

BOARD OF INQUIRY – CRIMINAL JUSTICE SYSTEM

Section 21(3)(b) of the *Inquiries Act 1991*

DIRECTION TO PROHIBIT PUBLICATION OF EVIDENCE

I, Walter Sofronoff KC, Chairperson of the Board of Inquiry established by the *Inquiries (Board of Inquiry – Criminal Justice System) Appointment 2023* to inquire into certain matters pertaining to the criminal justice system in the Australian Capital Territory, order that:

1. Subject to further order of the Chairperson, the matters contained in the documents lodged with the Board of Inquiry in response to the following subpoenas:
 - a) Subpoena number 2023/S/0005 directed to Marcus Boorman dated 10 March 2023;
 - b) Subpoena number 2023/S/0006 directed to Scott Moller dated 16 March 2023;
 - c) Subpoena number 2023/S/0007 directed to Emma Frizzell dated 23 March 2023;
 - d) Subpoena number 2023/S/0011 directed to Trent Madders dated 28 March 2023;
 - e) Subpoena number 2023/S/0012 directed to Jason McDevitt dated 28 March 2023;
 - f) Subpoena number 2023/S/0013 directed to Michael Chew dated 28 March 2023;
 - g) Subpoena number 2023/S/0014 directed to Lauren Gillilands dated 28 March 2023;
 - h) Subpoena number 2023/S/0015 directed to Hall O’Meagher dated 28 March 2023;

- i) Subpoena number 2023/S/0021 directed to Heath Langlands dated 28 March 2023;
- j) Subpoena number 2023/S/0022 directed to Gareth Saunders dated 28 March 2023;
- k) Subpoena number 2023/S/0023 directed to Robert Rose dated 28 March 2023;
- l) Subpoena number 2023/S/0026 directed to David Fleming dated 28 March 2023;
- m) Subpoena number 2023/S/0027 directed to Sarah Harman dated 28 March 2023;

shall not be published, other than in respect of each witness, a list of exhibits to the Australian Federal Police (AFP) for the purpose of the AFP providing to that witness, the documents they wish to exhibit to their statement.

- 2. The non-publication order 1 dated 15 February 2023 as varied by non-publication order 7 (dated 29 March 2023) and non-publication order 8 (dated 30 March 2023) is further varied to provide as follows:

Subject to further order of the Chairperson, the matters contained in the documents lodged with the Board of Inquiry in response to the subpoenas directed to The Proper Officer, ACT Policing Headquarters dated 6 February 2023 and to The Proper Officer, Australian Federal Police dated 20 March 2023 shall not be published or provided to any persons other than:

- a) for the Australian Federal Police to publish to legal representatives for, the Australian Capital Territory Victims of Crime Commissioner or the Australian Capital Territory Office of the Director of Public Prosecutions / Australian Capital Territory Director of Public Prosecutions, documents to which they may have a claim for Legal Professional Privilege.
- b) for the Australian Federal Police to publish to Mr John Korn the following documents:
 - i. AFP.2003.0010.9317 – email correspondence from Mr Korn to Scott Moller dated 8 October 2021;
 - ii. AFP.2003.0010.9315 – email correspondence from Mr Scott Moller to Mr Korn dated 23 September 2021 (cced Mr Shane Drumgold);

- iii. AFP.2003.0006.0449 – correspondence from Mr Marcus Boorman to Mr Korn dated 17 May 2021; and
- iv. AFP.2005.0008.4600 - Australian Federal Police Transcript - AFP record of conversation with Detective Sergeant David Fleming and Mr John Warwick Korn dated Thursday 16 June 2022, time commenced 12.29pm.

for the purpose of Mr John Korn providing of a written statement to the Board of Inquiry pursuant to subpoena number 2023/S/0004 (dated 10 March 2023).

DATED this 13 April 2023



Walter Sofronoff KC
Chairperson
Board of Inquiry – Criminal Justice System