

ANZ chief apologises over 'unacceptable' grilling of former employee in harassment case

 [abc.net.au/news/2018-07-21/anz-chief-apologises-over-employees-rape-questioning/10021160](https://www.abc.net.au/news/2018-07-21/anz-chief-apologises-over-employees-rape-questioning/10021160)

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ANZ CEO Shayne Elliot has apologised on behalf of the bank after a former employee was forced to recount details of a past rape as part of the bank's defence in a sexual harassment case in New York.

The revelations came as a transcript of a deposition last year was made available last month, The Sydney Morning Herald reported, after the employee filed a multimillion-dollar workplace discrimination claim against ANZ and the bank's head of corporate sales, America Ravi Nursey.

The transcript showed lawyers for the bank questioned the former employee about her sexual history and activities outside work — including whether she had ever contracted a sexually transmitted disease — as part of its defence.

Mr Elliott posted on Twitter after the report was published, saying he "was not aware of our external NY lawyers [sic] strategy and should have been".

"This is wrong and not acceptable," he said.

"We have instructed them that this is not to be used during trial and I will apologise to the complainant personally.

"It was wrong. We were wrong. Our people and our lawyers were wrong. A serious line was crossed ... we did not manage this properly. We are at fault. No debate."

In an extract from the deposition, The Sydney Morning Herald reported ANZ's lawyers interrogated the employee about sexual abuse she suffered while at university, and defended its line of questioning by implying she may have overreacted the incident.

"Say I got a splinter in my finger and then I tell you I had all these treatments and traumas and it really affected me, but I never told you what the incident was," said ANZ lawyer at the time, Christopher Lowe.

"So how are you supposed to judge whether that is a reasonable reaction or not, or whether that is how anyone would react?"

"For example, if I patted my secretary on the bottom she might view that as sexual abuse. If I were to rape her that is also sexual abuse."

The employee was then required to recount the incident to the lawyers.

Her own lawyer, Renan Varghese, said in an application to have the testimony removed that it appeared the defendants intended to "embarrass and demean" his client in front of a jury.

ANZ's lawyers deposed the employee ahead of the matter going to a jury trial in September this year, to defend against her claim of emotional distress as a result of the alleged harassment.