addressing these issues in their own offices, what confidence can the women of Australia have that they will be proactive in addressing this issue in the broader community?

This isn't a political problem. This is a human problem.

...

That I don't believe what happened was right. That I don't believe a brochure is adequate support. That I don't believe people should be isolated, intimidated and ignored after traumatic incidents inside the workplace;

(dv) on 16 March 2021, the defendant was offered a publishing deal by Peter Fitzsimmons on behalf of Penguin RandomHouse by which she was offered $325,000 to author a book telling her "first hand account of what it was like surviving the media storm that turned into a movement";

(dw) on 18 March 2021, the defendant and Mr Sharaz agreed to '*feed everything to Katy* [Gallagher]' and Senator Sarah ~~Hansen~~Hanson-Young;

(dx) in March 2021, Mr Sharaz corresponded on the defendants' behalf with Mr FitzSimmons and other journalists including Ms Maiden, David Crowe (The Sydney Morning Herald), and David Speers (ABC) in relation to the plaintiff, the Liberal Party generally and the then-government's reaction to the defendant's ~~a~~Allegations;

(d) Mr Sharaz facilitated meetings between the defendant and various members of the Labor Party to discuss the defendant's ~~a~~Allegations including (then) ~~Senators~~ Leader of the Opposition Anthony Albanese and Tanya Plibersek MP, ~~and~~ former Liberal Prime Minister Malcolm Turnbull and former Labor Prime Minister Kevin Rudd.

(e) the defendant exchanged various text messages with Mr Sharaz concerning their plan, the plaintiff and the Liberal Party generally:

(i) Mr Sharaz to the defendant on or about 28 March 2021, *"suck sh** Linda….You awful human*";

(ii) The defendant to Mr Sharaz on 26 March 2021 - *"He's [Scott Morrison] about to be f---ed over. Just wait. We've got him,"*;

(iii) On a date unknown to the plaintiff, the defendant to Mr Sharaz *'You may as well feed everything we have to Katy'*;

(iv) On a date unknown to the plaintiff, Mr Sharaz to the defendant *'I still hate the c...' [Mr Morrison]*;

(v) On a date unknown to the plaintiff, Mr Sharaz to the defendant *'Are you getting spotted? Are people noticing you? Anyone recognise you?'*;

(vi) On a date unknown to the plaintiff, Mr Sharaz to the defendant *'Don't ditch me now you're famous' and 'We exude power'*.

(f) the defendant secured ~~a~~ the book deal with Penguin Random House referred to in sub-paragraph [dn] herein for which she was paid a $325,000 advance to author a memoir in relation to the ~~Rape~~ Allegations and more particularly 'a personal account of a young woman who took on the most formidable institution in the country'. The outline of that memoir had been drafted prior to the defendant making a formal complaint to the police on 24 February 2021.

(ga) In May 2021, the defendant exchanged messages with Mr Sharaz in relation to leaking information to the media and Senator Gallagher and Ms Plibersek.

(gb) Between 11 and 13 May 2021, the plaintiff was asked further questions in the Senate during which Senator Wong stated "We are asking questions Ms Higgins wanted asked" and "Well, Ms Higgins wanted these questions asked". It can be inferred that the defendant was communicating with Senator Wong either directly or indirectly;

(gc) In May 2021, the defendant deleted evidence from her mobile device before handing it over to the Police;

(gd) In May 2021, the defendant messaged Mr Sharaz ~~the defendant~~ stating *"F..k it, if they want to play hard ball I'll cry on The Project again because of this sort of treatment."*

(ge) on 4 June 2021, the plaintiff was asked further questions in the Senate; ~~and~~

(gf) On 9 February 2022, the defendant addressed the National Press Club with Grace Tame. In which she states "*I made my decision to speak out because the alternative was to be part of the culture of silence inside Parliament House…"* ~~.~~; and

(gg) in carrying out the Plan the defendant curated contemporaneous material on her mobile phone to assist in maintaining the cogency of the version of events she was telling in 2021 in circumstances where she knew the version of events she was telling in 2021 regarding the lack of support from the Plaintiff was false.

~~(g) these matters have been particularised based on matters contained in various publicly available media reports and further particulars will be provided after subpoenas and discovery.~~

17.2 The Publications contain false and inaccurate information and statements concerning the plaintiff and her conduct, which:

17.2.1 the plaintiff considered the defendant knew to be false and inaccurate, and

17.2.2 the defendant did know were false and inaccurate, alternatively was recklessly indifferent to their falsity and inaccuracy,

thereby aggravating the hurt to the plaintiff.

Particulars of False and Inaccurate Information And Statements

(a) In respect of the 4 July Instagram Story:

(i) The plaintiff has not harassed the defendant in the media, through Parliament, or at all. To the contrary,

1. the plaintiff made no substantive comments to the media until after the conclusion of the criminal trial and the settlement of the civil action, despite the inaccuracies of the information being published by the media;

2. the plaintiff's subsequent engagement with the media is not harassment of the defendant;

3. the plaintiff's foreshadowed referral of the civil settlement to the National Anti-Corruption Commission is not harassment and relates to the plaintiff's treatment in the process (that is, her exclusion from the process) by the Labor Government and is not harassment of the defendant;

4. the plaintiff's prosecution of a legitimate claim against Mr Sharaz is not harassment of the defendant.

(ii) The defendant knew at the time of the 4 July Instagram Story that the plaintiff did in fact support the defendant in respect of the disclosure made by the defendant to the plaintiff on 1 April 2019, in that the plaintiff:

1. acted on the advice obtained by her then chief of staff from the Ministerial and Parliamentary Services at the Department of Finance to:

    a. enable the defendant to make her own decision as to whether to lodge a police report;

    b. ensure the defendant had control over what steps to take next;

    c. not make a police report on the defendant's behalf, to do so being potentially harmful to the defendant;

    d. continue to show the defendant support and offer assistance if she required it;

    e. ensure she was aware of her entitlement to access counselling and other support services;

2. at the 1 April 2019 meeting:

    a. referred the defendant to the Australian Federal Police, and offered for Ms Brown to accompany the defendant to make a complaint~~, to the Australian Federal Police~~; and

    b. spoke with the defendant about access to the Employee Assistance Program;

c. reiterated that the defendant had the plaintiff's full support whatever action she chose to take;

d. in response to the defendant's concerns as to the future of her employment reassured the defendant that her job was not at risk.

3. after the 1 April 2019 meeting;

a. checked in with the defendant following her meeting with the Australian Federal Police and offered to support her should she require any further assistance;

b. (via her Chief of Staff, Fiona Brown) provided the defendant with options for flexible working arrangements being to stay working from Parliament House in Canberra, accompany the plaintiff to Perth as part of the election campaign, or to work remotely from the Gold Coast to be near family (the last option being a non-standard ~~an~~ arrangement not offered to other staff). The defendant elected to accompany the plaintiff to Perth;

c. invited (and the defendant attended) private functions at the Pan Pacific Hotel in Perth and at the plaintiff's own home;

d. offered the defendant continued employment with the plaintiff in her new portfolio immediately following the election;

4. on her last day of employment in the plaintiff's office, the defendant presented the plaintiff with flowers and thanked her for her [the plaintiff's] "understanding, kindness and support";

(iii) The plaintiff did not 'have to publicly apologise after defaming the defendant in the workplace'. Rather:

1. the plaintiff published an apology on a non-admission basis as part of the terms of a confidential settlement deed;

2. when the plaintiff made the statement in or about March 2021, it was made in the plaintiff's office and not the defendant's workplace. The plaintiff's office had not been the defendant's workplace since about June 2019;

(iv) The plaintiff's conduct during Mr Lehrmann's trial was not 'questionable'. ~~The Sofronoff Inquiry found that suggestions of impropriety made by Mr Shane Drumgold SC (ACT Director of Public Prosecutions) about the plaintiff's conduct during the trial had no basis at all and should not have been made.~~

(b) In respect of the 20 July Tweets and 20 July Instagram Story:

(i) The plaintiff's submission advocated for legislative amendments she considered would prevent trials by media undermining the criminal justice system, and could not be reasonably interpreted as an attempt to silence victims.

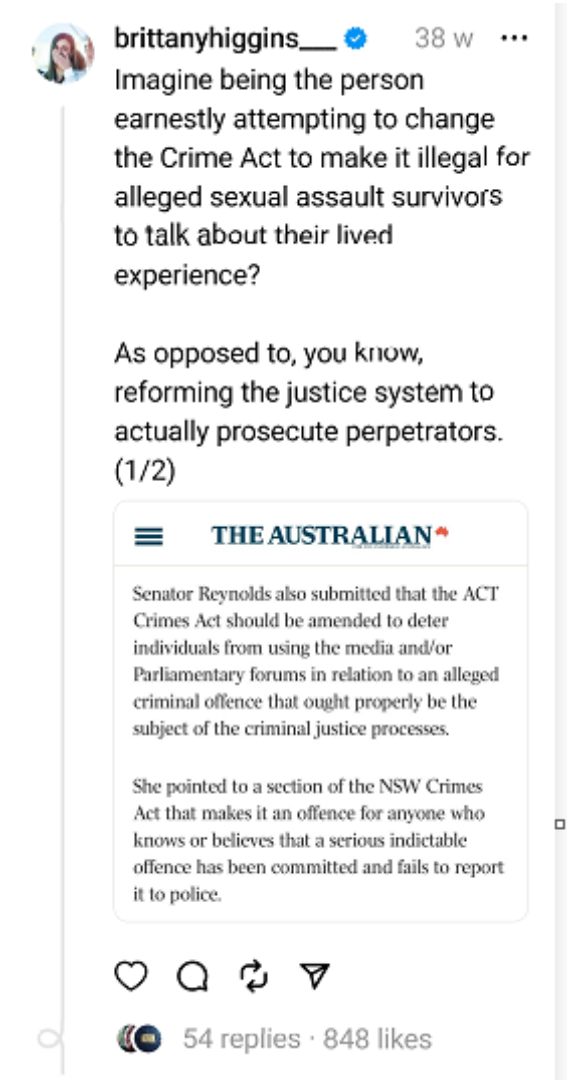
17.3 The defendant has failed to apologise for the defamatory allegations contained in the Publications when such an apology was self-evidently called for.

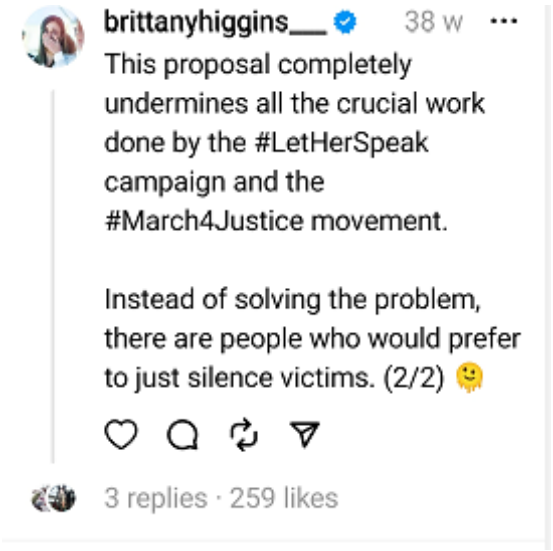
17.4 The defendant has failed to retract the defamatory allegations contained in the Publications when a retraction was self-evidently called for.

17.4A The defendant has not removed the Publications from her public internet profiles and in fact actively chose to republish the 4 July Instagram Story and the 20 July Instagram Story on her Instagram Highlight titled "Advocacy" when they otherwise would have only been available for 24 hours.

17.5 The 4 July Instagram Story was published in breach of the Deed of Settlement and Release between the Plaintiff and the Defendant as pleaded at paragraph 20 below.

17.5A On or about 20 July 2023, the defendant authored and published the following 2 posts on her Threads account which are in the same terms as the 20 July Tweets and 20 July Instagram Story:





(The 20 July Threads Posts)

Particulars of Publication

(a) The 20 July Threads Posts were published on the internet and viewed in Australia, including in Western Australia, which can be inferred from the number replies and likes on the posts and the defendant's status as a public figure in Australia.

(b) The 20 July Threads Post marked "1/2" received at least:

(i) 54 replies; and

(ii) 848 likes.

(c) The 20 July Threads Post marked "2/2" received at least:

(i) 3 replies; and

(ii) 259 likes.

(d) Further particulars of publication will be provided after further discovery and the issue of subpoenas.

17.6 The 20 July Tweets, ~~and~~ the 20 July Instagram Story and the 20 July Threads Posts were published notwithstanding a concerns notice being issued by the plaintiff to the defendant on 5 July 2023 (**Concerns Notice**).

17.7 Notwithstanding the issue of the Concerns Notice and the fact that the within proceedings had been served and the defendant had entered an appearance, the defendant posted a further disparaging Instagram Story of and concerning the plaintiff on 12 September 2023, in the following terms:

(12 September Instagram Story)

17.8 Despite the plaintiff requesting the removal of the 12 September Instagram Story within 3 hours of it being posted, the defendant failed to remove it for at least 11 hours.

17.9 Further particulars of the publication of the 12 September Instagram Story will be provided after discovery and the issue of subpoenas.

17.10 On 4 October 2023, the plaintiff's solicitors wrote to Mr Sharaz's solicitors requesting that Mr Sharaz preserve all records of social media engagement with separate but related publications.

17.11 On 6 October 2023, the defendant posted two Instagram Stories which:

(a) reposted the 4 July Instagram Story and 20 July Instagram Story alongside what appears to be a summary of, inter alia, the number of accounts the Instagram Stories had reached; and

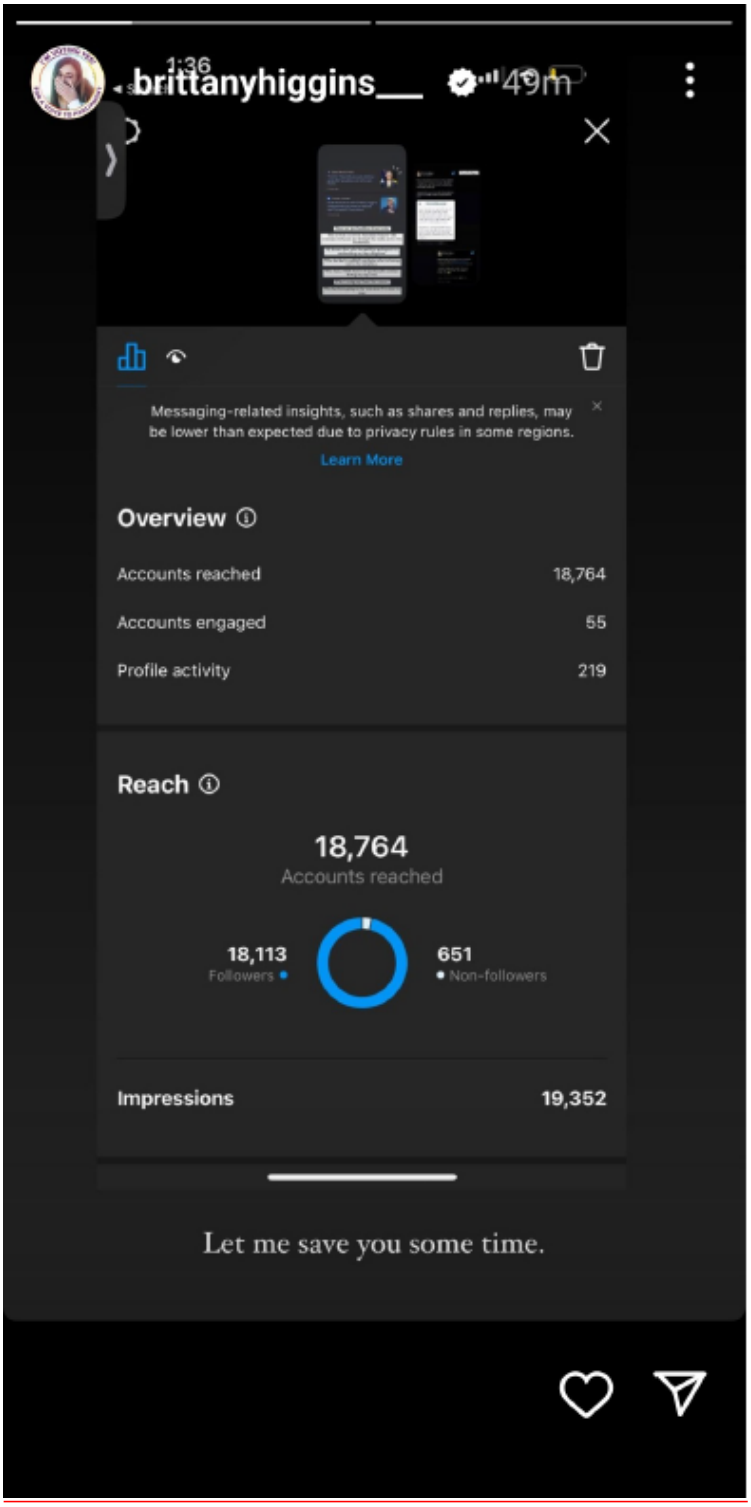
(b) contained a caption "let me save you some time".

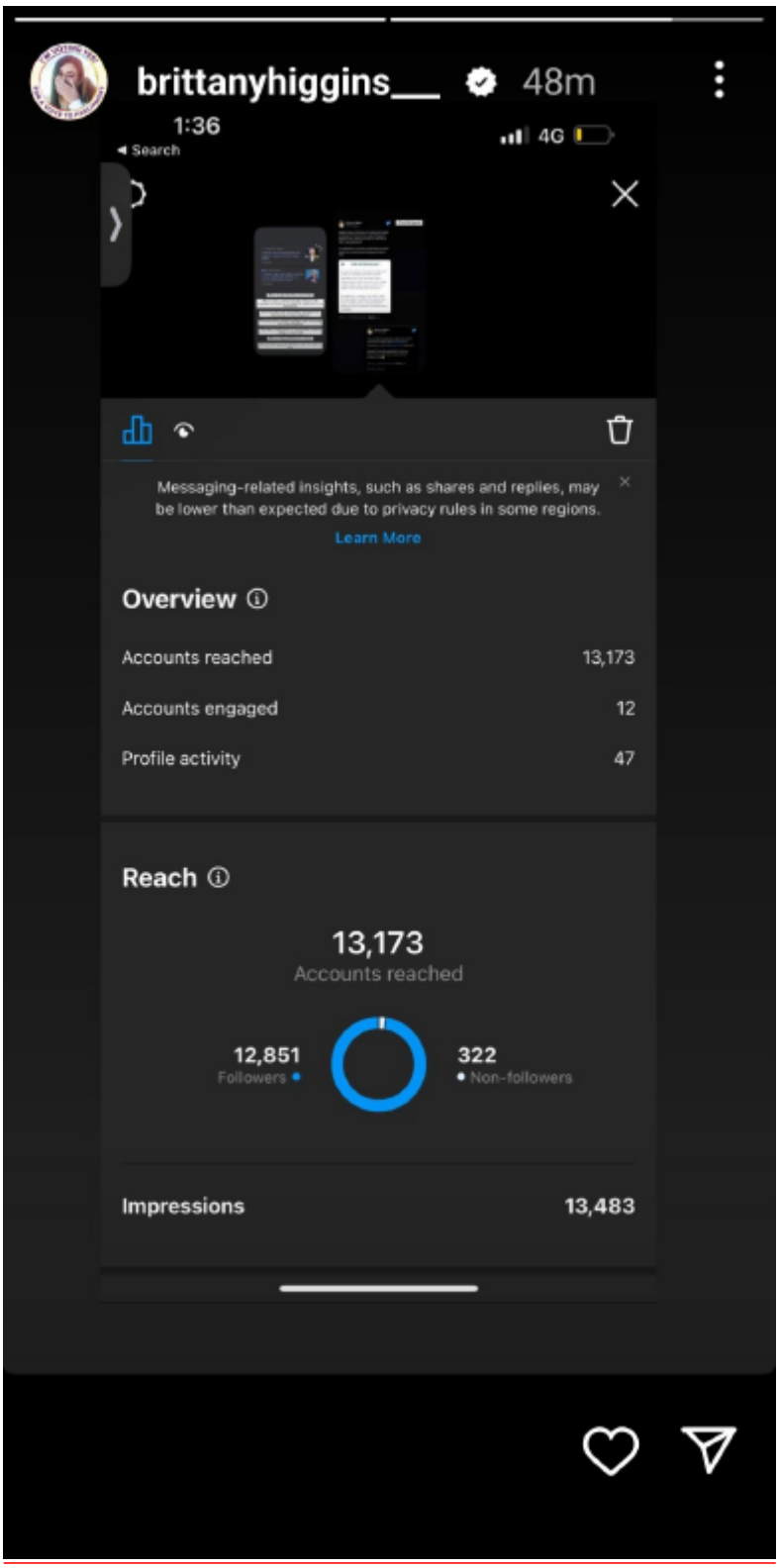
17.12 In can be inferred that the defendant's posts were:

(a) directed at the plaintiff; and

(b) intended to create a media headline and to otherwise taunt the plaintiff.

17.13 The Instagram Stories referred to above are in the following terms which the plaintiff took to be deriding the prosecution of her action and the defendant gloating as to the extent of publication of her Instagram Stories:

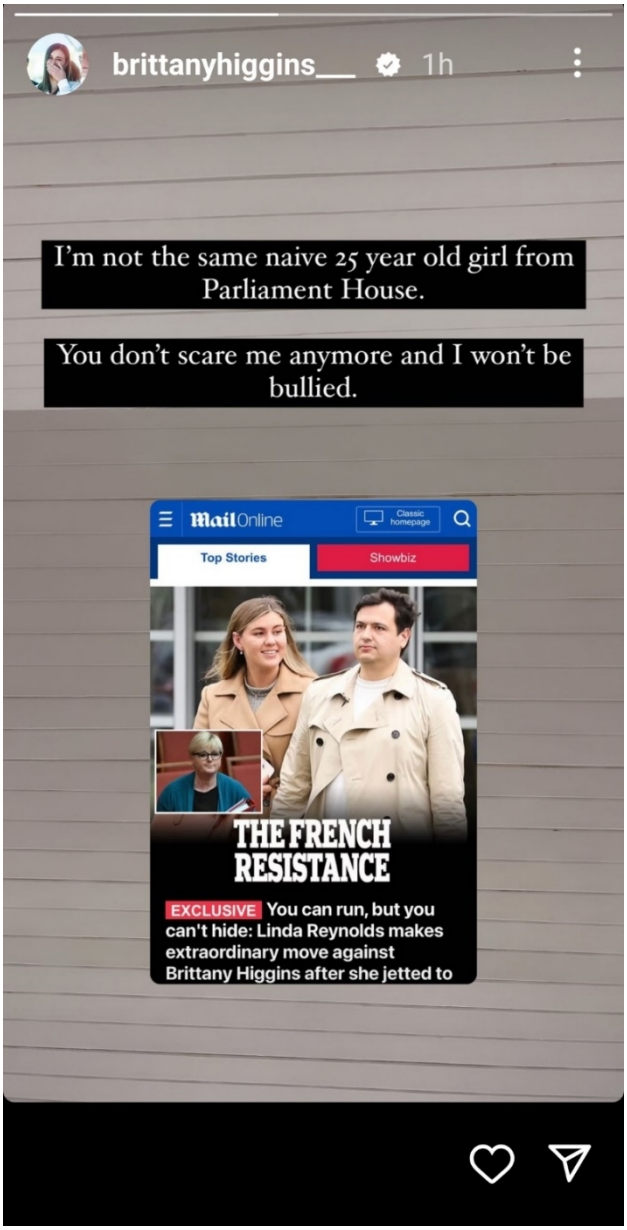

brittanyhiggins__
49m
Messaging-related insights, such as shares and replies, may be lower than expected due to privacy rules in some regions.
Learn More
Overview
Accounts reached 18,764
Accounts engaged 55
Profile activity 219
Reach
18,764
Accounts reached
18,113
Followers
651
Non-followers
Impressions 19,352
Let me save you some time.



(6 October 2023 Instagram Stories)

17.14 In response to media reports that the plaintiff had sought French legal advice regarding her ability to enforce an Australian judgment in France, the defendant posted an Instagram Story of and concerning the plaintiff on

20 January 2024, in the following terms:



(French Resistance Instagram Story)

17.15 It can be inferred in the circumstances that the French Resistance Instagram Story was:

(a) directed at the plaintiff;

(b) intended to create a media headline and to otherwise taunt the plaintiff; and

(c) repeated the defamatory imputation that the plaintiff bullied the defendant.

17.16 On the morning of the joint mediation held in these proceedings and the proceedings CIV 1051 of 2023 on 5 March 2024, the defendant posted an Instagram Story of and concerning the plaintiff which prejudiced the mediation, in the following terms:

(Mediation Instagram Story)

17.17 It can be inferred in the circumstances that the Mediation Instagram Story was:

(a) directed at the plaintiff; and

(b) intended to create a media headline and to otherwise taunt the plaintiff by impugning the plaintiff's purpose in prosecuting this action.

17.18 The plaintiff has suffered physical and mental harm as a result of the actions of the plaintiff described in paragraph 17.1 – 17.17 above.

PARTICULARS

(a) The plaintiff had a pre-existing but undiagnosed cardiac condition and had previously been diagnosed with mild anxiety and depression. These conditions were severely exacerbated as follows in particulars (b) to (l) below;

(b) in or around mid-February 2021 following the Project Broadcast, the negative nationwide media coverage and the intense questioning by the Labor party in the Senate the plaintiff began suffering severe anxiety and severe heart pains;

(c) on 23 February 2021 the plaintiff was hospitalised with severe chest pains and various other symptoms;

(d) on 1 March 2021, the plaintiff was urgently referred by her consulting GP to a psychiatrist and psychologist;

(e) on 3 March 2021, the plaintiff was signed off on personal leave by her consulting cardiologist until 2 April 2021;

(f) on 23 March 20213, the plaintiff had an appointment with a consulting psychiatrist who noted that she was fragile and unfit for work and diagnosed the plaintiff with emotional dysregulation, dysphoria and anxiety as a result of recent occupational pressure;

(g) the plaintiff was subsequently diagnosed by her cardiologist with microvascular disease;

(h) the plaintiff has been prescribed 2 forms of daily heart medication to treat her microvascular disease, which she will have to take for the rest of her life;

(i) the plaintiff continues to suffer from periodic anxiety and takes medication for this condition;

(j) the plaintiff continues to periodically attend a psychiatrist;

(k) the plaintiff continues to periodically attend a psychologist; and

(l) the plaintiff remains under the care of a cardiologist.

18 By reason of the facts, matters and circumstances described in paragraph 17 above, the Plaintiff claims aggravated damages against the Defendant.

Breach of Contract

19 On 12 March 2021 the plaintiff and the defendant entered into a written Deed of Settlement and Release (**Deed**), which provided inter alia:

19.1 By clause 10, "other than to comply with any applicable law, or any requirement of a regulatory body or relevant authority, the Parties agree not to make any adverse, critical or disparaging statements, allegations or comments (whether expressly or by inference) with respect to the conduct of any other

Party in any professional or personal capacity, in any way related to the Dispute, the Matter Complained Of or any of the facts and circumstances outlined in the Recitals";

19.2 "Dispute" was defined as "the dispute between [the defendant] and [the plaintiff] relating to, or arising out of, the Matter Complained Of and any facts and circumstances outlined in the Recitals";

19.3 The facts and circumstances outlined in the Recitals included:

19.3.1 On 15 February 2021, [the plaintiff] was a party to a conversation in her office with some members of her staff in which she referred to [the defendant] as a "lying cow" (**Matter Complained Of**). The Matter Complained Of was widely republished in the mainstream media and on social media.

19.3.2 By letter from [the defendant's] lawyers to [the plaintiff] dated 4 March 2021 (**Concerns Notice**), [the defendant] alleges that the Matter Complained Of conveyed imputations that are defamatory of her and that she has suffered damage to her reputation as a result of the publication of the Matter Complained Of. [The defendant] alleges that the imputations are false.

19.3.3 As a result, the Parties are in Dispute. Without admissions, the Parties have agreed to resolve this Dispute on the terms set out in this Deed (**Settlement**). By entering into, and taking action as provided by, this Deed, the Parties do not admit liability or concede any allegation in relation to the Dispute.

20 In breach of the Deed, on 4 July 2023 the defendant published the 4 July Instagram Story.

21 The plaintiff has a reasonable apprehension that the defendant will breach the Deed again in the future.

Particulars of Reasonable Apprehension

(a) Since 4 July 2023 the defendant has published the following disparaging posts regarding the plaintiff on social media:

(i) The 20 July Tweets;

(ii) The 20 July Instagram Story;

(iia) The 20 July Threads Posts;

~~and~~

(iii) The 12 September Instagram Story;

(iv) The 6 October 2023 Instagram Stories;

(v) The French Resistance Instagram Story; and

(vi) The Mediation Instagram Story.

Tortious Conspiracy to Injure by Lawful Means

22A The plaintiff repeats paragraph 17.1 and the particulars thereto.

22B By reason of the matters referred to in paragraph 17.1 particulars (aa) – (db) it is to be inferred that the defendant and Mr Sharaz agreed on a common design for the sole or dominant purpose of causing injury the plaintiff.

Particulars of Intention to Injure

The plaintiff relies on paragraph 17.1 particular (b) sub (vi) and sub (viii)-(ix) as evidence of the agreement.

The agreement can also be inferred from the concurrence in time, character, direction and result of the conduct:

(i) pleaded in paragraph 17.1, 17.4A, 17.5A, and 17.7;

(ii) the collaboration between the defendant and Mr Sharaz with respect to their joint social media plan so as to ensure maximum audience and reach of their social media posts; and

(iii) the making of the Publications.

22C In pursuance of the conspiracy, the defendant together with Sharaz took the steps and actions particularised in paragraph 17.1 (b) sub (x) – (gg).

Damages

22D By reason of the conduct of the defendant referred to in paragraph 22C, the plaintiff suffered loss and damage.

Particulars of Loss and Damage

The plaintiff suffered loss and damage as particularised in paragraph 17.18 and thereby incurred costs and damages as follows:

No.	Date	Expense	Amount
1.	2 March 2021	Consultation with Dr John Saboisky	$415
2.	9 March 2021	Consultation with Dr John Saboisky	$190.55
3.	15 June 2021	Consultation with Dr Antonio Di Dio	$38.75
4.	10 July 2021	Consultation with Dr Naveed Akram	$39.10
5.	19 July 2021	Consultation with Dr Jennifer Grew	$21.30
6.	19 July 2021	Consultation with Dr Jennifer Grew	$9.40
7.	19 July 2021	Consultation with Dr Jennifer Grew	$15.05

No.	Date	Expense	Amount
8.	19 July 2021	Consultation with Dr Jennifer Grew	$14.45
9.	6 September 2021	Consultation with Dr Antonio Di Dio	$72.85
10.	22 November 2021	Electrocardiography examination	$70
11.	22 November 2021	Consultation with Dr Walter Abhayaratna	$230
12.	6 December 2021	Consultation with Dr Antonio Di Dio	$39.10
13.	13 December 2021	Consultation with Dr Antonio Di Dio	$17.90
14.	1 February 2022	Consultation with Dr Antonio Di Dio	$39.10
15.	9 February 2022	Consultation with Dr Antonio Di Dio	$39.10
16.	9 April 2022	Consultation with Dr Antonio Di Dio	$75.75
17.	3 May 2022	Consultation with Dr Antonio Di Dio	$39.10
18.	9 May 2022	Consultation with Dr Antonio Di Dio	$39.10
19.	11 May 2022	Consultation with Dr Walter Abhayaratna	$67.80
20.	12 June 2022	Consultation with Dr Antonio Di Dio	$39.10
21.	17 June 2022	Consultation with Dr Subramanian Nagappan	$39.10
22.	28 June 2022	Consultation with Dr Antonio Di Dio	$39.10
23.	18 August 2022	Consultation with Dr Pouloudia Pahtsivanidis	$39.10
24.	31 August 2022	Electrocardiography examination	$16.55

No.	Date	Expense	Amount
25.	31 August 2022	Consultation with Dr Michael Civil	$76.95
26.	1 September 2022	Consultation with Dr Michael Civil	$39.75
27.	1 September 2022	Consultation with Dr Jennifer Grew	$3.40
28.	1 September 2022	Consultation with Dr Jennifer Grew	$5.10
29.	1 September 2022	Consultation with Dr Jennifer Grew	$17.05
30.	1 September 2022	Consultation with Dr Jennifer Grew	$15.05
31.	1 September 2022	Consultation with Dr Jennifer Grew	$17.30
32.	7 September 2022	Consultation with Dr Antonio Di Dio	$18.20
33.	13 September 2022	Consultation with Dr Jennifer Grew	$3.40
34.	13 September 2022	Consultation with Dr Jennifer Grew	$5.10
35.	13 September 2022	Consultation with Dr Jennifer Grew	$17.05
36.	13 September 2022	Consultation with Dr Jennifer Grew	$17.30
37.	13 September 2022	Consultation with Dr Jennifer Grew	$14.46
38.	19 September 2022	CT Scan for cardiological condition	$504.15
39.	8 October 2022	Treatment at St John of God Hospital	$295
40.	8 October 2022	Consultation with Dr Michael Civil	$65
41.	25 October 2022	Consultation with Dr Antonio Di Dio	$39.75
42.	4 March 2023	Consultation with Dr Jennifer Grew	$3.40

No.	Date	Expense	Amount
43.	4 March 2023	Consultation with Dr Jennifer Grew	$5.10
44.	4 March 2023	Consultation with Dr Jennifer Grew	$36.55
45.	4 March 2023	Consultation with Dr Jennifer Grew	$25.55
46.	4 March 2023	Consultation with Dr Jennifer Grew	$21.30
47.	17 October 2023	Consultation with Dr Antonio Di Dio	$117.40
48.	9 November 2023	Consultation with Dr John Saboisky	$300
49.	15 February 2024	Consultation with Dr John Saboisky	$325
50.	28 February 2024	Electrocardiography examination	$22.70
51.	29 February 2024	Blood test conducted for cardiological condition, referred by Dr Walter Abhayaratna	$146.55
52.	28 May 2024	Consultation with Dr John Saboisky	$325
53.	14 June 2024	Consultation with Dr Walter Abhayaratna	$67.80
54.	16 June 2024	Electrocardiography examination	$21.80
55.	16 June 2024	Consultation with Dr Walter Abhayaratna	$68.90

Further particulars of loss and damage will be provided prior to trial.

22E The defendant's conduct in seeking to injure the plaintiff, has been improper, unjustifiable and lacking in bona fides, in a manner which has both aggravated the hurt, damage and distress suffered by the plaintiff and aggravated the reputational damage suffered by the plaintiff in that:

22E.1 the defendant was actuated by malice to injure the plaintiff;

Particulars of Malice

(a) The Coverup Allegations were made in circumstances where the defendant knew the matters contained therein to be untrue as pleaded in paragraph 17.2 above and particular (c) below and in furtherance of the Plan as pleaded in paragraph 17.1 above and the plaintiff repeats the particulars thereto.

(b) Further or alternatively to (a) above, the defendant had demonstrated a desire to injure the plaintiff, in that, knowing the matters the subject of the Coverup Allegations to be untrue:

(i) During the interview held on 27 January 2021 between the defendant, Mr Sharaz, Ms Wilkinson and Mr Llewellyn at the Star Hotel in Sydney, Mr Sharaz stated:

1 "And for your reference, we'll get down to this later, but the reason we've chosen the timeline we've had is because it's a sitting week when we want the story to come out,";

2 "And then the Senate recommences in March and that's when I'm going to talk to, I've got a friend in Labor, Katie Gallagher on the Labor side, who will probe and continue it going."

3 "So sitting week, story comes out, they have to answer questions at question time, it's a mess for them. March, Senate estimates. Hopefully we can try and get the (Parliament CCTV) footage, that sort of stuff, for

Britt's clarity, and then he's (Scott Morrison) going to call an election in whenever he calls it"

4 "That's why Britt's picked that timeline."

5 "I asked Britt, 'ultimately, what do you want out of this?' And she goes 'well, I want Bruce to forever have it difficult getting a job, like it's going to be difficult for me.'"

6 Apparently addressing the defendant directly, he then said, "and then you said, 'best case scenario, Linda Reynolds'" and the group erupted with laughter.

(ii) The defendant recklessly prioritised releasing her story to the media over reactivating her police report, with the aim of damaging the plaintiff, despite being informed this could jeopardise the criminal investigation;

Particulars

1 The defendant began speaking with journalist Samantha Maiden in or about January 2021;

2 On 18 January 2021 Mr Sharaz contacted Ms Wilkinson to arrange a meeting between Ms Wilkinson and the defendant;

3 On or around 18 January 2021 Mr Sharaz and Lisa Wilkinson exchanged emails headed "MeToo Liberal Party Project Pitch";

4 On 27 January 2021 the defendant and Mr Sharaz participated in a 5 hour interview with Angus Llewellyn and Ms Wilkinson;

5 On 2 February 2021 the defendant participated in an interview with Ms Wilkinson that was filmed for broadcast on The Project;

6 On 4 February 2021 the defendant emailed an AFP officer to re-open her complaint and sought to review or have a copy of the original case file: Exhibit 55A tendered and made publicly available in Board of Inquiry into the Criminal Justice System in the Australian Capital Territory (**the Sofronoff Inquiry**)

7 On 5 February 2021 the defendant and Mr Sharaz attended Belconnen police station to enquire about obtaining confirmation she had made a previous report, during which:

(i) Mr Sharaz raised the media coverage a number of times and appeared more focused on the media holding the person of interest to account than the Court;

(ii) The defendant and Mr Sharaz discussed with a Detective Sergeant regarding options for obtaining evidence; and

(iii) The Detective Sergeant with whom they spoke clarified both understood that police don't

investigate allegations to get a media campaign going, but to try and get a criminal prosecution and that evidence would be gathered as part of that investigation: Exhibit 56 tendered and made publicly available in the Sofronoff Inquiry.

8 On 6 February 2021 the defendant and Mr Sharaz attended a 'meet and greet' at Belconnen police station with Senior Constable Emma Frizzell and Detective Sergeant Gareth Saunders during which:

(i) Mr Sharaz advised they anticipated the AFP would receive media enquiries regarding the allegation and wanted to ensure the sexual assault investigation was 'active' when those media enquiries were made with the AFP;

(ii) The defendant was offered the opportunity to participate in an Evidence in Chief Interview (EICI) but declined as she wanted the media release to play out first;

(iii) the defendant was advised the investigation would not commence until she provided a statement to police and that any media coverage may jeopardise any subsequent evidence sought: Page 24 of the Statement of Senior Constable Emma Frizzell made publicly available in the Sofronoff Inquiry.

9 on or about 24 February 2021 the defendant informed Senior Constable Frizzell that Ms Maiden was reporting to her what she uncovered before she reported it in the media. The defendant stated that at times Ms Maiden's comments influenced her memories and she questioned if her memory is a result of being told information: Page 34 of the Statement of Senior Constable Emma Frizzell made publicly available in the Sofronoff Inquiry.

(iii) Collaborating with Mr Sharaz with respect to their joint social media plan, and at least the 27 January 2022 Tweet so as to ensure maximum audience and reach of their social media posts.

(c) The defendant has falsely claimed in media reports that she was alone and cast out by the plaintiff whilst working in Perth.

Particulars of media reports

1 The Project Interview;

2 Lanai Scarr, "Canberra rape allegations: Brittany Higgins suffered breakdown in Perth hotel during 2019 campaign" published by The West Australian on 5 March 2021 (**Scarr Article**).

Particulars of falsity

3 The defendant joined in the election campaign by participating in letterbox drops, attending campaign rallies and events including with the plaintiff, attending various meetings, completing

work on media releases during the campaign, and staffing a pre-polling booth with other staff: REY.002.001.2705; REY.002.001.2706; REY.002.001.2712; REY.002.001.2715; REY.002.001.2724; REY.002.001.2725; REY.002.001.2730; REY.002.001.2734; REY.002.001.2737; REY.002.001.2821; REY.002.001.1234; REY.002.001.1236; REY.002.001.1237; REY.002.001.1240; REY.002.001.1241; REY.002.001.1242; REY.002.001.1244; REY.002.001.1245; REY.002.001.1246; REY.002.001.1247; REY.002.001.1248; REY.002.001.1249; REY.002.001.1253; REY.002.001.1254; REY.002.001.2338; REY.002.002.3591; REY.005.005.0244; REY.005.005.0245; REY.005.005.0246; REY.005.005.0247; REY.005.005.0248; REY.005.005.0249; REY.005.005.0252; REY.005.005.0255; REY.005.005.0256; REY.005.005.0257; REY.006.001.0762; REY.006.001.0763; HIG.001.001.0276; HIG.001.001.0586; HIG.001.001.0597; HIG.001.001.0982; HIG.001.001.0984; HIG.001.001.0985; and Exhibit R99 tendered and made publicly available

in NSD 103/2023 Lehrmann v Network Ten Pty Limited.

4 The defendant was invited by the plaintiff to a dinner at the Pan Pacific Hotel on 15 May 2019 and an event at the plaintiff's home on 19 May 2019: REY.002.001.1247; REY.002.001.1236; REY.006.001.0755; and HIG.001.001.0265.

5 The plaintiff arranged for the defendant to attend a party at Ken Wyatt's home between 14 April 2019 and 19 May 2019;

6 The defendant attended a function at the Rose & Crown Hotel in Guildford for Ken Wyatt between 14 April 2019 and 19 May 2019;

7 The defendant attended an ANZAC Day service with the plaintiff on 25 April 2019; REY.002.001.9709; HIG.001.001.0293; and Exhibit R99 tendered and made publicly available in NSD 103/2023 Lehrmann v Network Ten Pty Limited.

8 The defendant attended an event at Government House with the then Governor the Hon. Kim Beazley on 25 April 2019: Exhibit R99 tendered and made publicly available in NSD 103/2023 Lehrmann v Network Ten Pty Limited.

9 The defendant attended an election night event at the Leeming Bowling Club on 18 May 2019 with the plaintiff and other Liberal Party politicians and staff, including David Goode: REY.005.005.0250; REY.005.005.0251; REY.005.005.0253; REY.005.005.0254; REY.002.001.1254; REY.002.002.3591; REY.006.001.0751; and REY.006.001.0761.

10 The defendant attended various social events with other Liberal Party staff members and campaign workers; HIG.001.001.0291; REY.006.001.0755; and Exhibit R99 tendered and made publicly available in NSD 103/2023 Lehrmann v Network Ten Pty Limited.

11 While in Perth the defendant posted positively on her Instagram account and LinkedIn account about enjoying her time in Perth; REY.006.001.0756; HIG.001.001.0289; HIG.001.001.0290; HIG.001.001.0291; HIG.001.001.0292; HIG.001.001.0293; HIG.001.001.0294; HIG.001.001.0295; REY.001.001.5318; REY.001.001.4435; REY.001.001.4089; REY.001.001.4090; REY.001.001.4097; and REY.002.001.9709.

12 While in Perth the defendant sent positive text messages to Mr Ben Dillaway about enjoying her

time in Perth: HIG.001.001.0226; HIG.001.001.0231; HIG.001.001.0237; HIG.001.001.0246; HIG.001.001.0249 and Exhibit R99 tendered and made publicly available in NSD 103/2023 Lehrmann v Network Ten Pty Limited.

13 Further particulars may be provided following the provision of discovery and inspection and return of subpoenas.

22E.2 the defendant has persisted in the Coverup Allegation against the plaintiff in circumstances where she knows the Coverup Allegation is untrue;

Particulars

(a) The plaintiff repeats particulars to paragraph 22E.1 above.

(b) The plaintiff repeats particulars (a)(ii) to paragraph 17.2 above.

(c) The defendant's pleading of her justification defence in so far as it relates to the Coverup Allegation.

22F The conduct of the defendant pleaded in 22A to 22C above was deliberate, outrageous and in contumelious disregard of the plaintiff's interests.

AND THE PLAINTIFF CLAIMS AGAINST THE DEFENDANT:

~~22~~ 23 As to the defamatory Publications:

A. Damages;

B. Aggravated damages;

C. An injunction restraining the defendant from publishing the defamatory material or words substantially similar thereto;

D. Interest on damages pursuant to section 32 of the *Supreme Court Act 1935* (WA) at a rate of 6% per annum from the date that damage was incurred until judgment or payment.

E. Such further or other relief as to this Honourable Court may seem just.

F. Costs.

~~22A~~23A As to the defamatory publication referred to at paragraph 15A hereof, an order pursuant to section 40 of the *Limitation Act 2005* (WA) extending the limitation period to the date of filing of the Re-Amended Writ of Summons;

~~23~~ 24 As to the breach of Contract:

A. A declaration that the publication was in breach of the Deed;

B. An injunction restraining the defendant from further breaching the Deed;

C. Such further or other relief as to this Honourable Court may seem just;

D. Costs.

25 As to the breach of tortious conspiracy to injure by lawful means:

A. Damages;

B. Aggravated damages;

C. Exemplary damages;

D. Such further or other relief as to this Honourable Court may seem just;

E. Costs.

M L Bennett

M L BENNETT
COUNSEL

CPK Russell

CPK RUSSELL
COUNSEL

Schedule A

Republication of the 4 July Instagram Story in the media:

Online

1 "'Stop': Brittany Higgins lashes out at former boss Linda Reynolds" by Eli Green published on perthnow.com.au on 4 July 2023;

2 "'Stop': Brittany Higgins lashes out at former boss Linda Reynolds" by Eli Green published on thewest.com.au on 4 July 2023;

3 "'Stop': Brittany Higgins lashes out at former boss Linda Reynolds" by Eli Green published on news.com.au on 4 July 2023;

4 "'Stop': Brittany Higgins lashes out at former boss Linda Reynolds" by Eli Green published on ntnews.com.au on 4 July 2023;

5 "'This has got to stop': Brittany Higgins lashes out at ex-boss Senator Linda Reynolds" published on thenewdaily.com.au on 4 July 2023;

6 "Brittany Higgins accuses Linda Reynolds of targeting her and says it is 'time to stop'" by Henry Belot on The Guardian Australia (theguardian.com) on 4 July 2023;

7 "Brittany Higgins blows up at her old boss Linda Reynolds in scathing spray claiming she won't leave her alone as minister sues her fiancé over a tweet: 'It's time to stop'" by Kevin Airs published on the Daily Mail Australia website (dailymail.co.uk) on 4 July 2023;

8 "Brittany Higgins accuses former Liberal minister Linda Reynolds of harassment through media and parliament" by Tyrone Clarke published on skynews.com.au on 4 July 2023;

9 "Linda Reynolds threatens to sue Higgins for defamation following Instagram plea" by Samantha Maiden on news.com.au on 6 July 2023.

Print

10 "'It is time to stop': Higgins hits out at Reynolds" published on page 7 of The West Australian on 5 July 2023

11 "'Time to stop': Higgins lashes out at Reynolds" by Stephen Rice and Remy Varga published on page 2 of The Australian on 5 July 2023;

12 "'Stop payout quiz': Higgins" by Eli Green published on page 8 of The Courier Mail on 5 July 2023;

13 "Higgins hits out against probe into her compo payment" by Eli Green published on page 3 of The Daily Telegraph on 5 July 2023;

14 'Higgins tells MP 'just stop'" published on page 11 of The Advertiser on 5 July 2023

15 "Higgins rebuke: 'silence victims'" by Stephen Rice published on page 6 of The Australian on 21 July 2023.

Radio

16 Talk Tonight with Graeme Gilbert (2SM Supernetwork) on 4 July 2023;

17 Credlin (Sky News Radio (Australia)) on 4 July 2023;

18 Sharri (Sky News Radio (Australia)) on 4 July 2023;

19 6pm News Bulletin (2SM Sydney) on 4 July 2023;

20 John Laws (2SM Supernetwork) on 5 July 2023;

21 The Ben Fordham Breakfast Show (2GB Sydney) on 5 July 2023;

22 Talk Overnight (2SM Sydney) on 5 July 2023;

Television

23 Credlin on Sky News Australia on 4 July 2023;

24 Sharri on Sky News Australia on 4 July 2023.

Schedule B

Republication of the 20 July Tweets and the 20 July Instagram Story in the media:

Online

1 "Higgins calls out former boss for 'silencing victims'" by Maeve Bannister on thewest.com.au on 20 July 2023;

2 "Brittany Higgins accuses Linda Reynolds of trying to silence victims and undermining women's movements in a scathing tweet" by Charlotte Karp published on the Daily Mail Australia website (dailymail.co.uk);

3 "Higgins calls out former boss for 'silencing victims'" by Maeve Bannister in Australian Community Media digital mastheads on 20 July 2023;

4 "Brittany Higgins slams former boss Linda Reynolds' proposal" by Samantha Maiden on news.com.au on 20 July 2023;

5 "Brittany Higgins slams former boss Linda Reynolds' proposal" by Samantha Maiden on couriermail.com.au on 20 July 2023;

6 "Brittany Higgins slams former boss Linda Reynolds' proposal" by Samantha Maiden on dailytelegraph.com.au on 20 July 2023;

7 "Brittany Higgins lashes out against former employer Linda Reynolds in tweet over Liberal Senator's calls to amend Crimes Act" by Mariah Davis on skynews.com.au

Print

8 "Higgins rebuke: 'silence victims'" by Stephen Rice, published on page 6 of The Australian on 21 July 2023;

Television

9 Sky News Breakfast (Sky News Regional) on 21 July 2023.