

**RE: Heads up & Timeline for finalisation of brief [SEC=OFFICIAL]**

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**From:** "Heather, Matthew" [REDACTED]  
**To:** "O'Meagher, Hall" [REDACTED]; "Moller, Scott" [REDACTED] >  
**Cc:** [REDACTED] Courtney" [REDACTED]  
**Date:** Thu, 26 Aug 2021 14:45:37 +1000

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OFFICIAL  
Hi Gents,

Yes. It seems fine under the act that DPP can make the required contact and as such ACTP would not need to.

Cheers

.....  
However, a justice agency need not make a required contact with a victim if

- (a) the justice agency has told the victim about each required contact (including the right to which each contact relates) and the victim does not want any required contact, or does not want the particular required contact; or
- (b) another agency has already made the required contact with the victim;

DETECTIVE SUPERINTENDENT MATT [REDACTED]  
JUDICIAL & FAMILY VIOLENCE OPERATIONS  
ACT POLICING  
[REDACTED]

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From: O'Meagher, Hall <[REDACTED]>  
Sent: Thursday, 26 August 2021 2:12 PM  
To: [REDACTED], Matthew [REDACTED]  
Cc: Scott <[REDACTED]>, Hall [REDACTED] >  
Subject: FW: Heads up & Timeline for finalisation of brief [SEC=OFFICIAL]

OFFICIAL  
D/Spt JO.

Matt.

In relation to our earlier discussion, please refer below as reference.

Noting the assertion by the Victims of Crime Commissioner, are you able to confirm that ACTP are meeting its legislated obligations under the Victims Charter of Rights in this circumstance?

Regards,

ACTING COMMANDER HALL O'MEAGHER  
INVESTIGATIONS COMMAND  
ACT POLICING  
[REDACTED]

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

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From: O'Meagher, Hall  
Sent: Thursday, 26 August 2021 12:05 PM  
To: Moller, Scott <[REDACTED]>  
Subject: RE: Heads up & Timeline for finalisation of brief [SEC=OFFICIAL]

Agreed.

Of interest, I note CDDP internal governance instructs their staff that they can't abrogate this responsibility to the informant.

D/Spt Heather is currently working with ACT DPP on the collaborative agreement between the two agencies and will actively explore options relating to the division of labour in terms of victim management. As I mentioned, it is actually something that Heidi Yates raised at the Victims Advisory Board.

Cheers.

ACTING COMMANDER HALL O'MEAGHER  
INVESTIGATIONS COMMAND  
ACT POLICING

[REDACTED]

W

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

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From: Moller, Scott <[REDACTED]>  
Sent: Thursday, 26 August 2021 11:16 AM  
To: O'Meagher, Hall <[REDACTED]>  
Subject: FW: Heads up & Timeline for finalisation of brief [SEC=OFFICIAL]  
Importance: High

OFFICIAL  
Sorry buddy one more thing.

I have just spoken to Brittany's solicitor who instructed me that it was the DPP via Heidi Yates that requested to be the point of contact for this matter, again this could be a massive efficiency for Crime should the DPP start managing victims.

DETECTIVE SUPERINTENDENT SCOTT MOLLER  
CRIMINAL INVESTIGATIONS  
ACT POLICING

[REDACTED]

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

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From: Moller, Scott  
Sent: Thursday, 26 August 2021 11:02 AM  
To: O'Meagher, Hall <[REDACTED]>  
Subject: FW: Heads up & Timeline for finalisation of brief [SEC=OFFICIAL]  
Importance: High

OFFICIAL  
Hall,  
Further to this, I wonder if this case establishes a business practice were the DPP will manage victims once an offender has been charged?

DETECTIVE SUPERINTENDENT SCOTT MOLLER  
CRIMINAL INVESTIGATIONS  
ACT POLICING

[REDACTED]

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From: Moller, Scott  
Sent: Thursday, 26 August 2021 10:36 AM  
To: O'Meagher, Hall <[REDACTED]>  
Subject: FW: Heads u  
Importance: High

OFFICIAL

Hall,

See below Brittany Higgins has now requested to deal with the DPP in relation to her matter.

Regards Scott.

DETECTIVE SUPERINTENDENT SCOTT MOLLER  
CRIMINAL INVESTIGATIONS  
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[Australian Federal Police]<<http://www.afp.gov.au/>>

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From: Yates, Heidi <[REDACTED]>  
Sent: Thursday, 26 August 2021 10:36 AM  
To: Moller, Scott <[REDACTED]>  
Cc: Brit Mae <[REDACTED]>, Drumgold, Shane <[REDACTED]>

Importance: High

OFFICIAL

Hi Scott,

Thank you for your email below.

I have spoken with Ms Higgins yesterday and she confirmed that she received your email of 16 August. Thank you for the procedural information you provided to her regarding the first mention, listed for 16 September.

In relation to ongoing contact between Ms Higgins and ACTP, I have checked with the DPP and they've confirmed that their office will take on responsibility for providing Ms Higgins with all information, updates and advice required—including under the Victims Charter of Rights—in relation to the progress of her matter. This will usefully provide Ms Higgins with a single point of contact, which I'm sure she will welcome. I have cc'd Ms Higgins and Mr Drumgold to ensure we're all on the same page regarding DPP now being the sole point of contact for Ms Higgins.

Ms Higgins asked me to again express her thanks to you and your team for the work you've undertaken to bring the matter before the court, noting we understand ACTP members will also be witnesses in the matter.

Regards,

Heidi Yates

Victims of Crime Commissioner

ACT Human Rights Commission

5 Constitution Avenue  
Canberra City ACT 2601

Tel (02) 6205 2222

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From: Moller, Scott <[REDACTED]>  
Sent: Thursday, 26 August 2021 10:15 AM

To: Yates, Heidi [REDACTED]  
Subject: FW: Heads up & Timeline for finalisation of brief [SEC=OFFICIAL:Sensitive]

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OFFICIAL:Sensitive  
Hi Heidi,  
I still haven't heard, do you have any feedback?

Regards Scott.

DETECTIVE SUPERINTENDENT SCOTT MOLLER  
CRIMINAL INVESTIGATIONS

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

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From: Moller, Scott  
Sent: Monday, 23 [REDACTED]  
To: 'Yates, Heidi' [REDACTED]  
Subject: FW: Heads up & Timeline for finalisation of brief [SEC=OFFICIAL:Sensitive]

OFFICIAL:Sensitive  
Hi Heidi,  
See below email which I sent to Brittany recently (16 August 2021). I'm still yet to receive a response, not sure if this is the right email address or not but appreciate if you could confirm that it has been received.

Regards Scott.

DETECTIVE SUPERINTENDENT SCOTT MOLLER  
CRIMINAL INVESTIGATIONS  
ACT POLICING

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

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From: Moller, Scott  
Sent: Monday, 16 August 2021 10:21 AM  
To: 'Brittany Mae' [REDACTED]  
Subject: RE: Head

Dear Brittany,

As promised during our recent phone conversation, I have detailed the upcoming court proceedings below which I hope will give you some clarity for the next few months.

On Friday 6 August 2021, a summons and brief of evidence was served on the alleged offender's barrister, requiring him to attend the ACT Magistrates Court on Thursday 16 September 2021 for a "first mention".

On that occasion, he may appear in person; or be represented by a lawyer. If he appears in person he will be formally charged. After being charged, he would be expected to enter a plea of either "guilty" or "not guilty".

If he does not appear, but is represented by a lawyer which is what I expect, a plea of "not guilty" may be entered, and thereafter the matter will be set down for a committal hearing. The date for a committal hearing will be set by the court.

Processes beyond the first mention date are speculative and I will advise as we proceed. I have wanted to contact you a number of times since our phone conference however as discussed the current contact system is difficult. I would appreciate being able to contact you directly, if this is acceptable please forward via email a contact number.

Kind Regards  
Scott.

DETECTIVE SUPERINTENDENT SCOTT MOLLER  
CRIMINAL INVESTIGATIONS

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

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From: Brittany Mae [REDACTED] >>  
Sent: Wednesday, 23 June 2021 10:08 AM  
To: Yates, Heidi [REDACTED]; Moller, Scott [REDACTED]; Leon Zwiery [REDACTED]  
Subject: Re: Heads up & Timeline for finalisation of brief [SEC=OFFICIAL:Sensitive]

Good Afternoon,

Thank-you for the status update.

I'd prefer any information be relayed through my lawyer (cc above). Our last conversation was quite distressing and any way we can mitigate any unnecessary protracted conversations would be preferable.

If your advice pertains to whether or not the DPP are planning to proceed. Please feel free to be as blunt and straight to the point as possible. No need for any long form explanations either way.

In turn, I'll continue to respect your overt preference for my ongoing media silence.

Kind regards,  
Brittany

Sent from my iPhone

On 30 Jun 2021, at 5:46 pm, Yates, Heidi <[REDACTED]> wrote:

OFFICIAL: Sensitive

Hi Brittany,  
Please see below exchange of emails from police, following the email that I cc'd you into to Marcus on Tuesday morning. As discussed, Detective Superintendent Scott Moller has indicated he's now the contact person for your matter.

Please let myself or Police know how you'd like to proceed, or let me know how I might assist to progress.

Regards,

Heidi Yates

Victims of Crime Commissioner

ACT Human Rights Commission

5 Constitution Avenue  
Canberra City ACT 2601

Tel (02) 6205 2222

<image002.jpg>

From: Moller, Scott [REDACTED] >>  
Sent: Tuesday, 29 June 2021 10:08 PM  
To: Yates, Heidi [REDACTED]  
Subject: RE: Heads up & Timeline for finalisation of brief [SEC=OFFICIAL:Sensitive]

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OFFICIAL:Sensitive

Thanks Heidi,  
I need to discuss the preliminary findings of the DPP with her. Appreciate if you could facilitate it.



Kind regards  
Scott

DETECTIVE SUPERINTENDENT SCOTT MOLLER  
CRIMINAL INVESTIGATIONS  
ACT POLICING

  
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<image007.gif>

From: Yates, Heidi < >>  
Sent: Tuesday, 29 July 2020 10:05 AM  
To: Moller, Scott < >  
Subject: RE: Heads up & Timeline for finalisation of brief [SEC=OFFICIAL:Sensitive]  
Importance: High

OFFICIAL

Hi Scott,  
Thanks for confirming you're the updated contact for this matter.

I'll advise Ms Higgin regarding the 4 week timeline for finalisation of the brief, and welcome your confirmation that you'll advise us when it is complete.

Regarding a face to face meeting, I'm happy to facilitate a request but I'm not confident that Ms Higgins will be open to a personal meeting next week (although thank you for offering to travel to her). To aid her consideration, are you able to provide some further info re the nature of the meeting? I can discuss by phone. You have my mobile or direct line: 6205 0399.

Regards,

Heidi Yates



Victims of Crime Commissioner

ACT Human Rights Commission

5 Constitution Avenue  
Canberra City ACT 2601

Tel (02) 6205 2222

<image008.jpg>

From: Moller, Scott < >  
Sent: Tuesday, 29 July 2020 10:05 AM  
To: Yates, Heidi < >  
Subject: FW: Heads up & Timeline for finalisation of brief [SEC=OFFICIAL:Sensitive]  
Importance: High

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OFFICIAL:Sensitive

Hi Heidi,  
I'm the point of contact for this matter, please touch base with me for any further queries re this investigation. In response to your below question, I have allowed the investigation team a time line of 4 weeks, noting the current COVID restrictions for the remainder of the brief of evidence to be prepared and presented to the DPP and I'm happy to advise when that is complete.

Additionally I will need to see Ms Higgins personally next week and I'm happy to travel to her if that is easier – are you able to facilitate this meeting?

Regards Scott.

DETECTIVE SUPERINTENDENT SCOTT MOLLER  
CRIMINAL INVESTIGATIONS  
ACT POLICING

[Redacted]  
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<image007.gif>

From: Yates, Heidi <[Redacted]>  
Sent: Tuesday, 29 June 2021 10:23 AM  
To: Boorman, Marcus <[Redacted]>>  
Cc: Brit Mae <[Redacted]>>  
Subject: Heads up & Timeline for finalisation of brief  
Importance: High

OFFICIAL: Sensitive

Hi Marcus,

Just touching base, noting that I understand your team will now be working to finalise the outstanding matters in the DPP brief. Are you able to confirm that police will provide my office with a heads up when the remainder of the brief is provided to the DPP? Which we presume may be in the next 1-2 weeks?

As discussed in our earlier conversation it's likely that, if asked, Shane Drumgold will inform the media when he has received the full brief. Noting this is likely to generate further media interest (including direct requests to Ms Higgins for comment) it would be helpful for Ms Higgins to be on notice when the full brief is provided to the DPP. In particular, this will aid her to adhere to the media approach agreed with police, which is that she will not provide any independent comment on the matter, but will be kept in the loop regarding police or dpp media engagement on her matter.

Please let me know if you'd like to discuss further.

Regards,

Heidi Yates

Victims of Crime Commissioner

ACT Human Rights Commission

5 Constitution Avenue  
Canberra City ACT 2601

Tel (02) 6205 2222

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