

How many times?---Like, maybe twice. I – it wasn't a regular occurrence in my life, but I have – I had done that previously.

5 And then where we wrapped up the CCTV from The Dock, you had just – your evidence was in your evidence-in-chief interview that you didn't recall how you got there, but yourself, the accused, ██████████ and ██████████ had ended up at 88 miles per hour?---Yes, that's correct.

10 And you were asked a question – 164, 165 for my friend's benefit – of the first evidence-in-chief interview that left us a little confused about the amount that you had to drink?---M'mm.

15 In that interview you said what – your answer was, 'And so I think at that point we started having shots, and, yeah, I don't remember how many rounds. Um, I just remember they kept coming and I willingly kept drinking'. And you were asked, 'Do you remember what you were drinking in the shots', and you said, 'No, not really'. We are just trying to get a – whether you can't recall exactly or whether, if you have an estimate of how many shots that you consumed?---I don't recall exactly how many rounds. I definitely remember 20 there being shots that came out in the little short glasses. I don't know how many rounds were purchased for us, but I definitely remember taking in actual shots and I remember the bitter taste of the shot.

25 Right. So you remember one but you can't estimate how many more?---No, it would just be me guessing.

Okay, and we don't want that?---No.

30 And then your evidence was that Mr Lehrmann and yourself ended up in a taxi and then you ended up at Parliament House?---Yes.

And we have the evidence in the EICI interview, so I won't go over that again?---M'mm.

35 But you did say you were working through how it was you came to be in the security area.

40 MR WHYBROW: Your Honour, I object to this. This is all covered in two records of interview. This is not additional stuff that was not dealt with which it's appropriate to add to to put proper context. I object to this line of questioning.

45 MR DRUMGOLD: Your Honour, there is nothing in the legislation – I accept a complaint about repetitive questioning, but there is nothing in the legislation that says that when a question is asked in an EICI that I can't elaborate on that question, and that's precisely what I'm doing. To do such would be to say that the evidence-in-chief, the quality of the

evidence-in-chief is determined by the skillsets of those police officers asking questions in an EICI, which in this case was not high.

5 HER HONOUR: I can accept that further evidence can be led, Mr Prosecutor. I haven't yet heard a question which hasn't elicited an answer that we have already heard.

MR DRUMGOLD: No.

10 HER HONOUR: But you are leading up to some clarification.

MR DRUMGOLD: I am.

15 HER HONOUR: Then I will allow it.

MR DRUMGOLD: I am. I'm going to play you some audio?---Okay.

From the gate at Parliament House?---Okay.

20 And then I'm going to ask you a question about that.

**AUDIOVISUAL PLAYBACK IN COURTROOM [10.16 am]**

25 MR WHYBROW: Your Honour, can I raise a different objection. There is not going to be any objection to this material coming in in due course, but as leading questions go, the question should have been, 'Do you remember', rather than, 'This is what happened'. In my submission, I object to the  
30 process of leading the witness in this way.

MR DRUMGOLD: The question is, do you remember those words being spoken.

35 HER HONOUR: In this instance, I take it there's no contest that the words were said.

MR WHYBROW: There is no contest that that was what was said, no.

40 MR DRUMGOLD: Thank you. So do you remember those words being spoken?---I remember in the cab him saying something to that effect. I don't remember those exact words being spoken into the intercom, but he said something to that effect to me in the cab, that he needed to just pick up some paperwork from the office at the time and I was quite out of it, and so I just  
45 didn't kind of have all my faculties about me to go, 'That's kind of weird. Why do you need that at 2.00 am in the morning?'.