

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
Board of Inquiry into the Criminal Justice System in the Australian Capital Territory

STATEMENT OF ISABELLE NATALIE CARR JOHNSTONE

I, Isabelle Natalie Carr Johnstone, of [REDACTED], state as follows:

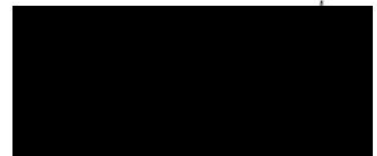
The following statement is provided in response to the subpoena I received from the Board of Inquiry into the Criminal Justice System in the Australian Capital Territory requiring me to give information in a written statement regarding my knowledge of matters set out in the Schedule attached to that subpoena. Attached and marked 'Tab 1' is a copy of the relevant subpoena.

Background and Professional History

1. I have a Bachelors Degree in Social Science, majoring in Social Marketing. I completed this degree at the University of Wollongong in 2017.
2. I have a Certificate IV in Legal Studies, which I completed online through the College of Law, Education and Training in 2021.
3. My current occupation is Disability Liaison Officer (DLO), which I commenced in May 2021. My role is to assist victims and witnesses of crime with disabilities, or who are particularly vulnerable, through the Court process. This includes organising support referrals, speaking with victims and witnesses to inform them of Court dates and what to expect when going to Court.
4. I first started at the ODPP in February 2018 as a Grade 2 Paralegal. I started on a temporary contract and was made permanent in May 2019. I continued this role until starting the Disability Liaison Officer role in May 2021.

Involvement in the Matter of *R v Lehrmann*

5. With respect to my involvement in the matter of *R v Lehrmann*:
 - a. I believe that I first worked on this matter in 2021, when I was asked by prosecutor Ms Erin Priestly to sort through a large amount of brief material to ensure it was in the correct order. I was fulfilling both paralegal and DLO duties at this time;
 - b. The next involvement I had was when a prosecutor, Ms Sarah Pitney, asked me to assist with escorting a witness to Court to give evidence. I agreed to this and my



work mobile phone number was provided to the witness, Ms Fiona Brown. The purpose of my involvement was purely to assist Ms Brown to Court on the day she was to give evidence, as it was my understanding she was concerned regarding media presence at the Courts. I was told by Ms Pitney that this was the reason she was requesting my assistance. The nature of the work I undertook in this matter was at all times purely administrative.

Interactions and correspondence with witness Fiona Brown

6. I had the following interactions with Ms Fiona Brown during the matter of *R v Lehrmann*:

- a. The first interaction I had with Ms Fiona Brown was on Wednesday, 5 October 2022. I received a phone call from Ms Brown on my work mobile phone number at 2:05pm, which lasted 6 minutes and 18 seconds. This phone call took place in my office at the ODPP. The phone call was between myself and Ms Brown only. We said words to the following effect:

Ms Brown: I am concerned that I do not have flight details for my flight to Canberra as my Qantas app is not working properly. Are you able to change my seat on the airplane for me?

Me: I do not have the means to do that, but I will relay your query to Ms Sarah Pitney.

Ms Brown: okay, will I be able to stay another night at the hotel that has been organised for me as a wish to stay an extra night. If I wish to stay on Sunday night, will this need to be in my name?

Me: again, I do not have the means to do that but I will also relay this request to Ms Pitney.

I subsequently had a conversation with Ms Pitney in which I relayed Ms Brown's requests to her. Exhibited at **Tab 2** is a photocopy of my file note in this regard.

- b. The second interaction I had with Ms Fiona Brown was on Tuesday, 11 October 2022 (**Second Interaction**). I received a text message on my work mobile phone from Ms Brown at 8:23am advising me that she was waiting in

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the car park near the Courts. I replied to her at 8:24am advising her that I would meet her inside the foyer of the car park near the pay machines at 8:40am. Ms Brown replied thanking me. The purpose of this interaction was to indicate to each other where we were to meet so I could escort her to the ACT Supreme Court, via a back entrance. Exhibited at **Tab 3** is a photograph showing the text messages in this regard.

- c. The third interaction I had with Ms Brown was when I met Ms Brown at 8:40 a.m on 11 October 2022 (**Third Interaction**). Ms Brown and I made small talk as I walked her over to the back entrance of the Courts, on Vernon Circle, Canberra City. I asked Ms Brown if she would like me to escort her back to the car park once she was finished in Court. Ms Brown told me she would let me know when she was done. We met with the Courts sheriffs who were waiting at the entrance on Vernon Circle and I departed the location. Ms Brown texted my work mobile phone number at 3:06pm the same day, advising me that she managed to leave with some help. Ms Brown thanked me for my time that morning. I replied to Ms Brown at 3:07pm advising her that it was no problem. Photographs of these text messages are exhibited at **Tab 3**.
- d. The fourth interaction I had with Ms Brown was on 14 October 2022 (**Fourth Interaction**). I received a phone call from Ms Brown on my work mobile phone number at 10:41am that lasted 1 minute and 48 seconds. The phone call took place whilst I was in my office at the ODPP and only myself and Ms Brown were present during the phone call. I do not remember the phone conversation with specificity, however I recall that Ms Brown and I exchanged the following words:

Ms Brown: Brittany Higgins has defamed me whilst giving evidence. The things she has said are 100% incorrect. I will come back to Court to correct this if I need to.

Me: okay, I will contact the prosecutors advise them of what you have told me.

When I referred to the prosecutors in my conversation with Ms Brown, I was referring to Ms Sarah Pitney and Mr Mitchell Grieg. Exhibited at **Tab 4** is a photocopy of my file note with respect to this conversation.

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- e. No documents were provided to me during any of my interactions with Ms Brown.
7. On 14 October 2022, immediately after the Fourth Interaction, I messaged Mr Grieg on the WebEx chat function at 10:44am, advising him that Ms Brown had called and that she sounded quite worried. I advised Mr Grieg that it was urgent and if I could please talk to him and Ms Pitney as soon as they were out of Court. Mr Grieg told me he would speak to me on the lunch break and would call Ms Brown that day if he had time. Mr Grieg messaged me on the WebEx chat function again at 11:24am, advising me that Ms Brown had emailed both Ms Pitney and him and that we would not be calling Ms Brown back. He advised me to let her know we would get back to her if she attempted contact with me again. Ms Brown did not attempt to contact me again. I have not receive any further response or correspondence following this interaction. Exhibited at **Tab 5** is a screenshot of the WebEx chat in this regard.
8. I did not have any interactions with Ms Brown subsequent to 14 October 2022.
9. I have no other matter that I wish to raise with respect to the Terms of Reference of the Board of Inquiry.

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AFFIRMED before me at Canberra in the Australian Capital Territory on 30 MARCH 2023.


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Isabelle Natalie Carr Johnstone
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Signature of witness

Hugh David Smith
Solicitor
Level 8, 224 Bunda Street
ACT 2061

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Name of witness