

**THE AUSTRALIAN** 

22 May 2023

Dear Mr Sofronoff,

Thank you for your letter received this morning via email.

I have reviewed the letter carefully and have also sought legal advice.

From the outset, I feel it important to acknowledge that *The Australian* considers your work in conducting the Board of Inquiry particularly important and in the public interest.

We are devoting considerable resources to provide full and in-depth coverage of your Inquiry, and take very seriously our responsibility to produce both accurate and fair reporting of the proceedings and thoughtful, considered analysis of the issues raised in those proceedings.

I note your concerns regarding the publication of the photo of Mr Drumgold enjoying his leave.

While it is our firm view the taking and publication of the photo is not unlawful, we do consider it necessary to address the largely editorial issue you have raised about the purpose of the photo.

The article to which the photo was attached was not simply an article about Mr Drumgold's evidence. In fact, it related primarily not to Mr Drumgold's appearance at the Inquiry but rather to the fact that he had abruptly taken leave from his position..

The online headline for the article is, "ACT DPP Shane Drumgold 'on leave' after Sofronoff inquiry evidence".

The article dealt with matters relating to Mr Drumgold's leave including who would take over Mr Drumgold's position in his absence, the purpose of the leave and the fact that it was unexpected.

It is not, in *The Australian's* view, surprising, remarkable or inappropriate to publish a photo of a person on leave to accompany an article about that person having taken leave.

The publication of the photo was certainly not intended to demean or humiliate Mr Drumgold as your letter alleges.

Having said all of the above, I have taken on board your criticisms and concerns.

Kind regards.



Michelle Gunn  
Editor in Chief  
*The Australian*