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ACT DPP Shane Drumgold 'on leave' after Sofronoff inquiry evidence

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With a beer in his hand but deep in contemplation, ACT chief prosecutor [Shane Drumgold](#) spent much of Thursday perched in the sun in the driveway of his Canberra home, aware that his gruelling ordeal on the witness stand of the Sofronoff inquiry is far from over.

Mr Drumgold's future as Director of Public Prosecutions looked increasingly uncertain as he abruptly began four weeks off work while continuing to defend [his handling of Brittany Higgins' rape allegation](#) and Bruce Lehrmann's discontinued prosecution.

With the Board of Inquiry set to resume on Monday to hear evidence from police, the ACT government announced Mr Drumgold was "on leave at his request" and that Deputy DPP Anthony Williamson SC would act in his position until June 13.

A spokesperson said it was not anticipated that [Mr Drumgold's absence from work](#) would impact his planned return to the witness box but a date has not yet been set.

The Office of the Director of Public Prosecutions said Mr Drumgold was "taking leave from the office in order to focus on the Board of Inquiry".

Last week, ACT Attorney-General Shane Rattenbury declined an invitation to express confidence in the DPP, saying only that the Sofronoff inquiry "should be allowed to continue its work".

The 58-year-old refused on Thursday to comment on his sudden absence but appeared to be in deep thought when spotted, casually dressed in a hoodie and tracksuit pants, outside his Canberra home.

The high-profile barrister spent part of the afternoon sipping beer in his driveway while chatting with his adult son, who was changing the wheel of an early model BMW.

Ms Higgins, a former Liberal staffer, alleged Bruce Lehrmann raped her in Senator Linda Reynolds' ministerial office in the early hours of March 23, 2019 after a night out drinking with colleagues in Canberra.

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Mr Lehrmann was later charged with sexual intercourse without consent and pleaded not guilty.

The 29-year-old's trial was sensationally aborted in October due to juror misconduct and immediately listed for a retrial in February, before Mr Drumgold discontinued proceedings in December over concerns for Ms Higgins' mental health. Mr Lehrmann maintains his innocence.

In November, Mr Drumgold sent a letter to the ACT's chief police officer, Neil Gaughan, alleging police misconduct before and during the prosecution and calling for a public inquiry into how the case was handled.

That letter sparked the inquiry, which is being conducted by Walter Sofronoff KC, former Queensland solicitor-general and eminent retired judge of the Queensland Supreme Court and Court of Appeal.

The first week of public hearings this month focused on the chief prosecutor's conduct before, during and after Mr Lehrmann's aborted trial in October.

The inquiry heard accusations that Mr Drumgold had attempted to withhold police documents from the defence, made misleading statements to Chief Justice Lucy McCallum, read Ms Higgins' confidential counselling notes, undermined Mr Lehrmann's presumption of innocence during his December press conference and mishandled Lisa Wilkinson's request for advice about her Logies acceptance speech.

Mr Drumgold, who has been the DPP since January 2019, also told the inquiry last week he believed it was "possible if not probable" that there was a political conspiracy to stop Mr Lehrmann's case from proceeding, before backflipping a day later.

Mr Drumgold maintained throughout his evidence last week that he could have obtained a conviction against Mr Lehrmann, even suggesting a single rogue juror was "holding out" for an acquittal while the rest were inclined to convict.

Public hearings will resume on Monday, when senior police involved in the sexual assault investigation – including Detective Superintendent Scott Moller, Senior Constable Emma Frizzell and Commander Michael Chew – will be called to give evidence.

Mr Sofronoff is due to report back to the ACT government by July 31.

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