Dyson Heydon accused of groping prominent Canberra lawyer Noor Blumer

'The judge’s hands became very busy under the table': lawyer says Heydon groped her

By Jacqueline Maley and Kate McClymont
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It was autumn 2013, and Dyson Heydon had just retired from the High Court.
The University of Canberra was delighted to invite the eminent judge as guest speaker for its annual Law Ball, held on a chilly evening on April 19.

Noor Blumer, a prominent Canberra lawyer who was then President of the ACT Law Society, was delighted to be seated next to the guest of honour, whose brilliant legal mind she admired.

But the evening ended with Ms Blumer leaving in distress, disgusted after Mr Heydon groped her under the table, she says, before trying to kiss her against her will.

The University of Canberra said in a statement Mr Heydon was "removed from the event and returned to his accommodation" following a complaint of "inappropriate behaviour" from a student on the same evening.

In a statement through his lawyers, Speed and Stracey, Mr Heydon denied "emphatically any allegation of sexual harassment or any offence".

Ms Blumer, who is the director of a Canberra law firm, took a lengthy contemporaneous file note of the evening, which the Herald has seen.

During their initial conversation, Mr Heydon made a remark about a female student wearing an eye-catching formal dress.

"Heydon said, 'Can you get me her phone number?',' Ms Blumer recounted in the file note.

"I took this as a joke and said I would see what I could do."
Following his speech, Mr Heydon sat down next to Ms Blumer for dessert, and told her she was "the sexiest woman he had ever met in his entire life".

"I was pretty dumbfounded by this extravagant and inappropriate statement ... from such an eminent person," she wrote.

After that, "the judge's hands became very busy under the table, on my lap, feeling up the side of my leg", she wrote.

Ms Blumer said she "was wiggling away from him, but trying not to cause a scene that would be obvious to others".

Mr Heydon suggested they go outside together "to discuss adoption law". Ms Blumer said they went into an empty room and "he immediately sat next to me and was hugging me and attempting to kiss me," she recounted.

She evaded him and told him she was "definitely not interested" and "he should leave me alone".

"He said that was a shame, it would be such a wonderful encounter ... he asked that it remain between ourselves."

Ms Blumer was shaken and left the ball immediately.

"I was upset and disgusted by it all," she said.

She told her husband, Mark Blumer, and the next day, she told her friend Professor Murray Raff, of the University of Canberra, who had also attended the ball.

In a statement to the Herald, Professor Raff confirmed Ms Blumer informed him the next day "of inappropriate and unwelcome behaviour towards her at the ball, by the retired Justice of the High Court of Australia, Dyson Heydon".

Professor Raff informed his "senior university colleagues" including the Head of the Law Faculty, Maree Sainsbury.

"The Head of the School of Law at the time, after discussions with the vice-chancellor, contacted Ms Blumer to express the university's concern over the incident," the statement said.

In a second statement, the university said: "a student did raise concerns about inappropriate behaviour by Justice Heydon at the 2013 Law School Ball".

"The university responded immediately and Justice Heydon was removed from the event", and the student "received ongoing counselling and support", according to the statement.

Another former female University of Canberra student who attended the 2013 ball said she also had an upsetting encounter with Mr Heydon that evening, when he sat down at her table. She had never met the judge before.

"He stared at my breasts the whole time and then he made a remark about my breasts and the dress I was wearing," she said.

"It made me so uncomfortable that I got up from the conversation and left."

The former student, who did not wish to be named, said it was a "really uncomfortable situation".

"I remember [Heydon] being intoxicated and I remember feeling angry that he was there as a guest and the audacity of a person to do that."
The young woman was not a law student, but was aware of "who he was" because Mr Heydon had given the keynote speech.

"That's what shocked me the most and why I recall it, because of who he was and his title," she said.

"I told my friends, 'That guy is a grub'.'

**Statement from Dyson Heydon's lawyers:**

In respect of the confidential inquiry and its subsequent confidential report, any allegation of predatory behaviour or breaches of the law is categorically denied by our client.

The inquiry was an internal administrative inquiry and was conducted by a public servant and not by a lawyer, judge or a tribunal member. It was conducted without having statutory powers of investigation and of administering affirmations or oaths.

The inquiry did not afford any opportunity for representatives of the person complained of to confront those complaining or to cross-examine them.

Our client says that if any conduct of his has caused offence, that result was inadvertent and unintended, and he apologises for any offence caused. We have asked the High Court to convey that directly to the Associate complainants.

As to the balance of your claims our client denies emphatically any allegation of sexual harassment or any offence.

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Jacqueline Maley is a senior journalist, columnist and former Canberra press gallery sketch writer for The Sydney Morning Herald. In 2017 she won the Peter Ruehl Award for Outstanding Columnist at the Kennedy Awards.