



Our ref. 23000715

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27 March 2023

Solicitor Assisting the Board of Inquiry  
ACT Board of Inquiry into Criminal Justice System

By email: [BOI.notices@inquiry.act.gov.au](mailto:BOI.notices@inquiry.act.gov.au)

Dear Office of the Solicitor Assisting

**R v Lehrmann – ACT Board of Inquiry – subpoena to produced documents  
dated 20 March 2023**

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1. We refer to the subpoena dated 20 March 2023 served on the Proper Officer of the Australian Federal Police to produce documents to the Board of Inquiry and to our previous correspondence regarding the AFP's voluntary cooperation with the Inquiry, notwithstanding the Commonwealth's position that it is not subject to the compulsory powers set out in the *Inquiries Act 1991 (ACT)*.
2. Consistent with the position advised in our 10 February 2023 letter, the AFP is treating the subpoena as a formal request for documents.

**Voluntary production of requested documents**

3. The AFP is not in a position to provide documents in response to the subpoena by Monday, 27 March 2023 at 4:00pm AEST. Some of the categories of documents require broad searches to be conducted and the result of those searches reviewed for relevance to the categories. That review will also identify any information which may be subject to restrictions to production, including privileges, immunities and secrecy provisions.
4. The AFP is working to produce the requested documents to the Inquiry as soon as possible. The AFP proposes to provide documents in response to this subpoena as they become available and in tranches. We expect this approach will expedite the production of documents to the Inquiry.
5. We do anticipate that we will be in a position to make partial production of documents responsive to categories 3, 9, 10, 11, 12 and 15 this week.

6. Please do not hesitate to contact me if you have any questions about this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tony Giugni', with a stylized flourish at the end.

**Tony Giugni**  
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