

AUSTRALIAN CAPITAL TERRITORY
BOARD OF INQUIRY - CRIMINAL JUSTICE SYSTEM

In the matter of the Inquiries Act 1991

Inquiries (Board of Inquiry - Criminal Justice System) Appointment 2023 (NI2023-49)

Subpoena 2023/S/0037

STATEMENT OF TASHA TANYA SMITHIES

I, Tasha Tanya Smithies, of 1 Saunders Street, Pyrmont, in the State of New South Wales, say on oath:

1. I am a solicitor admitted in the New South Wales and an employed by Network Ten Pty Limited (**Network Ten**) in the position of Senior Litigation Counsel.
2. In that role, my duties include:
 - a. managing litigation in which Network Ten and its related entities are involved; and
 - b. providing legal advice to Network Ten and its employees engaged in the production of television programs.
3. I have been in this role since February 2014.
4. As part of my duties, I have been involved in providing legal advice to Network Ten and employees of Network Ten in the preparation of a story to be broadcast as part of the program titled "The Project" relating to the allegations by Ms Brittany Higgins that she was allegedly sexually assaulted at Parliament House.
5. One of the employees to whom I provided advice was Lisa Wilkinson who at the relevant time was one of the presenters of The Project.
6. I am aware that after the broadcast of the program, Mr Bruce Lehrmann was charged in relation to an alleged sexual assault.
7. On 15 June 2022, I attended a meeting, conducted on the Microsoft Teams platform between Lisa Wilkinson, and each of the following:
 - a. Mr Shane Drumgold QC, Director of Public Prosecutions, ACT;
 - b. Sky Jerome, Junior Counsel; and
 - c. Mitchell Greig, Prosecutor Associate, Office of the Director of Public Prosecutions, ACT.Ms Wilkinson and I were in the Boardroom of Network Ten's office at Pyrmont.
8. The purpose of the meeting was for Mr Drumgold to explain to Ms Wilkinson the process of giving evidence, the likely topics of her evidence and to provide her with guidelines for responding to questions while she was giving evidence. During the meeting I took brief notes of those matters.

9. During the meeting, one of the DPP officers asked Lisa if she had any questions. She asked a number of questions and then referred to the fact that she and the Project were nominated for a TV Week Logie Award. I recall that Ms Wilkinson said words to the effect of:

I have been nominated for a Logo. I don't think I will win. However, I have prepared a speech just in case.

10. Ms Wilkinson then started to read from the speech. I recall that she got up to the part of the speech which included the words "*belongs to a woman who said enough*".

11. Mr Drumgold then interrupted Ms Wilkinson and said words to the effect of:

I am not a speech writer. It's not our place to advise you, or approve a speech.

12. I then said to Ms Wilkinson words to the effect of:

This isn't a matter they can deal with, we can chat about this later.

13. To the best of my recollection during the meeting there was no other discussion regarding the potential impact of an acceptance speech by Ms Wilkinson. I do not recall any discussion or comments by Mr Drumgold or anyone in his office regarding potential publicity or impact upon the then impending trial which may arise from the acceptance speech by Ms Wilkinson and I do not recall that Mr Drumgold gave any kind of warning.

14. I did not take notes of this part of the meeting as it did not relate to the purpose of the meeting, was brief and at the time I did not consider the giving of the speech a matter which Mr Drumgold or his office could consider.

SWORN before me at Sydney in the State of New South Wales on 8 May 2023.

Sworn by Tasha Tanya Smithies



at Barangaroo on 2 May 2023 in the presence of



Andrew Gavin Stewart of 100 Barangaroo Ave, Barangaroo in the state of NSW

Solicitor