



HIGH COURT OF AUSTRALIA

CHAMBERS OF THE CHIEF JUSTICE

STATEMENT BY THE HON SUSAN KIEFEL AC, CHIEF JUSTICE OF THE HIGH COURT OF AUSTRALIA

The High Court was advised last year of allegations of sexual harassment against a former Justice and we immediately acted to commission an independent investigation.

The investigation, conducted by Dr Vivienne Thom AM, took some months to complete. We received Dr Thom's report and have provided it to the six complainants and to the Justice in question.

The investigation found that six former Court staff members who were Judges' Associates were harassed by the former Justice.

The findings are of extreme concern to me, my fellow Justices, our Chief Executive and the staff of the Court. We're ashamed that this could have happened at the High Court of Australia.

We have made a sincere apology to the six women whose complaints were borne out. We know it would have been difficult to come forward. Their accounts of their experiences at the time have been believed. I have appreciated the opportunity to talk with a number of the women about their experiences and to apologise to them in person. I have also valued their insights and suggestions for change that they have shared with the Court.

The Court has not spoken publicly about the investigation to this point. A number of the women requested confidentiality. The Court now confirms that the subject of the investigation was the Hon Dyson Heydon AC QC. We ask that the media respect the privacy of the complainants.

The independent investigation made the following six recommendations, all of which we have adopted and acted upon:

- The Court should develop a supplementary HR policy relevant to the particular employment circumstances of the personal staff of Justices including associates.
- The Court should review the induction it provides to associates to make sure it covers material directly relevant to their specialised role.
- The Court should identify an appropriate person to form a closer working relationship with associates. This person would check in regularly with associates, fulfil some of the administrative advisory function of a supervisor, provide support if required, and act as a conduit to the Chief Executive and Principal Registrar where appropriate.
- The Court should clarify that the confidentiality requirements for associates relate only to the work of the Court.

- The Court should make clear to associates that their duties do not extend to an obligation to attend social functions.
- The Court should consider canvassing current associates to find out more about their experiences while working at the Court.

We have moved to do all we can to make sure the experiences of these women will not be repeated. There is no place for sexual harassment in any workplace. We have strengthened our policies and training to make clear the importance of a respectful workplace at the Court and we have made sure there is both support and confidential avenues for complaint if anything like this were to happen again.

Ends

Media Inquiries:

Ben Wickham: bwickham@hcourt.gov.au
Tel: 02 6270 6893 Mob: 0429 129 225