

**In the matter of the *Inquiries Act 1991***  
***Inquiries (Board of Inquiry – Criminal Justice System) Appointment 2023***  
**Board of Inquiry into the Criminal Justice System in the Australian Capital Territory**

**STATEMENT OF SARAH NADINE PITNEY**  
**INDEX TO EXHIBITS**

No.	Description
1.	Notice 2023/S/0018 – subpoena to provide written statement
2.	ACT Public Service Work Level Standards – Classification: Prosecutor
3.	Email from the DPP dated 22 August 2022
4.	Meeting requests from the DPP dated: a. 23 August 2022; b. 12 September 2022; and c. 24 September 2022
5.	Email examples of the DPP making decisions in relation to disclosure on: a. 27 September 2022; b. 28 September 2022; and c. 10 October 2022. <i>The recording attached to the email of 10 October 2022 will be provided separately on USB.</i>
6.	Email from Ms Skye Jerome to Defence dated 28 September 2022 about disclosure of an unredacted and unlocked copy of the Cellebrite report
7.	Email from Mr Mitchell Greig to Ms Rachel Fisher dated 30 September 2022 advising the full data extraction and unredacted Cellebrite report had been uploaded to Sharepoint
8.	Email from the DPP to Ms Pitney dated 23 August 2022 requesting a meeting in relation to a request by Defence for disclosure of an unredacted copy of the Cellebrite report
9.	Email from the DPP to Ms Jerome, Ms Erin Priestly, Mr Greig and Ms Pitney dated 23 August 2022 setting out his initial position in relation to a request by Defence for disclosure of an unredacted copy of the Cellebrite report
10.	Email from Ms Pitney to Ms Priestly dated 24 August 2022 incorporating a draft email to Senior Constable Frizzell about redactions in the Cellebrite Report
11.	Email from Ms Pitney to the DPP dated 24 August 2022, forwarding Senior Constable Frizzell's response to query and subsequent email correspondence
12.	Email from Ms Pitney to the DPP dated 24 August 2022, forwarding Senior Constable Frizzell's further response and subsequent email correspondence
13.	Email from the DPP to Ms Jerome, Ms Priestly, Mr Greig and Ms Pitney dated 29 August 2022 setting out the DPP's proposed response to the request by the

No.	Description
	Defence for disclosure of an unredacted copy of the Cellebrite report and subsequent email correspondence <b>(incorporates Exhibits 13.a and 13.b)</b>
14.	Email from the DPP to Ms Jerome, Ms Priestly, Mr Greig and Ms Pitney dated 30 August 2022 setting out the DPP's amended proposed response the request by the Defence for disclosure of an unredacted copy of the Cellebrite report
15.	Email from the DPP to Mr Grieg and Ms Pitney dated 12 September 2022 attaching the DPP's draft submissions in relation to Defence's application for an unredacted copy of the Cellebrite report and subsequent email correspondence <b>(incorporates Exhibits 15.a and 15.b)</b>
16.	Email correspondence between Ms Pitney and Senior Constable Frizzell dated 24 August 2022 regarding content of redacted material in the Cellebrite report
17.	Email correspondence between Mr Greig, Detective Inspector Callum REDA, Senior Constable Frizzell and Detective Leading Senior Constable Trent Madders dated 13 September 2022 regarding Defence's application for an unredacted copy of the Cellebrite report <b>(incorporates Exhibits 17.a, 17.b and 17.c)</b>
18.	Email correspondence between Mr Greig, Detective Inspector REDA, Senior Constable Frizzell and Detective Leading Senior Constable Madders dated 15 September 2022 regarding provision of the full extraction of the Cellebrite report
19.	Email from Ms Fisher to the ACT Supreme Court dated 7 September 2023 regarding an application for an unredacted copy of the Cellebrite report
20.	Email correspondence between Mr Grieg and Ms Fisher dated 27 September 2022 regarding a searchable version of the redacted Cellebrite report
21.	Email from the DPP to Ms Pitney dated 8 September 2022 requesting Ms Pitney prepare an affidavit setting out the nature of the redacted material in Ms Higgins' Cellebrite report.
22.	Email from Ms Pitney to the DPP dated 12 September 2022 attaching draft affidavit setting out the nature of the redacted material in Ms Higgins' Cellebrite report
23.	Email from the DPP dated 12 September 2022 requesting a team meeting
24.	Email from the DPP to Ms Pitney dated 13 September 2022 requesting that Ms Pitney affirm her affidavits and subsequent email correspondence <b>(incorporates Exhibits 24.a, 24.b, 24.c, 24.d and 24.e)</b>
25.	Email correspondence between Mr Keegan Lee and Ms Pitney dated 18 and 19 September 2022 regarding Ms Pitney's affidavit setting out the nature of the redacted material in Ms Higgins' Cellebrite report
26.	Email correspondence regarding arrangements for meeting with AFP/ACT Policing dated 5 September 2022 and subsequent email correspondence <b>(incorporates Exhibits 26.a, 26.b and 26.c)</b>



No.	Description
27.	Microsoft Teams meeting invitation for meeting on 21 September 2022
28.	File note of meeting on 21 September 2022 prepared by Ms Pitney
29.	Email from Senior Constable Frizzell to Mr Greig dated 3 October 2022 advising that she had received a request for information from Mr Whybrow and subsequent email correspondence
30.	Emails from Mr Greig dated 21 September 2022 forwarding documents provided by Ms Helen RED
31.	Interstate Witness Fact Sheet
32.	Email correspondence between the Victims of Crime Commissioner (VCC), Ms Priestly and Ms Pitney dated 19 September 2022 regarding Ms Higgins' accommodation booking.
33.	Email correspondence between the DPP Corporate Team and Ms Pitney dated 13-14 September 2022 about Ms Higgins' accommodation booking <b>(incorporates Exhibits 33.a and 33.b)</b>
34.	Email correspondence between the VCC, Mr Greig and Ms Pitney dated 29 September 2022 about the arrangements for and exit from court <b>(incorporates Exhibits 34.a and 34.b)</b>
35.	Email correspondence from ACT Supreme Court to Ms Pitney dated 14 October 2022 stating that the Vernon Circle entrance was used by Ms Higgins to enter and exit court
36.	Email correspondence between Ms Pitney and ACT Supreme Court dated 19-27 September 2022 regarding arrangements for the Vernon Circle entrance to be used by Fiona Brown and Senator Linda Reynolds.
37.	Email correspondence between Ms Pitney and ACT Supreme Court dated 19 September 2022 regarding booking the Remote Witness Room
38.	Email correspondence from Ms Pitney to Mr Sharaz dated 19 September 2022 advising that a Remote Witness Room had been booked
39.	Email correspondence between Ms Pitney and the ACT Supreme Court dated 12 October 2022 regarding booking for a Remote Witness Room for 14 October 2022 in the event that Ms Higgins were available to complete her evidence
40.	Email from Registrar Jayne Reece to Ms Pitney dated 23 November 2022 which referred to a media article alleging Ms Higgins' evidence had been recorded
41.	Email from Mr Steven Whybrow SC to Registrar Reece dated 24 November 2022 regarding recording of Ms Higgins' evidence
42.	Email from Ms Fiona Brown to Ms Pitney dated 14 October 2022 regarding concerns held by Ms Brown about evidence given by Ms Higgins
43.	Email from Ms Pitney to the DPP and Ms Jerome dated 14 October 2022, forwarding Ms Brown's email of the same date
44.	Emails from Mr Greig to Ms Pitney dated 14 October 2022 regarding contact received from Ms Brown

No.	Description
45.	Email correspondence between Senior Constable Frizzell and Mr Greig dated 4 October 2022 regarding a request from Mr Whybrow for information
46.	Email correspondence between Senior Constable Frizzell and Mr Greig dated 4 October 2022 regarding redactions to Mr Lehrmann’s record of interview
47.	Email correspondence between Senior Constable Frizzell and Mr Greig dated 4-5 October 2022 regarding a request for “daily updates”.
48.	Email correspondence between Mr Greig and Senior Constable Emma Frizzell dated 5 October 2022 regarding a redaction to Ms Higgins’ second evidence-in-chief interview
49.	Email correspondence between Mr Greig, Senior Constable Emma Frizzell and Detective Leading Senior Constable Trent Madders dated 5 October 2022 regarding the “daily update”
50.	Email correspondence between Mr Greig, Senior Constable Emma Frizzell and Detective Leading Senior Constable Trent Madders dated 6 October 2022 regarding the “daily update”
51.	Email correspondence between Mr Greig, Senior Constable Emma Frizzell and Detective Leading Senior Constable Trent Madders dated 7 October 2022 regarding the “daily update”
52.	Email correspondence between Mr Greig, Senior Constable Emma Frizzell and Detective Leading Senior Constable Trent Madders dated 6-7 October 2022 regarding subscriber checks requested by Defence <b>(incorporates Exhibits 52.a, 52.b, 52.c, and 52.d)</b>
53.	Email correspondence between Ms Pitney and AFP/ACT Policing dated 7-8 October 2022 regarding a request by Defence for TPG records of messages exchanged between Ms Higgins and Mr ██████████
54.	Email correspondence between Mr Greig and Detective Inspector Adam ██████████ <b>REDA</b> dated 9 October 2022 regarding a request by Mr Whybrow for the AFP to arrange a statement from Mr ██████████
55.	Email from Detective Inspector Adam ██████████ <b>REDA</b> to Mr Greig dated 10 October 2022 attaching a transcript of a record of conversation with Mr ██████████ <i>The recording attached to the email of 10 October 2022 will be provided separately on USB.</i>
56.	Email from Senior Constable Emma Frizzell to Ms Pitney and Mr Grieg dated 10 October 2022 requesting a phone call.
57.	Email from Ms Pitney to Detective Leading Senior Constable Trent Madders dated 10 October 2022 requesting that he arrange redactions to Mr Lehrmann’s record of interview.
58.	Email correspondence between Detective Leading Senior Constable Trent Madders and Mr Greig dated 10 October 2022 regarding provision of the “original CCR for Mr Lehrmann”. <b>(incorporates Exhibits 58.a and 58.b)</b>



No.	Description
59.	Email from Detective Leading Senior Constable Trent Madders to Ms Pitney and Mr Grieg dated 10 October 2022 attaching a subscriber check requested by Defence  <b>(incorporates Exhibits 59.a and 59.b)</b>
60.	Email correspondence between Ms Pitney and the AFP/ACT Policing dated 10 October 2022 about awareness of a person by the name of [REDACTED].  <b>(incorporates Exhibits 60.a and 60.b)</b>
61.	Email correspondence between Mr Greig and Detective Sergeant Kylie [REDACTED] dated 10 October 2022 confirming that Detective Sergeant [REDACTED] was no longer required to give evidence.
62.	Email correspondence between Senior Constable Emma Frizzell, Mr Greig and Detective Leading Senior Constable Trent Madders dated 11 October 2022 regarding the “daily update”  <b>(incorporates Exhibits 62.a and 62.b)</b>
63.	Email from Senior Constable Emma Frizzell to Mr Greig dated 12 October 2022 requesting a discussion of the evidence she would be expected to give
64.	Email correspondence between Mr Greig and Detective Leading Senior Constable Trent Madders dated 12 October 2022 regarding police witness availability  <b>(incorporates Exhibits 64.a and 64.b)</b>
65.	Email correspondence between Mr Greig and Senior Digital Forensics Examiner [REDACTED] dated 12 October 2022 regarding a request by Defence for Mr [REDACTED] contact details and the timing of Mr [REDACTED] evidence
66.	Email from Mr [REDACTED] to Ms Fisher dated 12 October 2012 regarding enquiries made by Ms Fisher and Mr Whybrow
67.	Email correspondence between Mr Greig, Senior Constable Emma Frizzell and Detective Leading Senior Constable Trent Madders dated 12 October 2022 regarding the “daily update” and whether Detective Leading Senior Constable Trent Madders would be required to give evidence
68.	Email correspondence between Mr Greig and Detective Inspector Heath Langlands dated 12 October 2022 confirming he was not required to give evidence
69.	Email correspondence between Mr Greig and Detective Senior Constable Kristy [REDACTED] dated 12 October 2022 confirming she was not required to give evidence
70.	Emails from Ms Pitney to DPP Liaison Officer [REDACTED] dated between 12 and 14 October 2022 regarding his affidavit of service for the subpoena served on Senator Linda Reynolds
71.	Email from Detective Leading Senior Constable Trent Madders to Mr Greig dated 13 October 2022 attaching a “ <i>case note entry from the PROMIS job</i> ”.

No.	Description
72.	Email correspondence between Detective Leading Senior Constable Trent Madders and Mr Greig dated 13 October 2022 regarding subscriber checks requested by Defence <b>(incorporates Exhibits 72.a and 72.b)</b>
73.	Email correspondence between Mr Greig, Senior Constable Emma Frizzell and Detective Leading Senior Constable Trent Madders dated 13 October 2022 regarding the “daily update” and whether Detective Leading Senior Constable Trent Madders was “ <i>able to watch the proceedings now</i> ”
74.	Email correspondence between Ms Pitney and Detective Leading Senior Constable Trent Madders dated 14 October 2022 regarding the “ <i>usual afternoon update</i> ” and email enquiries made with Phillip Medical Centre <b>(incorporates Exhibits 74.a, 74.b and 74.c)</b>
75.	Text message exchange between [REDACTED] and Ms Pitney dated 27 October 2022 regarding jury being discharged
76.	Email correspondence between Mr Greig and Senior Constable Emma Frizzell dated 4 November 2021 regarding the retrial dates and police witnesses required
77.	Email correspondence between Mr Greig and Ms Fisher dated 8 November 2022 in which Ms Fisher confirmed she continued to act for Mr Lehrmann
78.	Email correspondence between Ms Fisher and the DPP dated 14 November 2022 in which Ms Fisher sought information from the DPP as to the steps the DPP intended to “ <i>arising out of the conduct of the complainant on 27 October 2022</i> ” <b>(incorporates Exhibits 78.a, 78.b, 78.c and 78.d)</b>
79.	Email correspondence between Ms Fisher and the DPP dated 15-16 November 2022 in which Ms Fisher sought information from the DPP in relation to whether Ms Higgins’ evidence in court was recorded <b>(incorporates Exhibits 79.a and 79.b)</b>
80.	Email correspondence between Ms Fisher and the DPP dated 25-30 November 2022, and between Ms Fisher, the DPP and the Court, regarding a stay application filed by defence <b>(incorporates Exhibits 80.a, 80.b, 80.c, 80.d and 80.e)</b>
81.	Email correspondence between Detective Leading Senior Constable Trent Madders and Mr Greig dated 24-29 November 2022 in relation to police attendance at court on 2 December 2022
82.	Email correspondence between Ms Pitney and the AFP/ACT Policing dated 30 November 2022 – 1 December 2022 requesting assistance in arranging service of Ms Brown’s subpoena for the retrial
83.	Email correspondence between Ms Jerome and Ms Pitney dated 24 October 2022 regarding the question of bail should Mr Lehrmann be convicted
84.	Email correspondence relating to team meeting on 30 November 2022 and Teams meeting invitation



No.	Description
	<b>(incorporates Exhibits 84.a and 84.b)</b>
85.	Email correspondence between Detective Leading Senior Constable Trent Madders and Ms Pitney dated 2-5 December 2022 regarding discontinuance of the proceedings
86.	Email from Senior Constable Emma Frizzell to "ACT-Subpoenas" dated 5 December 2022 advising that the ODPP had requested the subpoenas be returned
87.	[REDACTED]
88.	[REDACTED]
89.	Email correspondence from the DPP to Ms Jerome, Mr Greig and Ms Pitney dated 27 September 2022 forwarding emails from Ms Higgins of 14 June 2022 <b>(incorporates Exhibits 89.a and 89.b)</b>
90.	Invitation from Mr Greig to meeting with Ms Higgins on 3 October 2022 (received 23 September 2022)
91.	Email from Senior Constable Frizzell to Mr Greig and Ms Pitney dated 10 October 2022 requesting a phone call
92.	Email correspondence between Ms Pitney and the VCC, and with Ms Higgins and Mr Sharaz, dated 19 September 2022 regarding confirmation of Ms Higgins' accommodation booking <b>(incorporates Exhibits 92.a to 92.d)</b>
93.	Email from Ms Pitney to Mr Greig dated 21 September 2022 outlining Ms Pitney's conversation with the VCC that same day regarding potential second support person for Ms Higgins
94.	Email correspondence between the VCC and Ms Pitney dated 21 September 2022 regarding request for application for second support person
95.	Email from the VCC to Ms Pitney dated 28 September 2022 requesting a police presence for Ms Higgins' attendance at court
96.	Email correspondence between Mr Greig and the VCC dated 29 September 2022 regarding Ms Higgins' consent to publication of her name, a police presence for Ms Higgins' attendance at Court and the defence disclosure applications
97.	Email correspondence between Ms Pitney and the VCC dated 4 October 2022 regarding reserving a seat for the VCC in her capacity as a support person during Ms Higgins' evidence in court
98.	Email correspondence from Ms Pitney to the VCC dated 4 October 2022 providing updates on the likely timing of Ms Higgins' evidence
99.	Email correspondence between the VCC, Mr Greig and Ms Pitney dated 6 October 2022 regarding extension of Ms Higgins' accommodation booking
100.	Email from the VCC to Mr Grieg and Ms Pitney dated 7 October 2022 with note of thanks

No.	Description
101.	Email correspondence between Ms Pitney and the VCC dated 10 October 2022 regarding flights and accommodation for Mr Sharaz, Ms Higgins and Kelly Higgins
102.	Email from the VCC to Mr Greig and Ms Pitney dated 11 October 2022 indicating Mr Sharaz's availability to give evidence on 13 October 2022 and requesting a further proofing
103.	Email correspondence between the VCC and Ms Pitney dated 12-13 October 2022 regarding Ms Higgins' accommodation booking <b>(incorporates Exhibits 89.a and 89.b)</b>
104.	Email from the VCC to Mr Greig and Ms Pitney dated 17 October 2022 forwarding an email received by her office from a member of the public
105.	Email correspondence from Mr Sharaz to Mr Greig and Ms Pitney dated 17 October 2022, and response from the VCC of the same date
106.	Email correspondence between the VCC and Ms Pitney dated 17 October 2022 regarding Ms Higgins' accommodation booking
107.	Email correspondence from Ms Pitney and Mr Greig to the VCC dated 18-19 October 2022 providing updates on the progress of the matter
108.	Email from the VCC to Mr Greig and Ms Pitney dated 20 October 2022 requesting seats be reserved for delivery of the jury verdict
109.	Email correspondence from the DPP to Ms Jerome, Mr Greig and Ms Pitney dated 7 February 2023 regarding subpoena for the Board of Inquiry
110.	Email from Ms Jerome to Mr Greig and Ms Pitney dated 27 February 2023 requesting disclosure of proofing notes and subsequent email correspondence