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Bruce Lehrmann: Judge finds Brittany Higgins was raped inside parliament

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Tiffanie Turnbull

BBC News, Sydney



Getty Images

Bruce Lehrmann was silent as he left court after a judge found he was a rapist

Three years after the claim a young woman was raped inside Australia's Parliament House shocked the world, a civil court has found it is true.

Political staffer Bruce Lehrmann has always denied sex with Brittany Higgins and sued Network 10 for defamation over a 2021 TV interview with her.

The outlet defended their story - which sparked public outrage - as true.

A judge on Monday ruled in their favour, finding Mr Lehrmann had raped Ms Higgins and told "deliberate lies".

In the interview, a teary Ms Higgins had detailed how she had woken up on a couch in a minister's office to find a colleague on top of her in 2019.

However, Mr Lehrmann says the pair had shared an Uber back to their office after a night out drinking in Canberra, before going their separate ways.

Ruling that Mr Lehrmann's defamation case be thrown out, Federal Court Justice Michael Lee said the 28-year-old had been "hellbent" on having sex with Ms Higgins and was "indifferent" to whether she wanted to as well.

"So intent upon gratification... [Mr Lehrmann] went ahead with sexual intercourse without caring whether or not she consented."

The standard of proof in defamation cases is lower than in criminal proceedings - a defendant must only prove the claims are more likely to be true, than not.

But this is the first legal ruling on a case that has captivated and horrified the nation for years.

Ms Higgins' claims triggered a cultural reckoning, protests attended by tens of thousands of people, and a landmark review into the culture of parliament. Mr Lehrmann faced a criminal trial in 2022, however it was aborted due to juror misconduct. A retrial was later abandoned out of concern for Ms Higgins' mental health.

"Having escaped the lion's den Mr Lehrmann made the mistake of coming back for his hat," Justice Lee said of his decision to launch defamation proceedings against Network 10 and presenter Lisa Wilkinson.

The judge was at times critical of the outlet, Ms Wilkinson and Ms Higgins - although he said the 29-year-old's evidence was "not inconsistent with the conduct of a genuine victim of sexual assault struggling to process what happened, seeking to cope, and working through her options".

He said the allegation that Ms Higgins' bosses in the Liberal Party - the government of the day - had tried to cover up the allegation or pressure Ms Higgins were "objectively short on facts, but long on speculation".

However he ruled the evidence around the core rape allegation had "the ring of truth".



Ms Higgins' claims sparked a cultural reckoning

Overall though, the case has been an "omnishambles", Justice Lee said.

In defamation trials, judges often allow reams of seemingly tangential evidence to help them make judgements on the credibility or character of witnesses.

Over five weeks, this trial heard from more than a dozen witnesses who gave at times bizarre evidence.

The court heard analysis from a lip reader flown in from the UK, emotional testimony from Ms Higgins' parents, and from the pair's colleagues in parliament.

The case was even reopened at the last minutes to hear claims that another major television network - Seven - had paid for sex and drugs for Mr Lehrmann while chasing an exclusive interview.

Seven denies the claims, but on Monday confirmed the Executive Producer of the Spotlight programme had left the network, after the actions of his team came under scrutiny.

- **TV network denies buying interviewee sex and drugs**

Speaking outside court, Ms Wilkinson said: "I feel glad for the women of Australia today".

Network Ten also released a statement saying Justice Lee's judgment was "vindication for the courageous Brittany Higgins who gave a voice to women across the nation".

"This judgment is a triumph for truth."

Mr Lehrmann - who did not speak as he left court - will now be liable for millions of dollars in legal costs, accumulated by both parties. The exact sum will be calculated at a later date.

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