

Geoffrey Rush defamation trial against Murdoch media begins in Sydney

By Linda Tenenbaum
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Internationally acclaimed Australian actor Geoffrey Rush appeared on the witness stand this week during the first two days of a projected 13-day defamation trial in Sydney's federal court. Accused of "scandalously inappropriate behaviour" and "sexual perversion," Rush is suing the Murdoch-owned Nationwide News, publisher of the *Daily Telegraph*, and its celebrity entertainment editor, Jonathon Moran, after the newspaper splashed unsubstantiated claims, over its front pages on two consecutive days, that he had sexually assaulted an actress during a Sydney Theatre Company (STC) production of *King Lear* in 2015-2016.

The "Triple Crown" winner—Rush has won the three most coveted acting prizes: an Oscar Award (*Shine*), a Primetime Emmy Award (*The Life and Death of Peter Sellers*) and a Tony Award (*Exit the King*), one of the first Australian plays to win it—was followed later in the week on the witness stand by his wife, actress Jane Menelaus, and several leading figures in theatre, film and television, some of whom had travelled from overseas or interstate to serve as witnesses. They gave compelling evidence of Rush's qualities as an actor, a colleague, a collaborator and a mentor. They also spoke of the devastating toll that the *Telegraph's* allegations had taken on Rush's health and well-being, and his ability to perform.

Questioned on Monday by his lawyer, Bruce McClintock SC, Rush reviewed his professional career, which had begun in 1971, when he worked with actress Robyn Nevin in gathering together a number of Queensland artists and technicians to open the new Queensland Theatre Company (QTC), with a production of the *Marriage of Figaro*. He said he had continued acting in Australia since then, but had also performed in plays overseas, including *Diary of a Madman* in Moscow and *St Petersburg*.

Rush was involved, from the start, in what he called the "golden period" of Australian theatre, from the 1960s, when "all the major theatre companies were established and experienced huge exponential growth," making possible "huge careers." Later on, he discovered new areas of diversity, performing in musicals and an "inspiring and challenging range of roles."

In the field of film, Rush's career has been no less illustrious. Over the past nearly 50 years, he has won numerous nominations and awards; helped established the Australian Academy of Cinema, Theatre and Acting Arts; is patron or ambassador for several charities and arts organisations; was voted Australian of the Year in 2012; and in 2014 received an Order of Australia for Service to the Arts.

From this initial line of questioning, a picture emerged of a man whose life, as his wife put it, was "inseparable from his art." "You can't divorce Geoffrey from his work," she said.

The allegations published by the *Daily Telegraph* were made against Rush by Eryn-Jean Norvill, the actress who played Cordelia to Rush's Lear. While the production ended in January 2016, the allegations had not been made public until they were published by the *Telegraph* on November 30 and December 1, 2017.

Reviewing their immense impact on Rush's career, McClintock asked, "As at November 2017, what were your intentions regarding your career as an actor?"

The 67-year-old Rush said he had intended to keep on working, and cited as examples Ian McKellen, Glenda Jackson and Anthony Hopkins, all of whom at 80-years-old are still acting.

But then his world fell apart.

It was not just that Norvill had made the allegations, but that they had been communicated to STC management and become the subject of rumours in the industry for nearly a year. Rush, however, had not heard them, and the STC had been asked by Norvill—and had agreed—to keep them confidential and take no action.

At the end of the play, Rush, as Cordelia's father, King Lear, had to lift Norvill off a chair, placed in the wings backstage, then carry her lifeless body onto the stage and lay it on the floor. Norvill alleged that, during a preview performance, Rush had run his finger down the side of her right breast. He had also, at another time, allegedly "gently stroked his fingers over her lower back on and just above the line of her jeans," for about 8 seconds, while the actress asked him to "please stop that."

He was also accused of using "his hands to grope the air like he was fondling the Complainant's hips or breasts," actions which, Nationwide News contended, were "sexually predatory," of "a kind in which only a pervert would engage," and "scandalously inappropriate behaviour in a theatre."

Rush insisted that Norvill's complaints were "untrue" and "did not happen."

Evidence later emerged from Neil Armfield—a longstanding colleague and friend of Rush's, and the play's director—that Rush had been directed to carry Norvill in a "Pieta-like" manner onto the stage, and then grieve over her dead body, gently touching her arms and face, as she lay on the floor.

Rush gave evidence that to prepare for the extreme emotion required in that scene each night, he had to imagine that Cordelia was, in fact, his own daughter, and that she had just died. As he said this, clearly imagining it, he choked back tears on the witness stand.

Under cross-examination, Nationwide News lawyer, Tom Blackburn SC, put it to Rush that he had also told Norvill that she looked "yummy" and "scrumptious," while licking his lips. Rush agreed that he may have used the word "yummy" but not "scrumptious."

"Yummy has a spirit to it because we are about to go into our scenes together," he said, which would be "dramatic and harrowing."

In earlier testimony, it was raised that during their time working together in *King Lear*, Rush and Norvill had developed a playful, mutually supportive relationship, where she would call him "dad," like a "whiny Australian kid," described by Rush as an "admonishment" for "embarrassing" behaviour such as "daggy dad dancing."

Moreover, on December 2, 2015, the *Telegraph* published an interview with Norvill, in which she reportedly said that "working with Geoffrey

Rush, who is ‘always flipping a coin to see what’s underneath,’” was exciting. “Geoffrey is just forever playful. He’s so generous, he’s very cheeky which is perfect for me. I feel very privileged to work with him and proud to be [Cordelia] his ‘favourite daughter.’”

Rush himself testified that “My memory of the event of the play was that we had enjoyed a very sparky, congenial rapport.” He said that he was pleased that Armfield had decided to cast Norvill, whom he had seen in several productions since 2008 and who had “very appealing clowning instincts.”

Later in the week, several witnesses, including his wife and leading figures in the industry, gave testimony about Rush’s well-known clowning skills. As an older performer in a mixed cast that included younger actors, he testified to the fact that he took responsibility for making them feel comfortable, confident and relaxed through his particularly “whacky” humour.

Allegations were made, for example, about a text message sent by Rush to Norvill, saying he was “thinking of you (as I do more than is socially appropriate).” It ended with an “emoji” of a face with its tongue hanging out.

Blackburn asked Rush whether it was “panting.” “No,” he answered. “That’s the looniest emoji I could find.”

The *Telegraph* publicised Norvill’s allegations as sensationally as possible, including on billboards in front of newsagencies throughout the country. The actor did not know the content of the allegations before this. He had received an email from journalist Jonathon Moran the afternoon before—indicating that articles were being prepared for the next day on a case of “abuse” during *King Lear*-- which Rush had sent to his solicitor.

In the court, the actor cited a telephone conversation he had held with an STC official after receiving Moran’s email: “*The Australian* [also a Murdoch-owned newspaper] has sent me an allegation of inappropriate behaviour that occurred during the production of *King Lear*. It is my right to know what the allegation is,” he said.

He was told, “Sorry, but I can’t tell you that. The complainant has requested anonymity and we have to respect that. She doesn’t want you to know about it. You’re no longer under our jurisdiction. Your contract ended on January 9.”

The next day the allegations, which were vigorously denied by Rush and his lawyers, were reported on the front page of the *Telegraph*. There was a three-quarter-front-page-sized picture of a white-faced Rush (taken from the promotional brochure for the play), with the words “KING LEER” headlined below. Underneath were the words “WORLD EXCLUSIVE: Oscar-winner Rush denies ‘inappropriate behaviour’ during Sydney stage show.”

A large headline on another page read “STAR’S BARD BEHAVIOUR,” referencing Shakespeare.

Asked by McClintock to recall his feelings on reading this at the time, Rush said, “I’m in whiteface. I wanted to create the feeling of someone whose mind is all over the place. It had a large impact ... [But] in the *Telegraph* it made the madman in the theatre look like a criminal in reality. The text was devastating.”

He said that “King Lear” was intended to portray him as a major pervert, while the line “Star’s bard behaviour,” was “despicable, connecting this perversion to Shakespeare.”

“The article didn’t relate to the experience I’d had in *Lear*,” Rush testified. “My memory of the whole process was that it was a very cheerful time with a company of many older actors down to people in their 20s and 30s. It was tough: we had eight performances a week. But I came away with treasured memories that we had tried to meet the challenges of the play...”

Now, Rush has testified, he feels that his acting life is over. His wife, colleagues and friends have testified to the deterioration of his physical and mental health, to the point where he has been living a “hermit-like”

existence for the past 11 months, unable to sleep, hardly eating and deeply affected by “the hurt created in my family,” including his wife, his son and his daughter.

Rush had signed on to play Malvolio in Shakespeare’s play *Twelfth Night*, for the Melbourne Theatre Company, but later decided to pull out. He told the court: “I was worried I wouldn’t be in a funny frame of mind. It’s a black and farcical comedy ... but I thought my presence in it would ruin it due to the stain on my character. It had a wonderful cast ... I was concerned that my presence could overwhelm the purity of the play.”

Rush’s experience mirrors that of hundreds of men in the entertainment industry, whose lives are being destroyed by the vindictive, selfish nostrums of the well-heeled, upper middle class advocates of the “MeToo” movement. Once again, trial-by-media and the trashing of the democratic right to the presumption of innocence and due process have prevailed.

This past week, the *New York Times*, the voice of the Democratic Party in the US and of #MeToo, published a list of 200 men whose careers have been taken over by women (whose names were also published) after being subjected to the #MeToo treatment. While Norvill importantly insisted that her complaints remain anonymous, they nevertheless had a life of their own, setting in motion a chain of events that have become all too familiar in today’s perverted environment.

When asked about the meaning of “inappropriate behaviour,” a term so subjective and broad as to be virtually meaningless, Rush said it captured a “wide range of things,” including “bad breath, body odour and bullying.” He struggled to come up with a definition for “sexual assault.” “Physical harm or rape?” he answered.

What is alleged to have happened during the production of *King Lear* bears no resemblance to either of these. And in the context of the theatre, which, as Rush pointed out, necessarily involves a large degree of physicality and emotional rapport between actors, it is critical to the creative process that any cast feels free to play, experiment, and have fun, something that is inimical to the prurient and destructive conception of the relationships between men and women that defines #MeToo.

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