

From: Drumgold, Shane
Sent: Mon, 12 Sep 2022 10:11:41 +1000
To: Greig, Mitchell
Subject: Suggested wording
Attachments: Briefing request attachment.pdf, Briefing request.pdf

OFFICIAL: Sensitive

Hi Mitch – this is some suggested wording

The document listed at order 1b) of the Application in proceedings dated 7 September 2022, called the “Investigative Review Document” is one of two documents provided by the Australian Federal Police to the Director of Public Prosecutions on 21 June 2021, for the purpose of seeking legal advice.

This document falls within the definition of “Review of brief materials and subsequent advice/recommendations made by the DPP to ACT Policing” listed in schedule 1 of the Disclosure Declaration at RF1 and RF2 of the Affidavit of Rachel Elizabeth Fisher affirmed on 8 September 2022 and read in this application in proceedings on 8 September 2022, in which legal professional privilege is claimed.

Although this document was also listed at page 18 of the first disclosure declaration at RF1 suggesting it was not subject to a claim of legal professional privilege, it simultaneously fell within the definition of “Review of brief materials and subsequent advice/recommendations made by the DPP to ACT Policing” listed in schedule 1. It was subsequently removed from the list of items not subject to a claim of privilege in the second disclosure document at RF 2.

I am informed and verily believe that it was inserted in the first disclosure declaration individually as not being subject to a claim of privilege in error, which was remedied in the second disclosure document.

I am informed and verily believe that the document referred to as “Investigative Review Document” appropriately falls within the definition of “Review of brief materials and subsequent advice/recommendations made by the DPP to ACT Policing” listed in schedule 1 of the Disclosure Declaration at RF1 and RF2 of the Affidavit of Rachel Elizabeth Fisher affirmed on 8 September 2022 and read in this application in proceedings on 8 September 2022, in which legal professional privilege is claimed.



Shane Drumgold SC

Director

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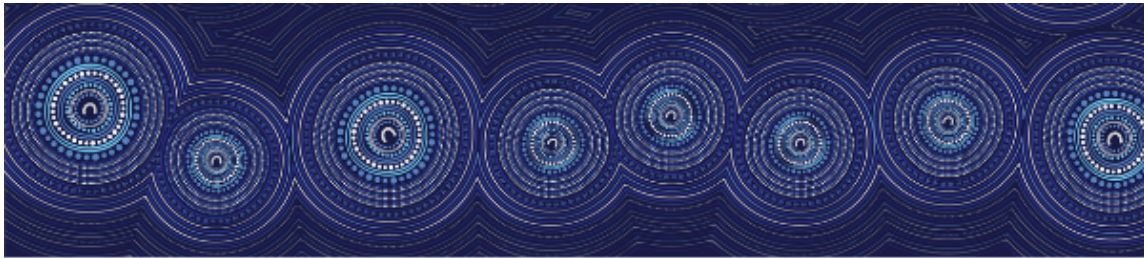
T:



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**We acknowledge the Traditional Custodians of the ACT, the Ngunnawal people
We acknowledge and respect their continuing culture and the contribution they make
to the life of this city and this region**

Artwork by Ngarrindjeri artist Jordan Lovegrove