

**RE: The Director of Public Prosecutions v Bruce Lehrmann -
Investigative Review Documents [SEC=OFFICIAL:Sensitive,
ACCESS=Legal-Privilege]**

From: "Cameron, Joanne" <[Personal information]@afp.gov.au>
To: "Moller, Scott" <[Personal information]@afp.gov.au>
Date: Wed, 14 Sep 2022 09:52:46 +1000

OFFICIAL:Sensitive
 Legal privilege
 Thanks Scott

Leave it with me and I will forward to AFP Legal.

I am of the view that no comments or retort on any of this by the investigators - it needs to run through Legal and Executive first so we stay aligned.

Jo

COMMANDER JOANNE CAMERON

INVESTIGATIONS
 ACT POLICING
 Tel: [Personal information]
 www.afp.gov.au<http://www.afp.gov.au>

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

[cid:image002.gif@01D8C81F.BD444920]

From: Moller, Scott <[Personal information]@afp.gov.au>
 Sent: Wednesday, 14 September 2022 9:06 AM
 To: Cameron, Joanne <[Personal information]@afp.gov.au>
 Subject: FW: The Director of Public Prosecutions v Bruce Lehrmann - Investigative Review Documents

Ma'am,
 As anticipated see below communication received from defence counsel acting for Bruce Lehrmann. As discussed my view is the documents were for internal decision making.

Kind regards
 Scott.

DETECTIVE SUPERINTENDENT SCOTT MOLLER
 UNSOLVED HOMICIDE
 ACT POLICING
 Tel: [Personal information]
 www.afp.gov.au<http://www.afp.gov.au>

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

[cid:image002.gif@01D8C81F.BD444920]

From: Rachel Fisher <[Personal information]@kslawyers.com.au>>
 Sent: Tuesday, 13 September 2022 2:22 PM
 To: [Personal information]@afp.gov.au<mailto:[Personal information]@afp.gov.au>>; Moller, Scott <[Personal information]@afp.gov.au>>
 Cc: [Personal information] Helen <Helen[Personal information]@afp.gov.au<mailto:Helen[Personal information]@afp.gov.au>>
 Subject: RE: The Director of Public Prosecutions v Bruce Lehrmann - Investigative Review Documents

RE: The Director of Public Prosecutions v Bruce Lehrmann

Dear Superintendent Moller & Ms [WIT_Personal_In],

As you know, I act for Mr Bruce Lehrmann.

I write seeking clarification as to the status of the following document that appears in the 'Disclosure Schedule' in a category identified as 'relevant unprotected material that is NOT subject to claim of privilege or immunity or statutory publication restriction.' (emphasis added).

"Investigative review documents (sic)

This document outlines versions of events as supplied by Ms Higgins in the course of her engagements with Police since 2019 against the available evidence and subsequent discrepancies. Available upon request and in consultation with DPP."

I have included Superintendent Moller in this email as he is noted as having signed the Disclosure Schedule. I also understand that as the informant in this prosecution, Superintendent Moller may also have some knowledge about the creation of this particular document and why it was prepared.

For abundant clarity, my enquiry is whether this document was:

- a) prepared by police for the dominant purpose of obtaining legal advice; and
- b) if so, whether the AFP seeks to maintain any privilege over the document.

Any privilege which could exist in this document would of course be the AFP's to claim or waive. It is for the AFP therefore, and not for the DPP, to answer these questions. From its description, the document would appear to be one that would be of significant relevance to the Defence and be disclosable in the normal course. I have not included the DPP in this email as the DPP indicated in open court last Friday that any claim of privilege over this document is the AFP's privilege and is not an issue for them. Her Honour also noted that any claim of privilege would need to be verified. I can confirm that if privilege is claimed, I will make an application to have that claim tested and resolved by the Court.

I anticipate there may have been some confusion on this issue and the document was not prepared for the dominant purpose of obtaining legal advice. If this document was not prepared for the dominant purpose of obtaining legal advice or if the AFP does not wish to maintain any privilege over the document, I request a copy of the document be provided as soon as practicable. Provision of an electronic copy is acceptable.

If you could also please acknowledge receipt of this email forthwith.

Kind regards,

Rachel Fisher
Lawyer

[<https://kslawyers.com.au/wp-content/uploads/2015/05/logo-118x80.png>]
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