

Subpoena Number: 2023/S/0045

Sections 18(c), 26(1) and 26(3) of the *Inquiries Act 1991*

SUBPOENA TO PROVIDE A WRITTEN STATEMENT

To: Ms Helen Drew

Of: Australian Federal Police
C/- Mr Tony Giugni
Australian Government Solicitor
4 National Circuit
Barton ACT 2600

I, WALTER SOFRONOFF KC, Chairperson of the Board of Inquiry established by the Inquiries (Board of Inquiry – Criminal Justice System) Appointment 2023 (NI2023-49)¹ dated 1 February 2023 require you to give a written statement to the Board of Inquiry pursuant to sections 18(c), 26(1)(b) and 26(3)(b) of the *Inquiries Act 1991* in regard to your knowledge of the matters set out in the Schedule annexed hereto.

YOU MUST COMPLY WITH THIS REQUIREMENT BY:

Giving a written statement signed and witnessed in accordance with section 7 of the *Oaths and Affirmations Act 1984* (ACT) to the Board of Inquiry on or before **5:00 pm AEST on 6 June 2023**, by delivering it to Nara House, 3 Constitution Avenue, Canberra City ACT 2601.

A copy of the written statement must also be provided electronically by email at BOI.Notices@inquiry.act.gov.au with the subject line "Requirement for Written Statement".

If you believe that you have a reasonable excuse for not complying with this notice, you will need to satisfy me of this by the above date.

Failure to comply with this notice without lawful excuse is a Contempt of Board and you may be dealt with accordingly.

Date: 1 June 2023



Walter Sofronoff KC
Chairperson
Board of Inquiry

¹ The terms of reference of the Board of Inquiry, contained in NI2023-232 dated 28 April 2023 are set out at **Annexure A** to this subpoena.

Notes

Informal service

1. Even if this notice has not been served personally on you, you must, nevertheless, comply with its requirements, if you have actual knowledge of the notice and its requirements.

Where the addressee is a corporation or agency

2. If this notice is addressed to a corporation or agency, the corporation or agency must comply with the notice by its appropriate person or proper officer.

Objections

3. If you object to a document or thing produced in response to this notice being inspected by a party to the proceeding or anyone else, you must tell the Board of Inquiry about your objection and the grounds of your objection either orally on the return date for this notice or in writing before or after the return date.

Production of copy instead of original

4. If the notice requires you to produce a document, you may produce a copy of the document unless the subpoena specifically requires you to produce the original.
5. The copy of the document may be—
 - (a) a photocopy; or
 - (b) in PDF format; or
 - (c) in any other electronic form that the issuing party has indicated will be acceptable.

Contempt of Board of Inquiry

6. A person commits an offence if the person does something in the face, or within the hearing, of a board that would be contempt of court if the board were a court of record (see *Inquiries Act 1991*, s 36 (**Contempt of Board**)).
7. Failure to comply with a subpoena without lawful excuse is a Contempt of Board and may be dealt with accordingly.
8. Failure to comply with a subpoena may also be a criminal offence (see *Criminal Code*, s 719 (Failing to attend) and s 720 (Failing to produce document or other thing)).

Protections

9. Where a person is required to produce a document (or other thing) or answer a question to the Board of Inquiry, that person is not able to rely on the common law privileges against self-incrimination and exposure to the imposition of a civil penalty to refuse to produce the document or other thing or answer the question (see *Inquiries Act 1991*, s 19 (Privileges against self-incrimination and exposure to civil penalty)).
10. However, anything obtained because of the producing of the document or other thing, or the answering of the question, is not admissible in evidence against that person in a civil or criminal proceeding, except for an offence relating to the falsity or misleading nature of the document or other thing or answer, and for an offence against chapter 7 of the *Criminal Code* (see *Inquiries Act 1991*, s 19 (Privileges against self-incrimination and exposure to civil penalty)).

ANNEXURE A
Terms of Reference

1. The Board will inquire into:
 - (a) Whether any police officers failed to act in accordance with their duties or acted in breach of their duties:
 - (i) in their conduct of the investigation of the allegations of Ms Brittany Higgins concerning Mr Bruce Lehrmann;
 - (ii) in their dealings with the Director of Public Prosecutions in relation to his duty to decide whether to commence, to continue and to discontinue criminal proceedings against Mr Lehrmann in relation to those allegations;
 - (iii) in their dealings with the legal representatives for Mr Lehrmann before, during or after the trial in the matter of *R v Lehrmann*;
 - (iv) in their provision of information to any persons in relation to the matter of *R v Lehrmann*.
 - (b) If any police officers so acted, their reasons and motives for their actions.
 - (c) Whether the Director of Public Prosecutions failed to act in accordance with his duties or acted in breach of his duties in:
 - (i) making his decisions to commence, to continue and to discontinue criminal proceedings against Mr Lehrmann; and
 - (ii) his conduct of the preparation of the proceedings for hearings; and
 - (iii) his conduct of the proceedings.
 - (d) If the Director of Public Prosecutions so acted, his reasons and motives for his actions.
 - (e) The circumstances around, and decisions which led to the public release of the ACT Director of Public Prosecutions' letter to the Chief Police Officer of ACT Policing dated 1 November 2022.
 - (f) Whether the Victims of Crime Commissioner acted in accordance with the relevant statutory framework in terms of support provided to the complainant in

the matter of *R v Lehrmann*.

(g) Any matter reasonably incidental to any of the above matters.

2. The Board will report to the Chief Minister by ~~30 June 2023~~ 31 July 2023.

Subpoena 2023/S/0045**Schedule of Questions for Statement****Ms Helen Drew****Current Employment**

1. What is your current position within the Australian Federal Police (**AFP**)/Australian Capital Territory (**ACT**) Policing?
2. Outline the job description for your current position. If you have a formal job description, **attach** a copy.
3. **Attach** a current CV.

Interactions with the Director of Public Prosecutions/Office of the Director of Public Prosecutions

4. Whether, to your knowledge, anyone within the AFP legal team advised or communicated to the Director of Public Prosecutions (**DPP**)/Office of the Director of Public Prosecutions (**ODPP**) staff that they had determined that the documents falling under the description 'investigative review documents' or any of the following individual documents were privileged?
 - (a) Minute of Marcus Boorman dated 4 June 2021
 - (b) Executive Briefing of Scott Moller dated 7 June 2021
 - (c) Investigative review dated 2 August 2021
 - (d) Undated document titled "identified discrepancies"
 - (e) Undated document titled "review doc"

If so, provide details of this communication, including who was involved and when it occurred. **Attach** copies of any relevant communications or documents including but not limited to correspondence, emails, text messages, file notes and diary notes. To the extent those communications were verbal outline the parties to the communications and the effect of the words spoken (the **usual particulars**). Include details of the nature of the

communication and when the communication occurred.

5. Whether, to your knowledge, anyone within the AFP legal team advised or communicated to the DPP or ODPP staff that the documents had been placed in schedule 1 on a disclosure certificate?

If so, provide details of this communication, including who was involved, when it occurred and the nature of any discussion. **Attach** copies of any relevant communications or documents including but not limited to correspondence, emails, text messages, file notes and diary notes. To the extent those communications were verbal outline the parties to the communications and the effect of the words spoken the usual particulars.

6. Whether at any stage it was communicated by the DPP (expressly or impliedly) that AFP Legal should obtain the views of the authors of the relevant documents to determine the purpose of the Investigative Review Documents.

If so, provide details of this communication, including who was involved, when it occurred and the nature of the communication. **Attach** copies of any relevant communications or documents including but not limited to correspondence, emails, text messages, file notes and diary notes. To the extent those communications were verbal outline the parties to the communications and the effect of the words spoken the usual particulars.

7. Provide details of your meeting with the DPP and ODPP staff on 19 July 2022. You must include details of the following:
 - (a) the purpose of the meeting;
 - (b) whether the DPP and ODPP staff were informed of the purpose of the meeting? If so, provide details of when the DPP/ODPP were informed of the purpose of the meeting and the nature of what was said;

- (c) your recollection of the meeting including the nature of what was said (and by whom);
- (d) whether advice was sought from the DPP and/or /ODPP staff in relation to whether documents were subject to legal professional privilege. If so, please provide details of;
 - i. what documents were discussed and in what terms;
 - ii. whether the DPP suggested AFP Legal to obtain the views of the authors of those documents in relation to the dominant purpose of the relevant documents. If so, provide details of the nature of the DPP's suggestion;
 - iii. whether you otherwise inferred from the DPP's comments that AFP Legal should obtain the views of the author of the relevant documents in relation to the purpose of the Investigative Review Documents. If so, provide details of why you drew this inference.

Attach copies of any relevant communications or documents including but not limited to correspondence, emails, text messages, file notes and diary notes. To the extent those communications were verbal outline the parties to the communications and the effect of the words spoken the usual particulars.

20220616 - File note - Teleconference with ACT DPP - Operation Covina [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege] [AFP-L.FID51136]

From: "McKenzie, Stephanie" <[Personal information]@afp.gov.au>
To: "McKenzie, Stephanie" <[Personal information]@afp.gov.au>
Date: Thu, 16 Jun 2022 17:58:19 +1000

OFFICIAL:Sensitive Legal privilege

Teleconference with ACT DPP – Operation Covina

16/6/2022 @ 4pm – 4:45pm

Attendees: Shelley Miller, Helen Drew, Stephanie McKenzie, Callum Hughes, Emma Frizzell, Trent Madders, Erin Priestly (DPP), Skye Jerome (DPP), Shane Drumgold (DPP).

- Helen advised that most of the material is being complied.
- There was discussion about the requested celebrité download.
 - o Callum confirmed there is a redacted and unredacted copy of the report.
 - o Shane advised that redactions need to be made pursuant to section 14F of the *Victims of Crime Act*.
 - o Shane advised that the unredacted report cannot be disclosed.
 - o There was discussion about the AFP preparing a new version of the report which redacts irrelevant material.
 - o Shane mentioned that it may be an issue in the case about whether the complainant “loves her job”.
- In relation to the request for a copy of the complainant’s Google drive and iCloud account:
 - o Emma advised that the Google drive cannot be produced because it is not a report per se and special software is required to access the material which cannot be provided to defence.
 - o The iCloud account report is more than 8,000 pages long. The content is linked in the report.
 - o Shane advised to push pause on this request and it is their job to narrow the scope of the request.
- In relation to the ‘investigative review documents’:
 - o Shane said that he had provided advice that two of the documents he had seen were privileged as they were created for the dominate purpose of obtaining legal advice.
 - § A four page report dated 8 June 2021 from Scott Moller to him which was a spreadsheet containing a summary of observations.
 - § The brief signed by Marcus Boorman.
 - o In relation to the tactical investigative review report
 - § Shane did not consider this disclosable.
 - o The AFP advised that it would send through a copy of the documents to ensure we were on the same page as to which documents may be privileged.
- In relation to the request for all PROMIS records and the investigative file:
 - o Shane said that request should be narrowed and the DPP will take responsibility for that.
- The AFP said it would send an email to confirm our discussion and next steps.

STEPHANIE MCKENZIE

LAWYER – AFP LEGAL
CHIEF LEGAL COUNSEL

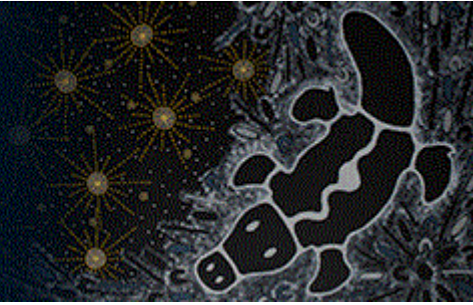
Tel: [Personal information]

www.afp.gov.au



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A SAFER AUSTRALIA

The Australian Federal Police acknowledges the traditional owners and custodians of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to the people, the cultures and the elders past, present and emerging.



Operation COVINA - Disclosure of investigative review documents
[SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege] [AFP-L.FID51139]

From: "McKenzie, Stephanie" Personal information @afp.gov.au>
To: "Hughes, Callum" Personal information @afp.gov.au>
Cc: "Miller, Shelley" Personal information @afp.gov.au>, "Drew, Helen" Personal information @afp.gov.au>
Bcc: Prosecution disclosure _ Operation COVINA _ Request for further disclosure NSWDC _26718_ AFP Client <{f51139}.legal@pocl.afp.gov.au>
Date: Fri, 17 Jun 2022 14:56:26 +1000
Attachments: DRAFT REDACTIONS - Investigation review conducted by Cmdr Smith dated 2 August 2021.pdf (1.96 MB)

OFFICIAL:Sensitive
Legal privilege
Hi Callum

As discussed in our teleconference yesterday with the DPP, we think it is appropriate to provide the DPP with copies of the 'investigative review documents' for their assessment as to whether they may be disclosable.

Although we understand some of these documents have previously been disclosed to the DPP and have been assessed by the DPP to be subject to legal professional privilege (i.e. the brief drafted by Marcus Boorman dated 4/6/21 and the brief drafted by Scott Moller dated 7/6/21), out of an abundance of caution, we think it is appropriate to re-send the documents to the DPP in light of our discussion yesterday.

Consistent with our earlier advice, we note we have some reservations about the DPP's assessment that the brief drafted by Marcus Boorman dated 4 June 2021 is subject to legal professional privilege. In particular, the brief does not appear to have been initially created for the dominant purpose of seeking legal advice, although it appears the context in which it was provided to the DPP leads the Director to consider that copy is privileged. At the moment we consider it appropriate to defer to the DPP's view on this issue, but will likely flag with the DPP the potential for arguments in relation to whether all versions of the document are privileged if access to the documents is pressed by defence.

Accordingly, do you mind providing us with copies of the 'investigative review documents' previously disclosed to the DPP? Please let us know if you have any concerns about us sending these documents to the DPP.

Also, we understand the attached review conducted by Cmdr Smith has not previously been disclosed to the DPP. In our view, this document is potentially disclosable (and should be treated in the same way, i.e. provided to DPP) as it refers to potential avenues of further enquiry. We have marked-up some minor LPP redactions for your consideration. Please let us know if you have happy for us to disclose this document to the DPP and if so, whether you seek any further redactions to the document (i.e. a possible redaction to the file pathway referred to in the document).

Kind regards

Steph

STEPHANIE MCKENZIE

LAWYER - AFP LEGAL

CHIEF LEGAL COUNSEL

Tel: Personal information

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[Australian Federal Police]<<http://www.afp.gov.au>>

[cid:image002.gif@01D7B9F4.DBAE9710]

**RE: Operation COVINA - Disclosure of investigative review documents
[AFP-L.FID51139] [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]**

From: "Frizzell, Emma" <[Personal information]@afp.gov.au>
To: "Hughes, Callum" <[Personal information]@afp.gov.au>, "McKenzie, Stephanie" <[Personal information]@afp.gov.au>
Cc: "Miller, Shelley" <[Personal information]@afp.gov.au>, "Drew, Helen" <[Personal information]@afp.gov.au>, "Fleming, David" <[Personal information]@afp.gov.au>, "Madders, Trent" <[Personal information]@afp.gov.au>
Date: Fri, 17 Jun 2022 15:44:05 +1000
Attachments: Identified discrepancies.docx (26.22 kB); Review Doc.docx (25.44 kB); scan_afp18974_2021-06-09-13-33-49.pdf (4.11 MB); Higgins brief response by DCPO.pdf (111.05 kB)

Good afternoon all,

Please find attached the documents that we perceive to fall under 'investigative review documents' and formed the basis of the listing in the disclosure certificate. Please note the attachment titled 'Higgins brief response by DCPO' is the reply to D/Supt Moller's Exec briefing with the CMS cover sheet subject 'Seeking direction re: Operation COVINA'.

For awareness, none of these have been disclosed to DPP as they declined to review any documents stating that should they be in receipt of them, they would have to disclose to defence.

Kind regards,
Em

SENIOR CONSTABLE EMMA FRIZZELL
 CRIMINAL INVESTIGATIONS - SACAT TEAM 1
 ACT POLICING
 Tel: [Personal information]
www.afp.gov.au<<http://www.afp.gov.au>>

[Australian Federal Police]<<http://www.afp.gov.au>>

[cid:image002.gif@01D88261.0FAD8BE0]

From: Hughes, Callum <[Personal information]@afp.gov.au>
Sent: Friday, 17 June 2022 3:02 PM
To: McKenzie, Stephanie <[Personal information]@afp.gov.au>
Cc: Miller, Shelley <[Personal information]@afp.gov.au>; Drew, Helen <[Personal information]@afp.gov.au>; Fleming, David <[Personal information]@afp.gov.au>; Madders, Trent <[Personal information]@afp.gov.au>; Frizzell, Emma <[Personal information]@afp.gov.au>
Subject: RE: Operation COVINA - Disclosure of investigative review documents [AFP-L.FID51139] [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]

OFFICIAL:Sensitive
 Legal privilege
 Hi Steph,

Thanks for your email and the consideration of these issues.

Firstly, in relation to Commander Smith's investigative review document I have reviewed your minor mark-ups and am happy for this to be disclosed to the DPP.

Dave/Trent/Em: Would you please provide Legal with the investigative review documents we have previously disclosed to DPP?

Kind regards,

DETECTIVE INSPECTOR CALLUM HUGHES
 CRIMINAL INVESTIGATIONS - SEXUAL OFFENCES & CHILD ABUSE
 ACT POLICING
 Tel: [Personal information]
www.afp.gov.au<<http://www.afp.gov.au>>

[Australian Federal Police]<<http://www.afp.gov.au>>

[cid:image002.gif@01D88261.0FAD8BE0]

From: McKenzie, Stephanie Personal information [redacted]@afp.gov.au>>
 Sent: Friday, 17 June 2022 2:56 PM
 To: Hughes, Callum Personal information [redacted]@afp.gov.au>>
 Cc: Miller, Shelley Personal information [redacted]@afp.gov.au>>; Drew, Helen
Personal information [redacted]@afp.gov.au>>
 Subject: Operation COVINA - Disclosure of investigative review documents [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege] [AFP-L.FID51139]

OFFICIAL:Sensitive
 Legal privilege
 Hi Callum

As discussed in our teleconference yesterday with the DPP, we think it is appropriate to provide the DPP with copies of the 'investigative review documents' for their assessment as to whether they may be disclosable.

Although we understand some of these documents have previously been disclosed to the DPP and have been assessed by the DPP to be subject to legal professional privilege (i.e. the brief drafted by Marcus Boorman dated 4/6/21 and the brief drafted by Scott Moller dated 7/6/21), out of an abundance of caution, we think it is appropriate to re-send the documents to the DPP in light of our discussion yesterday.

Consistent with our earlier advice, we note we have some reservations about the DPP's assessment that the brief drafted by Marcus Boorman dated 4 June 2021 is subject to legal professional privilege. In particular, the brief does not appear to have been initially created for the dominant purpose of seeking legal advice, although it appears the context in which it was provided to the DPP leads the Director to consider that copy is privileged. At the moment we consider it appropriate to defer to the DPP's view on this issue, but will likely flag with the DPP the potential for arguments in relation to whether all versions of the document are privileged if access to the documents is pressed by defence.

Accordingly, do you mind providing us with copies of the 'investigative review documents' previously disclosed to the DPP? Please let us know if you have any concerns about us sending these documents to the DPP.

Also, we understand the attached review conducted by Cmdr Smith has not previously been disclosed to the DPP. In our view, this document is potentially disclosable (and should be treated in the same way, i.e. provided to DPP) as it refers to potential avenues of further enquiry. We have marked-up some minor LPP redactions for your consideration. Please let us know if you have happy for us to disclose this document to the DPP and if so, whether you seek any further redactions to the document (i.e. a possible redaction to the file pathway referred to in the document).

Kind regards
 Steph

STEPHANIE MCKENZIE
 LAWYER - AFP LEGAL
 CHIEF LEGAL COUNSEL

Tel: Personal information [redacted]
www.afp.gov.au<<http://www.afp.gov.au>>

[Australian Federal Police]<<http://www.afp.gov.au>>

[cid:image002.gif@01D7B9F4.DBAE9710]

Operation COVINA - Investigative review documents

[SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege] [AFP-L.FID51138]

From: [WIT_Personal_Info] Stephanie" <[WIT_Personal_Info]@afp.gov.au>
To: erin [WIT_Personal_Info]@act.gov.au
Cc: [WIT_Personal_Info] Shelley" [WIT_Personal_Info]@afp.gov.au, "[WIT_Perso] Helen" <[WIT_Personal_Info]@afp.gov.au>, "Hughes, Callum" [WIT_Personal_Info]@afp.gov.au, "Frizzell, Emma" <[WIT_Personal_Info]@afp.gov.au>, "Madders, Trent" [WIT_Personal_Info]@afp.gov.au, "Fleming, David" <[WIT_Personal_Info]@afp.gov.au>
Date: Mon, 20 Jun 2022 19:09:16 +1000
Attachments: DRAFT REDACTIONS - Investigation review conducted by Cmdr Smith dated 2 August 2021.pdf (1.96 MB); REDACTED - Identified discrepancies.pdf (120.38 kB); Review Doc.pdf (128.58 kB); DRAFT REDACTIONS - Higgins brief response by DCPO.pdf (118.69 kB); REDACTED - Briefs from Scott Moller and Marcus Boorman.pdf (9.61 MB)

OFFICIAL:Sensitive

Legal privilege

Dear Erin

Further to our meeting last week, please find attached the following documents which we are advised by ACT Policing fall within the description of "investigative review documents" in the disclosure request received from the defence in this matter. We are providing these to you for the purpose of advice as to whether they should be disclosed in the proceedings. The documents are as follows:

- * 4 June 2021 - minute from Marcus Boorman to DCPO-R titled "Op Covina Direction/ Decision - Alleged sexual assault Australian Parliament House 23 March 2019"
- * 7 June 2021 - executive brief from Scott Muller to Michael Chew titled "Seeking direction in relation to Operation COVINA - alleged sexual intercourse without consent, Australian Parliament House 23 March 2019, and completed cover sheet.
- * 2 August 2021 - investigation review conducted by Cmdr Smith.
- * Undated - document titled "identified discrepancies"; and
- * Undated - document titled "review doc".

We understand the Director has previously received the documents dated 4 June 2021 and 7 June 2021 in the context of being asked to provide advice and considers in that context the documents are subject to LPP. We would be grateful if you could confirm that these are the same documents and that the Director's position is that they are privileged.

Assuming at this stage the Director's position is that the first two documents should not be disclosed because they are subject to LPP, we note that if disclosure of the documents is pressed by the defence, there is a potential argument that other copies of the documents in the hands of the AFP are not privileged. The argument would be that prior to being provided to the Director, these documents were documents prepared for the purpose of internal AFP briefing and guidance, and that copies of the documents held by the AFP are not privileged because they did not involve communications with a legal advisor and were not made for the dominant purpose of obtaining legal advice or for use in, or for the purposes of litigation proceedings. Grateful if you could advise whether you consider this relevant in the current circumstances.

We do not believe you have previously been provided with the third, fourth or fifth documents, in the context of a request for advice or otherwise, and it appears to us that the documents would be disclosable, but will defer to your office's view on this.

Please note some documents have legal professional privilege claims marked up. However, to enable you to see the LPP content, we have not applied these redactions. Should the documents be disclosed to defence, please apply the LPP redactions to the following documents:

- * Investigation reviewed conducted by Cmdr Smith dated 2 August 2021
- * Higgins brief response by DCRO

As detailed in Emma Frizzell's email, ACT Policing will provide you with the other documents captured by the disclosure request.

Aside from the above, as mentioned in our teleconference on Thursday, ACT Policing will not be taking any steps to source material sought in the disclosure request which is not currently in our possession.

Kind regards

Stephanie

STEPHANIE ^{WIT_Personal_Info}
LAWYER - AFP LEGAL
CHIEF LEGAL COUNSEL

Tel: ^{Personal information}
www.afp.gov.au<http://www.afp.gov.au/>

<http://www.afp.gov.au/>

**RE: Operation COVINA - Investigative review documents - 202113941
[SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege] [AFP-L.FID51138]**

From: "Priestly, Erin" <[Personal information]>
To: "McKenzie, Stephanie" <[Personal information]>
Cc: [Personal information] Shelley <[Personal information]>, "Drew, Helen" <[Personal information]>, "Hughes, Callum" <[Personal information]>, "Frizzell, Emma" <[Personal information]>, "Madders, Trent" <[Personal information]>, "Fleming, David" <[Personal information]>, Greig, Mitchell" <[Personal information]>
Date: Tue, 21 Jun 2022 10:45:40 +1000

OFFICIAL

Dear Stephanie

Thank you for your email.

The Director has reviewed this material and is of the view that the documents are preparatory to confidential communications between DPP and AFP for the dominant purpose of providing legal advice, and are not disclosable pursuant to s 118 of the *Evidence Act 2011*. Further, where the documents amount to inadmissible opinion evidence, it would not seem to be relevant or possibly relevant to an issue in the case.

Kind regards



Erin Priestly

Senior Prosecutor

Office of the Director of Public Prosecutions (ACT)

GPO Box 595, Canberra ACT 2601 (DX 5725)

T: [Personal information]

T:

E:

W: www.dpp.act.gov.au

For a full range of victims rights, please go to www.dpp.act.gov.au and go to the Witnesses and Victims link.

Please consider the environment before printing this e-mail

From: McKenzie, Stephanie <[Personal information]>@afp.gov.au>
Sent: Monday, 20 June 2022 7:09 PM
To: Priestly, Erin <[Personal information]>@act.gov.au>
Cc: [Personal information] Shelley <[Personal information]>@afp.gov.au>; Drew, Helen <[Personal information]>@afp.gov.au>; Hughes, Callum <[Personal information]>@afp.gov.au>; Frizzell, Emma <[Personal information]>@afp.gov.au>; Madders, Trent <[Personal information]>@afp.gov.au>; Fleming, David <[Personal information]>@afp.gov.au>
Subject: Operation COVINA - Investigative review documents [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege] [AFP-L.FID51138]

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**OFFICIAL:Sensitive
Legal privilege**

Dear Erin

Further to our meeting last week, please find attached the following documents which we are advised by ACT Policing fall within the description of “investigative review documents” in the disclosure request received from the defence in this matter. We are providing these to you for the purpose of advice as to whether they should be disclosed in the proceedings. The documents are as follows:

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- 7 June 2021 – executive brief from Scott Muller to Michael Chew titled “Seeking direction in relation to Operation COVINA – alleged sexual intercourse without consent, Australian Parliament House 23 March 2019, and completed cover sheet.
- 2 August 2021 – investigation review conducted by Cmdr Smith.
- Undated - document titled “identified discrepancies”; and
- Undated - document titled “review doc”.

We understand the Director has previously received the documents dated 4 June 2021 and 7 June 2021 in the context of being asked to provide advice and considers in that context the documents are subject to LPP. We would be grateful if you could confirm that these are the same documents and that the Director’s position is that they are privileged.

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We do not believe you have previously been provided with the third, fourth or fifth documents, in the context of a request for advice or otherwise, and it appears to us that the documents would be disclosable, but will defer to your office’s view on this.

Please note some documents have legal professional privilege claims marked up. However, to enable you to see the LPP content, we have not applied these redactions. Should the documents be disclosed to defence, please apply the LPP redactions to the following documents:

- *Investigation reviewed conducted by Cmdr Smith dated 2 August 2021*
- *Higgins brief response by DCRO*

As detailed in Emma Frizzell’s email, ACT Policing will provide you with the other documents captured by the disclosure request.

Aside from the above, as mentioned in our teleconference on Thursday, ACT Policing will not be taking any steps to source material sought in the disclosure request which is not currently in our possession.

Kind regards
Stephanie

STEPHANIE MCKENZIE

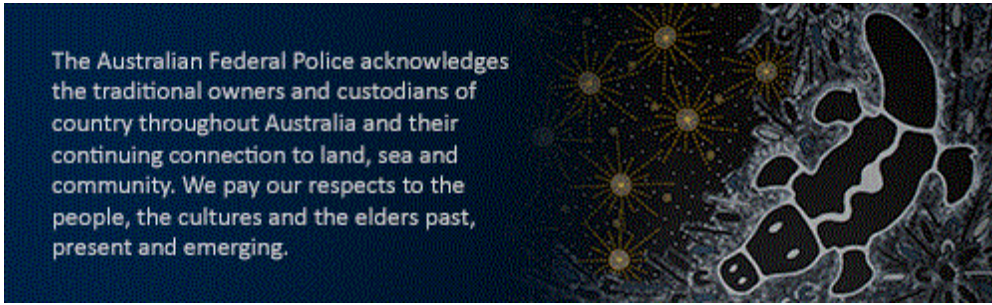
LAWYER – AFP LEGAL
CHIEF LEGAL COUNSEL

Tel: Personal information

www.afp.gov.au



POLICING FOR
A SAFER AUSTRALIA



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20220915 - File note - Conference with ACT DPP [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege] [AFP-L.FID51136]

From: "McKenzie, Stephanie" Personal information [REDACTED]@afp.gov.au>
To: "McKenzie, Stephanie" Personal information [REDACTED]@afp.gov.au>
Date: Thu, 15 Sep 2022 18:23:40 +1000

OFFICIAL:Sensitive Legal privilege

Conference with ACT DPP

15/9/2022 @ 3pm-4:15pm

Attendees: Shane Drumgold, Mitchell Grieg, Peter Crozier, Jo Cameron, Shelley Miller, Helen Drew, Stephanie McKenzie

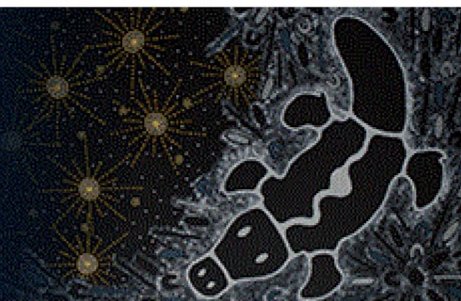
- JC: good if the AFP can be informed about what is happening in the matter so that we can provide our perspective and that this may inform what is put in affidavits.
- 1a) Celebrite report
 - o SD: No need for the AFP to worry about it
 - o A complaint has been made by defence that they shouldn't have to disclosure their case to the prosecution. Personal information [REDACTED] is reviewing the full Celebrite report.
- 1b) Investigative review documents
 - o SD: does not think it is disclosable – section 4 of the DPP Policy
 - o SD: will resist on the basis of the LPP as they came into his possession
 - o SD: discussed how it was mentioned in one certificate but not another.
 - o SD: PII category – research methodology.
 - o HD: we have received AGS advice that it is not clear on the face of the document that they are privileged. Scott Moller did not have the subjective belief when he was creating the document that they were for the purpose of seeking advice. With respect to the PII claim, the AFP hasn't run that type of claim in the past.
 - o SD: he has deposed two affidavits and one of which has enclosed the documents for the court to review.
 - o Discussion about Scott Moller and his discussion with defence and comments in his notes.
 - o HD: if the AFP is subpoenaed, we don't think we can resist production.
- 1c)
 - o JC advised that AFP protection had some involvement between 23 and 31 March. We are working on finding these documents. SD had no prior knowledge of this.

STEPHANIE MCKENZIE
 LAWYER - OPERATIONS LEGAL
 CHIEF COUNSEL PORTFOLIO
 Tel: Personal information [REDACTED]
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The Australian Federal Police acknowledges the traditional owners and custodians of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to the people, the cultures and the elders past, present and emerging.



File note – Court attendance

16 September 2022 @ 10am

R v Lehrmann – Pre-trial application

Coram: McCallum CJ

Prosecution: Mr Shane Drumgold SC, Mr Keagan Lee

Defence: Mr Andrew Berger KC, Mr Steven Whybrow, Ms Katrina Musgrove

Observers from the AFP: Steph McKenzie, Helen Drew, Callum Hughes, Emma Frizzell

The Court first considered order 1c) sought in the defendant's application.

- The Defence agreed not to press this issue given there were no documents to produce. Mr Drumgold agreed with this.

In relation to order 1b),

- Mr Berger dealt with this matter for the defence. He referred to the issue with the disclosure certificates and that the DPP maintain a claim of LPP over the documents. He accepts that it was inadvertently listed in the first disclosure certificate as not privileged. He said that defence maintains their position that the document does not attract LPP. He said that the purpose for which it was provided to the DPP may not be the same as the purpose for which the document was created. He said that to crystallise this issue he seeks to issue a subpoena to the AFP. He said that it is the AFP's privilege and not the DPP's privilege to claim. If the AFP claims privilege, they will need to put on evidence to justify the claim and this will be considered by the defence. There may be a need for argument on the matter which would take approx.. 1 hour. The subpoena is a short service subpoena, and they are not pressing paragraph 1 of the subpoena noting these documents don't exist. He recognises that the AFP may need some time.
- Mr Drumgold said that he was content with that way forward. He agrees that it is the AFP's privilege. He may run into some problems as he would become a witness in any argument about LPP as he was informed of the document being created for a particular purpose.
- McCallum CJ said that the client will need to verify the privilege. HH doesn't see Drumgold becoming a witness. The subpoena was set down to be returnable on Wednesday, 21 September at 9am, for a mention only. HH will make directions to have it argued early the next week. The last date for service is today at 5pm. The subpoena was issue and leave was granted for defence to file Ms Fisher's affidavit in support of the subpoena.
- Mr Berger informed the court that due to the issuance of the subpoena, they will not press the order sought in 1b).

In relation to order 1a),

- Mr Lee was briefed to appear for the Director on that matter.

- The Court indicated that there would be a non-publication order over some of the discussion in court. HH also advised the Director to take steps in insulate himself from discussions regarding the Cellebrite report.

Discussion with the Director and Mitchell Grieg

AFP: Helen Drew and Steph McKenzie

DPP: Shane Drumgold and Mitchell Grieg

- Shane informed us that he was concerned about what was said during our discussion yesterday. He had reviewed his notes and outlined the following timeline for why he believes the documents are privileged:
 - **31 March 2021 – initial briefing at Winchester Police Station:**
 - Attendees: Shane Drumgold, Skye Jerome, Andrew Chap? (ACT DPP – Head of Sex Crimes), Marcus Boorman, ?? Saunders, Trent Madders, Emma Frizzell, ?? Mcdevitt
 - Discussed an appraisal of the case and what was purported to be barriers to the prosecution.
 - Director thought that the assessment of evidence was inconsistent with the law.
 - **1 June 2021 – Meeting at the DPP office**
 - Attendees: Shane Drumgold, Skye Jerome, Scott Moller, Marcus Boorman
 - Scott Moller provided a summary of the evidence. Shane Drumgold assessed that none of those things went to the complainant's credibility.
 - Shane gave advice with respect to section 26 of the Magistrates Court Act and section 2.2 of the MOU between the AFP and the ACT DPP.
 - Shane said that he would like a brief of evidence and a summary of the evidence.
 - No diary notes from Scott Moller produced with respect to this meeting.
 - **4 June 2021**
 - Document drafted by Marcus Boorman
 - **7 June 2021**
 - Shane received a phone call from Scott who wanted to confirm the test in section 26 of the Magistrates Court Act, and section 2.2 of the MOU.
 - Second document produced, at the end of the document is refers to forwarding the attached brief to the DPP.
 - **17 June 2021**
 - Moller/Chew discussion
 - **18 June 2021**
 - Letter to the DPP seeking advice.
 - Annexure C is the relevant document.
- Shane said that Skye can provide affidavit evidence is required.

HD-8

Drew, Helen

From: Drew, Helen
Sent: Wednesday, 21 September 2022 6:25 PM
To: Greig, Mitchell
Subject: RE: Subpoena - documents to be produced by the AFP [SEC=OFFICIAL]
Attachments: Document 1 & 2 - Briefs from Scott Moller and Marcus Boorman - redacted.pdf

OFFICIAL

Hi Mitchell,

Documents 1 and 2 attached.

Helen

From: Drew, Helen
Sent: Wednesday, 21 September 2022 6:24 PM
To: 'Greig, Mitchell' <[Personal information]@act.gov.au>
Subject: FW: Subpoena - documents to be produced by the AFP [SEC=OFFICIAL]

OFFICIAL

Hi Mitchell,

Further to our meeting this afternoon, please find attached copies of documents 3-5 and 7-9 that we will be producing in response to the subpoena on Friday morning. I will separately send documents 1 and 2 as the file is large. As discussed, we will be making a claim of legal professional privilege over one document, document 6, which I have not attached.

Regards,

Helen

HELEN DREW

Writing to you from Ngunnawal Country
PRINCIPAL LAWYER - OPERATIONS LEGAL
CHIEF LEGAL COUNSEL
Tel: [Personal information]
www.afp.gov.au

FW: Operation COVINA - Investigative review documents [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]

From: "Drew, Helen" <[Personal Information]@afp.gov.au>
To: "Greig, Mitchell" <[Personal Information]@act.gov.au>
Cc: "McKenzie, Stephanie" <[Personal Information]@afp.gov.au>, "Miller, Shelley" <[Personal Information]@afp.gov.au>
Date: Wed, 21 Sep 2022 19:07:10 +1000
Attachments: DRAFT REDACTIONS - Investigation review conducted by Cmdr Smith dated 2 August 2021.pdf (1.96 MB); REDACTED - Identified discrepancies.pdf (120.38 kB); Review Doc.pdf (128.58 kB); DRAFT REDACTIONS - Higgins brief response by DCPO.pdf (118.69 kB); REDACTED - Briefs from Scott Moller and Marcus Boorman.pdf (9.61 MB)

Hi Mitchell,

For info – this is the email to Erin I referred to in today's meeting.

Regards,

Helen

HELEN DREW

Writing to you from Ngunnawal Country
 PRINCIPAL LAWYER - OPERATIONS LEGAL
 CHIEF LEGAL COUNSEL
 Tel: [Personal Information]
www.afp.gov.au

From: McKenzie, Stephanie <[Personal Information]@afp.gov.au>
Sent: Monday, 20 June 2022 7:09 PM
To: erin <[Personal Information]@afp.gov.au>
Cc: Miller, Shelley <[Personal Information]@afp.gov.au>; Drew, Helen <[Personal Information]@afp.gov.au>; Hughes, Callum <[Personal Information]@afp.gov.au>; Frizzell, Emma <[Personal Information]@afp.gov.au>; Madders, Trent <[Personal Information]@afp.gov.au>; Fleming, David <[Personal Information]@afp.gov.au>
Subject: Operation COVINA - Investigative review documents [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege] [AFP-L.FID51138]

OFFICIAL:Sensitive
Legal privilege

Dear Erin

Further to our meeting last week, please find attached the following documents which we are advised by ACT Policing fall within the description of "investigative review documents" in the disclosure request received from the defence in this matter. We are providing these to you for the purpose of advice as to whether they should be disclosed in the proceedings. The documents are as follows:

- 4 June 2021 – minute from Marcus Boorman to DCPO-R titled "Op Covina Direction/ Decision – Alleged sexual assault Australian Parliament House 23 March 2019"
- 7 June 2021 – executive brief from Scott Muller to Michael Chew titled "Seeking direction in relation to Operation COVINA – alleged sexual intercourse without consent, Australian Parliament House 23 March 2019, and completed cover sheet.
- 2 August 2021 – investigation review conducted by Cmdr Smith.
- Undated - document titled "identified discrepancies"; and
- Undated - document titled "review doc".

We understand the Director has previously received the documents dated 4 June 2021 and 7 June 2021 in the context of being asked to provide advice and considers in that context the documents are subject to LPP. We would be grateful if you could confirm that these are the same documents and that the Director's position is that they are privileged.

Assuming at this stage the Director's position is that the first two documents should not be disclosed because they are subject to LPP, we note that if disclosure of the documents is pressed by the defence, there is a potential argument that other copies of the documents in the hands of the AFP are not privileged. The argument would be that prior to being provided to the Director, these documents were documents prepared for the purpose of internal AFP briefing and guidance, and that copies of the documents held by the AFP are not privileged because they did not involve communications with a legal advisor and were not made for the dominant purpose of obtaining legal advice or for use in, or for the purposes of litigation proceedings. Grateful if you could advise whether you consider this relevant in the current circumstances.

We do not believe you have previously been provided with the third, fourth or fifth documents, in the context of a request for advice or otherwise, and it appears to us that the documents would be disclosable, but will defer to your office's view on this.

Please note some documents have legal professional privilege claims marked up. However, to enable you to see the LPP content, we have not applied these redactions. Should the documents be disclosed to defence, please apply the LPP redactions to the following documents:

- *Investigation reviewed conducted by Cmdr Smith dated 2 August 2021*
- *Higgins brief response by DCRO*

As detailed in Emma Frizzell's email, ACT Policing will provide you with the other documents captured by the disclosure request.

Aside from the above, as mentioned in our teleconference on Thursday, ACT Policing will not be taking any steps to source material sought in the disclosure request which is not currently in our possession.

Kind regards
Stephanie

STEPHANIE MCKENZIE

LAWYER – AFP LEGAL
CHIEF LEGAL COUNSEL

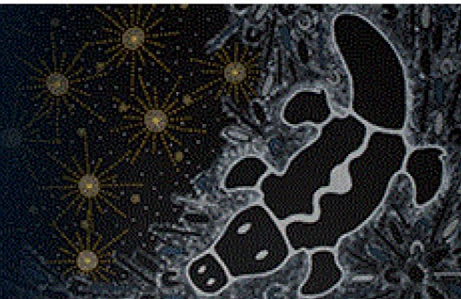
Tel: Personal information

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RE: Subpoena - documents to be produced by the AFP [SEC=OFFICIAL]

From: [WIT_Personal_Info] Helen" [WIT_Personal_Info] @afp.gov.au>
To: "Drumgold, Shane" <[WIT_Personal_Info]@act.gov.au>
Cc: "Greig, Mitchell" <[WIT_Personal_Info]@act.gov.au>, "Jerome, Skye" <[WIT_Personal_Info]@act.gov.au>, "Pitney, Sarah" <[WIT_Personal_Info]@act.gov.au>, "[WIT_Personal_Info] Shelley" <[WIT_Personal_Info]@afp.gov.au>, "Cameron, Joanne" <[WIT_Personal_Info]@afp.gov.au>, "[WIT_Personal_Info] Stephanie" <[WIT_Personal_Info]@afp.gov.au>
Date: Fri, 23 Sep 2022 12:01:36 +1000
Attachments: ACT Policing procedures for requesting legal advice and representation.pdf (1.19 MB)

OFFICIAL
Hi Shane,

Thanks for your email below.

The classification of the documents and the recommendation are factors which we took into account when assessing them. However, in terms of evidence to support a claim of legal professional privilege, we could not consider, and did not think a Court would consider, these factors alone to be determinative of the issue. Documents can be over-classified or incorrectly classified by their creator, and in this case the intention behind the inclusion of the recommendation was not entirely clear in the context of the rest of the document.

Further, where the documents themselves, could on their face be characterised as being created for the purpose of facilitating a decision by the DCPO on the direction of the matter, and the stated intention of the originators of the documents was that they were not created for the purpose of obtaining legal advice, but to obtain a decision from the DCPO, we considered that we did not have sufficient evidence to establish before the Court that the documents were created for the dominant purpose of seeking legal advice.

We appreciate that the release of the documents may create additional challenges for the running of the trial, and knowing that, we gave extensive consideration to the issue of whether privilege could be claimed over them, including taking into account the matters you raised with us, and seeking advice from the Australian Government Solicitor. However, we ultimately considered that we were not in a position to establish a claim.

The AFP's governance documents deal generally with legal professional privilege and the ability to claim it over communications with DPPs. Please find attached a copy of the material relating to ACT Policing available on the AFP Hub.

Regards,

Helen

HELEN [WIT_Personal_Info]
 Writing to you from Ngunnawal Country
 PRINCIPAL LAWYER - OPERATIONS LEGAL
 CHIEF LEGAL COUNSEL
 Tel: [Personal Information]
www.afp.gov.au<<http://www.afp.gov.au>>

[Australian Federal Police]<<http://www.afp.gov.au/>>

[cid:image002.gif@01D8CF44.3951AF50]

From: Drumgold, Shane <[WIT_Personal_Info]@act.gov.au>
Sent: Thursday, 22 September 2022 8:45 AM
To: [WIT_Personal_Info] Helen <[WIT_Personal_Info]@afp.gov.au>
Cc: Greig, Mitchell <[WIT_Personal_Info]@act.gov.au>; Jerome, Skye <[WIT_Personal_Info]@act.gov.au>; Pitney, Sarah <[WIT_Personal_Info]@act.gov.au>
Subject: FW: Subpoena - documents to be produced by the AFP [SEC=OFFICIAL]

OFFICIAL

Dear Helen
 Can I just confirm that this document labelled in red "PROTECTED Sensitive: Legal" and ending on page 5 under

recommendations "forward to ACT DPP for their review" has been deemed as not being subject to Legal Professional Privilege?

If this is so, can we please get some guidance on the AFP LPP protocols?

[cid:image005.png@01D8CF40.BB7E9000]

Shane Drumgold SC

Director

Office of the Director of Public Prosecutions (ACT)

GPO Box 595 Canberra ACT 2601 (DX 5725)

T: Personal information

T: Personal information

M: Personal information

E: Personal information

E: Personal information @act.gov.au> (EO)

W: www.dpp.act.gov.au<http://www.dpp.act.gov.au/>

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[A picture containing timeline Description automatically generated]

From: Greig, Mitchell <Personal information @act.gov.au>>

Sent: Wednesday, 21 September 2022 7:08 PM

To: Drumgold, Shane <Personal information @act.gov.au>>; Jerome, Skye

<Personal information @act.gov.au>>; Pitney, Sarah

<Personal information @act.gov.au>>

Subject: Fwd: Subpoena - documents to be produced by the AFP [SEC=OFFICIAL]

OFFICIAL

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From: WIT_Personal Helen <WIT_Personal_Info WIT_Personal_Info @act.gov.au>>

Sent: Wednesday, September 21, 2022 6:25:26 PM

To: Greig, Mitchell <WIT_Personal_Info @act.gov.au>>

Subject: RE: Subpoena - documents to be produced by the AFP [SEC=OFFICIAL]

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OFFICIAL

Hi Mitchell,

Documents 1 and 2 attached.

Helen

From: WIT_Personal Helen

Sent: Wednesday, 21 September 2022 6:24 PM

To: 'Greig, Mitchell' <WIT_Personal_Info @act.gov.au>>

Subject: FW: Subpoena - documents to be produced by the AFP [SEC=OFFICIAL]

OFFICIAL

Hi Mitchell,

Further to our meeting this afternoon, please find attached copies of documents 3-5 and 7-9 that we will be producing in response to the subpoena on Friday morning. I will separately send documents 1 and 2 as the file is large. As discussed, we will be making a claim of legal professional privilege over one document, document 6, which I have not attached.

Regards,

Helen

HELEN <WIT_Personal

Writing to you from Ngunnawal Country

PRINCIPAL LAWYER - OPERATIONS LEGAL
CHIEF LEGAL COUNSEL

Tel: Personal information
www.afp.gov.au<<http://www.afp.gov.au>>

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RE: R v LEHRMANN Disclosure [SEC=PROTECTED, ACCESS=Legal-Privilege]

From: "WIT_Personal_Info, Adam" <WIT_Personal_Info>
To: "Madders, Trent" <WIT_Personal_Info>, "Frizzell, Emma" <WIT_Personal_Info>
Cc: "Moller, Scott" <WIT_Personal_Info>, "WIT_Personal_Info, Damien" <WIT_Personal_Info>, "WIT_Personal_Info, Shelley" <WIT_Personal_Info>, "Fleming, David" <WIT_Personal_Info>, "WIT_Personal_Info, Marissa" <WIT_Personal_Info>, "WIT_Personal_Info, Andrew" <WIT_Personal_Info>
Date: Sat, 23 Oct 2021 08:02:32 +1100
Attachments: Unnamed Attachment (344.31 kB); DRAFT Disclosure statement (Legal review 22.10.21).docx (66.06 kB)

PROTECTED

Legal privilege

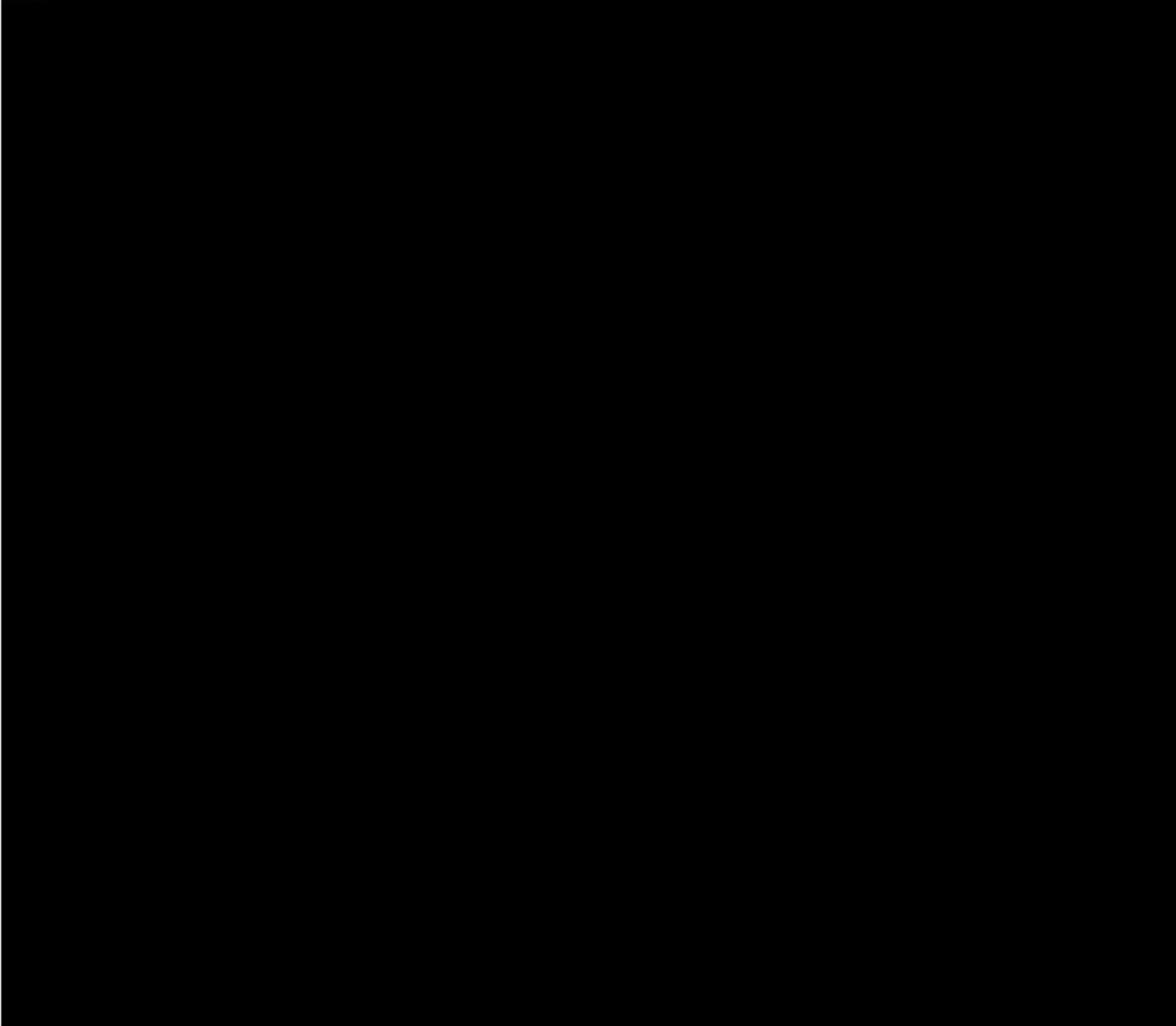
THIS ADVICE IS SUBJECT TO LEGAL PROFESSIONAL PRIVILEGE AND IS NOT TO BE RELEASED WITHOUT CONSULTATION WITH AFP LEGAL

Dear Emma and Trent,

Thank you for your request for advice.

Priv LPP

Priv LPP



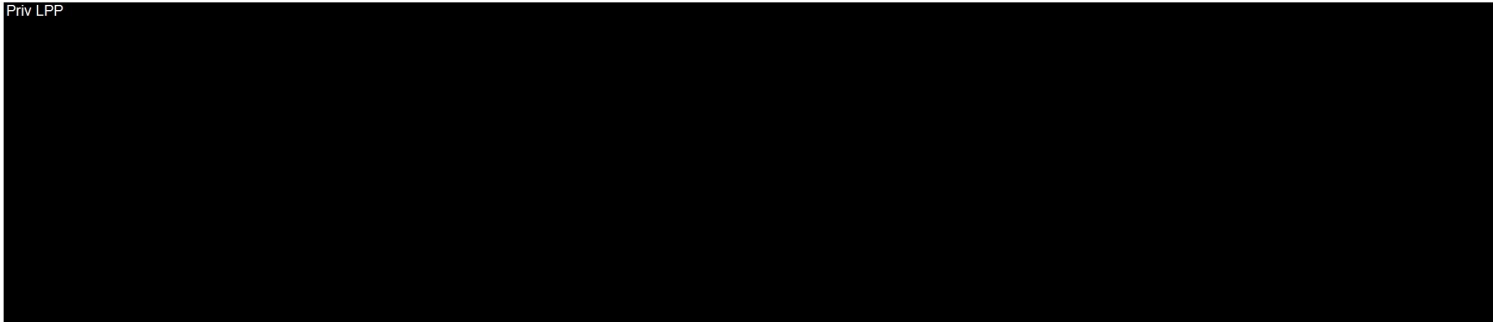
Priv LPP



Priv LPP



Priv LPP



I trust this guidance assist you. I will be on leave the week beginning 25 October 2021, however am contactable on the mobile during this time if you need to discuss any aspect of this advice.

All the best,

Adam

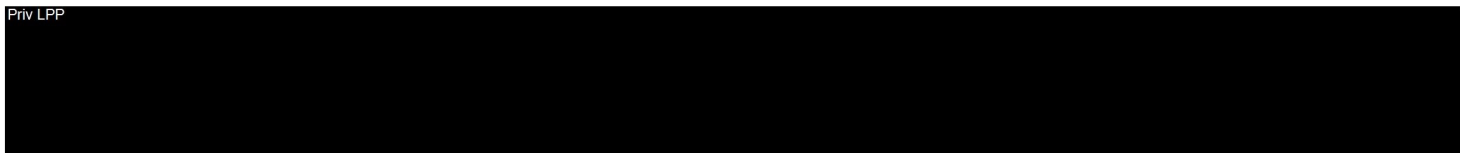
ADAM [WIT_Personal_Info]
PRINCIPAL LAWYER (INFORMATION LAW)
CHIEF COUNSEL
Tel: [Personal information]
www.afp.gov.au<http://www.afp.gov.au>

[Australian Federal Police]<http://www.afp.gov.au/>

[cid:image002.gif@01D7C7E4.51740D70]

From: Fleming, David <[WIT_Personal_Info]>
Sent: Friday, 15 October 2021 8:00 AM
To: [WIT_Personal_Info] Adam <[WIT_Personal_Info]>; Madders, Trent <[WIT_Personal_Info]>; Frizzell, Emma <[WIT_Personal_Info]>
Cc: Moller, Scott <[WIT_Personal_Info]>; [WIT_Personal_Info] Damien <[WIT_Personal_Info]>; [WIT_Personal_Info] Shelley <[WIT_Personal_Info]>
Subject: RE: Disclosure [SEC=PROTECTED, ACCESS=Legal-Privilege]

Adam,



Regards

D/SGT DAVID FLEMING
ACT CRIMINAL INVESTIGATIONS
ACT POLICING
Tel: [Personal information]
www.afp.gov.au<http://www.afp.gov.au>

[Australian Federal Police]<http://www.afp.gov.au/>

[cid:image002.gif@01D7C7E4.51740D70]

From: [WIT_Personal_Info] Adam <[WIT_Personal_Info]>
Sent: Friday, 15 October 2021 7:50 AM
To: Madders, Trent <[WIT_Personal_Info]>; Frizzell, Emma <[WIT_Personal_Info]>
Cc: Moller, Scott <[WIT_Personal_Info]>; [WIT_Personal_Info] Damien <[WIT_Personal_Info]>; Fleming, David <[WIT_Personal_Info]>
Subject: RE: Disclosure [SEC=PROTECTED, ACCESS=Legal-Privilege] [SEC=PROTECTED:Legal privilege]

Hi Trent,



Priv LPP
[Redacted]

All the best,
Adam

From: Madders, Trent <[Redacted]>
Date: 9 October 2021 at 9:08:24 am AEDT
To: [Redacted] Adam <[Redacted]>, Frizzell, Emma
Cc: Moller, Scott <[Redacted]>, Fleming, David
[Redacted] Damien
[Redacted] Shelley
Subject: RE: Disclosure [SEC=PROTECTED, ACCESS=Legal-Privilege]

PROTECTED
Legal privilege
Morning Adam,

Priv LPP
[Redacted]

Cheers,
Trent

DLSC TRENT MADDERS
CRIMINAL INVESTIGATIONS - SACAT
ACT POLICING
Tel: [Redacted]
www.afp.gov.au<http://www.afp.gov.au>

[Australian Federal Police]<http://www.afp.gov.au/>

From: [Redacted] Adam <[Redacted]>
Sent: Friday, 8 October 2021 4:52 PM
To: Frizzell, Emma <[Redacted]>
Cc: Madders, Trent <[Redacted]>; Moller, Scott
[Redacted] Fleming, David
[Redacted] Damien
[Redacted] Shelley
Subject: RE: Disclosure [SEC=PROTECTED, ACCESS=Legal-Privilege]

PROTECTED
Legal privilege
Thanks Emma - enjoy your leave.

Priv LPP
[Redacted]

All the best,
Adam

ADAM <[Redacted]>
PRINCIPAL LAWYER (INFORMATION LAW)
CHIEF COUNSEL
Tel: [Redacted]
www.afp.gov.au<http://www.afp.gov.au>

[Australian Federal Police]<http://www.afp.gov.au/>

[cid:image002.gif@01D7C7E4.51740D70]

From: Frizzell, Emma <[Redacted]>
Sent: Friday, 8 October 2021 1:56 PM
To: [Redacted] Adam <[Redacted]>

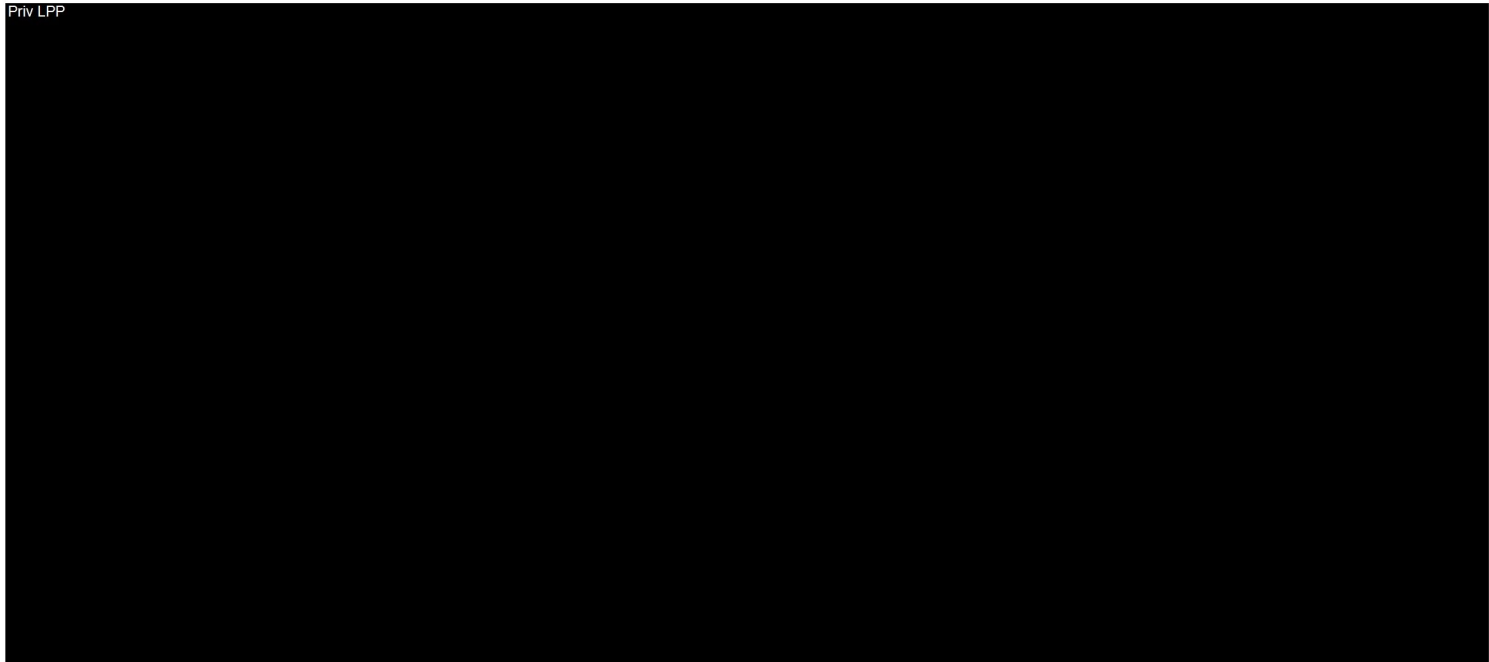
Cc: Madders, Trent <[REDACTED]>; Moller, Scott

<[REDACTED]> > Fleming, David
<[REDACTED]> Damien

Subject: RE: Disclosure [SEC=PROTECTED, ACCESS=Legal-Privilege]

PROTECTED
Legal privilege
Good afternoon Adam,

Priv LPP



Kind regards,
Em

SENIOR CONSTABLE EMMA FRIZZELL
CRIMINAL INVESTIGATIONS - SACAT TEAM 1
ACT POLICING

Tel: [REDACTED]
www.afp.gov.au<http://www.afp.gov.au>

[Australian Federal Police]<http://www.afp.gov.au/>

[cid:image002.gif@01D7C7E4.51740D70]

From: Frizzell, Emma
Sent: Wednesday, 22 September 2021 10:25 AM
To: [REDACTED] Adam <[REDACTED]>
Cc: Rose, Robert <[REDACTED]>; Madders, Trent
Subject: RE: Disclosure [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]

OFFICIAL:Sensitive
Legal privilege
Good morning Adam,

Priv LPP



Kind regards,
Em

SENIOR CONSTABLE EMMA FRIZZELL
CRIMINAL INVESTIGATIONS - SACAT TEAM 1
ACT POLICING

Tel: [REDACTED]
www.afp.gov.au<http://www.afp.gov.au>

[Australian Federal Police]<<http://www.afp.gov.au/>>

[cid:image002.gif@01D7C7E4.51740D70]

From: [WIT_Personal_Info] Adam <[WIT_Personal_Info]>
Sent: Tuesday, 21 September 2021 4:31 PM
To: Frizzell, Emma <[WIT_Personal_Info]>
Subject: RE: Disclosure [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]

OFFICIAL:Sensitive
Legal privilege
Hi Emma,

Priv LPP
[Redacted]

All the best,

Adam

ADAM [WIT_Personal_Info]
PRINCIPAL LAWYER (INFORMATION LAW)
CHIEF COUNSEL
Tel: [Personal information]
www.afp.gov.au<<http://www.afp.gov.au/>>

[Australian Federal Police]<<http://www.afp.gov.au/>>

[cid:image002.gif@01D7C7E4.51740D70]

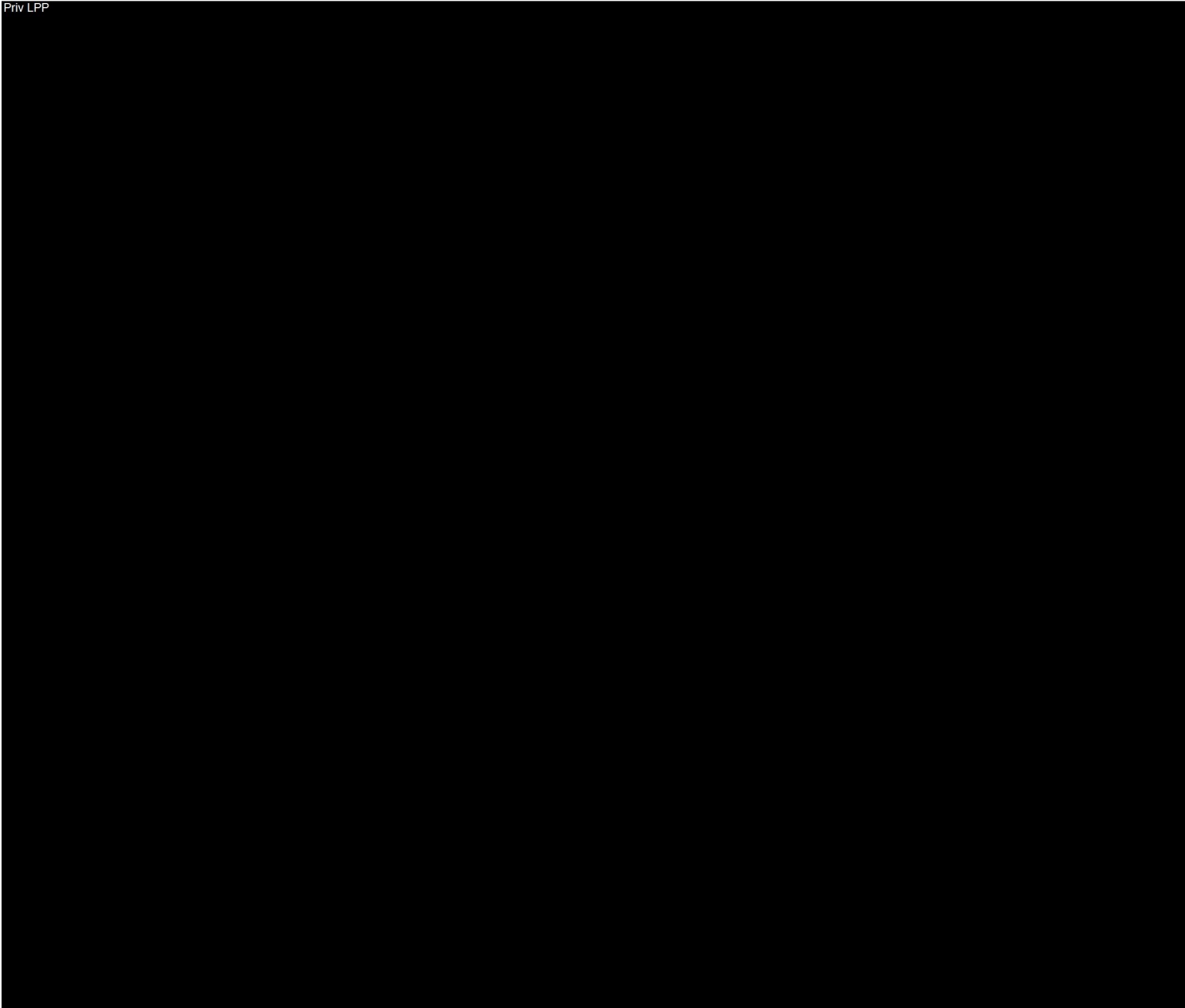
From: [WIT_Personal_Info] Adam
Sent: Wednesday, 1 September 2021 7:30 PM
To: Frizzell, Emma <[WIT_Personal_Info]>
Cc: Madders, Trent <[WIT_Personal_Info]>; [WIT_Personal_Info] Marissa
[WIT_Personal_Info]; [WIT_Personal_Info] Rose, Robert
[WIT_Personal_Info] Damien
[WIT_Personal_Info] Shelley
Subject: RE: Disclosure [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]

OFFICIAL:Sensitive
Legal privilege

Dear Emma,

Priv LPP
[Redacted]

Priv LPP



All the best,

Adam

ADAM [WIT_Personal_Info]
PRINCIPAL LAWYER (INFORMATION LAW)
CHIEF COUNSEL

Tel: [Personal information]
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[Australian Federal Police]<<http://www.afp.gov.au/>>

[cid:image002.gif@01D7C7E4.51740D70]

From: [WIT_Personal_Info] Marissa <[WIT_Personal_Info]>

Sent: Monday, 30 August 2021 8:41 AM

To: [WIT_Personal_Info] Adam <[WIT_Personal_Info]>

Cc: Madders, Trent <[WIT_Personal_Info]>; Frizzell, Emma

<[WIT_Personal_Info]>; Rose, Robert
<[WIT_Personal_Info]> Damien

Subject: FW: Disclosure [SEC=OFFICIAL]

Hi Adam,

Priv LPP
[Redacted]

Hi Emma, I am happy to assist in your request.

Kind regards,

Marissa

A/SGT MARISSA [WIT_Personal_Inf]
ACT CRIMINAL INVESTIGATIONS
ACT POLICING

Tel: [Personal Information]
www.afp.gov.au<http://www.afp.gov.au>

[Australian Federal Police]<http://www.afp.gov.au/>

[cid:image002.gif@01D7C7E4.51740D70]

From: Frizzell, Emma <[WIT_Personal_Info]>
Sent: Friday, 27 August 2021 1:54 PM
To: Madders, Trent <[WIT_Personal_Info]>; [WIT_Personal_Inf] Marissa
<[WIT_Personal_Info]>
Cc: [WIT_Personal_Inf] Damien <[WIT_Personal_Info]>; Rose, Robert
<[WIT_Personal_Info]>
Subject: RE: Disclosure [SEC=OFFICIAL]

Hi Marissa,

Priv LPP
[Redacted]

Kind regards,
Em

SENIOR CONSTABLE EMMA FRIZZELL
CRIMINAL INVESTIGATIONS - SACAT TEAM 1
ACT POLICING

Tel: Personal Information [Redacted]
www.afp.gov.au<http://www.afp.gov.au>

[Australian Federal Police]<http://www.afp.gov.au/>

[cid:image002.gif@01D7C7E4.51740D70]

From: Madders, Trent <[WIT_Personal_Info]>
Sent: Wednesday, 18 August 2021 2:21 PM
To: Frizzell, Emma <[WIT_Personal_Info]>; [WIT_Personal_Info] Marissa
<[WIT_Personal_Info]>
Subject: RE: Disclosure [SEC=OFFICIAL]

OFFICIAL
G'day everyone,

Priv LPP
[Redacted]

Cheers,
Trent

DLSC TRENT MADDERS
CRIMINAL INVESTIGATIONS - SACAT
ACT POLICING

Tel: Personal Information [Redacted]
www.afp.gov.au<http://www.afp.gov.au>

[Australian Federal Police]<http://www.afp.gov.au/>

From: Frizzell, Emma <[WIT_Personal_Info]>
Sent: Tuesday, 17 August 2021 4:03 PM
To: [WIT_Personal_Info] Marissa <[WIT_Personal_Info]>
Cc: Madders, Trent <[WIT_Personal_Info]>
Subject: RE: Disclosure [SEC=OFFICIAL]

OFFICIAL
Hi Marissa,

Priv LPP
[Redacted]

Ta,
Em

SENIOR CONSTABLE EMMA FRIZZELL
CRIMINAL INVESTIGATIONS - SACAT TEAM 1
ACT POLICING

Tel: Personal Information [Redacted]
www.afp.gov.au<http://www.afp.gov.au>

[Australian Federal Police]<http://www.afp.gov.au/>

[cid:image002.gif@01D7C7E4.51740D70]

From: [WIT_Personal_Info] Marissa <[WIT_Personal_Info]>
Sent: Tuesday, 17 August 2021 4:00 PM
To: Frizzell, Emma <[WIT_Personal_Info]>
Subject: Disclosure

Hi Em,

Priv LPP



Kind regards,

Marissa

A/SGT MARISSA WIT_Personal_Info
ACT CRIMINAL INVESTIGATIONS
ACT POLICING

Tel: Personal information

www.afp.gov.au<<http://www.afp.gov.au>>

[Australian Federal Police]<<http://www.afp.gov.au/>>

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