Response from Damon Johnston, Editor, Herald Sun:

We were saddened to learn that Ashleigh Petrie had died last Monday and our deepest condolences are with her family and friends.

Regarding your inquiries, we make the following points:

Shortly after our first report on October 9, the *Herald Sun* and Ms Petrie began communicating on a daily basis, sometimes multiple times on each day.

Ms Petrie explained she wanted to lift the lid on a toxic culture at the court. She saw herself as a whistleblower.

Given the nature of Media Watch's questions, we have attached a few screenshots of our reporter's extensive text message correspondence with Ms Petrie.

The exchanges provide important context in assessing our coverage of this story.

As you can see from these text exchanges, Ms Petrie was assisting us in researching angles and was encouraging us to report on her concerns about the culture within the court.

Ms Petrie also made it clear in correspondence following the publication of articles that she was not concerned with the coverage and importantly did not indicate to us she was suffering any ill-effects as a result of any articles or was in a fragile state.

The final text message was sent to our reporter on the Friday afternoon, just two days before her tragic death.

The first exchange below relates to the Costas Kilias story.





Regarding your questions on the Kilias story, we make the following points:

- Ms Petrie confirmed the relationship. Up until this point, we had no intention of publishing this story.

- She repeatedly asked us to publish the story.

- When we informed her we wouldn't run the story, she agreed to go on the record.

- She saw a proof of the story and thanked the reporter for it.

- On the day it was published she contacted the reporter, and expressed her annoyance we'd received no follow up tips.

PUBLIC INTEREST

Regarding your inquiry as to whether these articles were in the public interest, we make the following points:

Several senior legal figures and sources within Victoria's magistrates' court system raised concerns with us about the relationship.

The paper was told that there were concerns among lawyers and court staff that the relationship was compromising the operations of the court and sentences handed down by the magistrate may have been influenced, or had the potential to be.

These sources said the concerns had been raised with Chief Magistrate Peter Lauritsen, citing a perceived power imbalance between the pair and potential interference in cases.

Over the subsequent days, the paper confirmed that magistrate Rodney Higgins and clerk Ms Petrie were in a relationship, with the couple having gone public on social media about their engagement in Fiji, while posting several images of themselves together on their trip.

The paper also confirmed senior court officers were concerned about the impact of the relationship on the operation of the court and had counselled Magistrate Higgins.

We confirmed that on, or about, October 7, staff across Victoria's magistrates' courts staff were warned in an email over inappropriate relationships in the wake of internal concerns about the relationship.

It wasn't until October 9 that we published the first report, which as you can see from the below screenshot was focused on the court concerns about the relationship compromising the operations of the court.



This was clearly a public interest issue, given the concerns among lawyers and staff about the impact of the relationship on the dispensing of justice and the official memo to all staff about relationships.

Subsequent stories revealed concerns about other relationships, their potential ramifications, and calls among some in the judiciary and Parliament for an investigation into the issue.

It is also worth noting that as senior lawyers flagged further misgivings over Mr Higgins' integrity, Shadow Attorney-General Ed O'Donohue last week wrote to the Judicial Commission of Victoria, asking it to investigate his suitability for the role.

As you can see from the below attachment, our coverage was very much focused on the cultural issues within the court. Ms Petrie raised concerns about the culture within the courts, other relationships between magistrates and clerks, and potential conflicts in how the court dealt with a legal issue involving her.



EMAIL TO STAFF

Regarding your question about my internal email, I would make the following point:

All newsrooms use a variety of tools to track the performance of stories.

This is part of standard editorial processes, as was the email informing staff about the interest in this story.