

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 LAUREN MARIE GILLILAND

I, Lauren Marie GILLILAND, of Winchester Police Centre, Benjamin Way, Belconnen in the Australian Capital Territory (ACT), 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 'Exhibit 1' is a copy of the relevant subpoena.

Background and Professional History

1. I am a Police Officer and I hold the rank of Detective Acting Sergeant.
2. I work as a Project Officer within the Sexual Offences and Child Abuse (SOCA) portfolio. This area falls within ACT Criminal Investigations (ACT CI) in ACT Policing (ACTP), Australian Federal Police (AFP).
3. Over the course of my sworn career to date, I have worked in the following areas within ACTP for the approximate timeframes stipulated below:
 - a) 2012 - 2014: General Duties, Constable, Belconnen Police Station;
 - b) 2014 - 2015: ACTP Regional Targeting Team, Constable, City Police Station;
 - c) 2015 - 2016: General Duties, Constable - First Constable, Belconnen Police Station;

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LAUREN MARIE GILLILAND

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- d) 2016 - 2017: ACTP Targeting Team, First Constable, all of ACTP;
- e) 2017 - 2019: Sexual Assault and Child Abuse Team (SACAT), Senior Constable, ACT CI;
- f) 2019 - 2021: Gangs Taskforce Personal information Senior Constable, ACT CI;
- g) 2021: performing the role of Acting Sergeant as the ACTP Community Policing Liaison Officer (CPLO) for the Minister for Police and Emergency Services (MPES) and Executive Officer for the ACTP, Deputy Chief Police Officer (DCPO); and
- h) November 2021 - current: performing the role of Detective Acting Sergeant, Project Officer, SOCA.

Tertiary Qualifications

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Current Employment

5. My role as a Project Officer involves completing projects which have been identified by ACTP Management to support/contribute the SOCA portfolio. My duties include providing oversight of SOCA matters. I also occasionally act as a SACAT Team Leader when a substantive Team Leader is not available. I engage and maintain effective working relationships with internal and external stakeholders to ensure SACAT are able to continue working collaboratively and cohesively in this space. In addition, I have been involved in the redevelopment and facilitation of the SOCA Programs for ACTP/AFP members.

Courses and/or Diplomas

6. I have completed a number of courses whilst being a member of ACTP, AFP. I have completed all mandatory training as required by ACTP, AFP. Further, I am a Detective. I commenced the Detective Designation Continuum in 2018 and successfully completed

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LAUREN MARIE GILLILAND

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the Continuum in 2022, where I was awarded an Advanced Diploma of Police Investigation.

Employment Chronology

7. I had no previous Policing experience before joining ACTP, AFP.
8. I first joined ACTP, AFP as an unsworn member on 24 September 2009. I worked casually in ACTP Communications taking triple zero, 131444 and Crime Stoppers phone calls. My role also involved dispatching Police Officers to attend incidents and coordinating resources via a secure ACTP, AFP radio network. I became a full time employee within this role in 2011.
9. I joined ACTP, AFP as I believed it would be a rewarding career and I wanted to become a Police Officer.
10. I have been a Police Officer since 7 December 2012.
11. During my recruitment to ACTP, AFP I lived within the AFP College, Barton, ACT for twenty-six weeks. During this time, I completed all mandatory recruit training. I was awarded the Commissioner's Award for Excellence at my graduation (attestation) on 7 December 2012.
12. In November 2021, while working as an Acting Sergeant for the ACTP, DCPO I was selected to complete a project within ACT CI, which entailed reviewing approximately 250 sexual assault investigations. I was requested to complete this review for the purpose of identifying if ACTP had systemic issues in the way we investigated sexual assaults. I completed this role under the supervision of the newly created SOCA Crime Manager, Detective Inspector Callum HUGHES, herein referred to as Detective Superintendent Callum HUGHES.

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LAUREN MARIE GILLILAND

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13. Following the completion of this review, I was requested to complete a project which involved developing a way for ACTP to accurately record and report upon data relating to sexual offences without having to conduct a manual review of databases. I, under the supervision and with the assistance of Detective Superintendent HUGHES, created the 'Sexual Offence Finalisation Case Note Entry'. This is now mandatory at the finalisation stage of any investigation involving a sexual offence.
14. I enjoyed my role as the SOCA Project Officer and Management identified a number of projects that could be completed in the SOCA space. As a result, I remained working within this role instead of returning to the Executive Officer to the DCPO position.
15. I am unable to specifically state how many sexual assault investigations I have conducted. This number would vary depending on how the matter was originally recorded in the 'incident type' by ACTP Communications, in comparison to what the 'confirmed incident type' was at the finalisation stage of the investigation. I would estimate I have conducted approximately 50 sexual assault investigations as the Case Officer. I am referring to investigations where I was the Case Officer only, and not performing any other role, such as Corroborator in a sexual assault investigation. This estimate relates to sexual assault offences only, not other sexual offences such as child abuse or indecent act/exposure. All of these investigations were in the ACT. I conducted these investigations between approximately mid- 2017 and March 2019.

Training and Education

16. I have not completed any training or education specific to conducting sexual assault investigations. I have however received a number of training/education sessions on matters relating to investigations with some general training on sexual offences holistically; including but not limited to the following:
- a) Victims of Crime Awareness Training, 6 April 2011;
 - b) Interviewing Vulnerable Witness Program, 3-5 December 2014;

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LAUREN MARIE GILLILAND

Witness

- c) Constable Development Program, 12 - 23 October 2015;
 - d) Introduction to Investigations, 18 November 2017;
 - e) Criminal Investigations Course, 20 - 24 November 2017;
 - f) Detective Training Program (DTP) – Stage One, 19 – 30 November 2018;
 - g) DTP – Stage Two, 28 June 2019; and
 - h) DTP – Stage Three, 1 – 26 March 2021.
17. In mid-2022, I was selected to work with Doctor (Dr) Patrick TIDMARSH and Mark [Personal Information], for the purpose of assisting them to review prior ACTP SACAT training courses/programs. Dr TIDMARSH is a Criminologist, Author and expert Forensic Interviewer. Mr [Personal Information] is a Child Psychologist. I worked with Dr TIDMARSH and Mr [WIT_Personal_Info] for a two-week period, following which I continued to work alongside both for the purpose of redeveloping future learning and development relating to sexual offences and child abuse for ACTP. We named the redeveloped program the Sexual Offences and Child Abuse Program (SOCAP). I was involved in facilitating and managing the Pilot SOCAP, run between 30 January and 10 February 2023. I am scheduled to facilitate and manage another SOCAP between 12 and 23 June 2023.
18. There were 18 participants on the Pilot SOCAP, which included members from ACTP and the greater AFP. Participants represented ACTP General Duties, ACT CI - SACAT, ACT CI - Major Crime, the Joint Anti Child Exploitation Team (JACET), AFP Sensitive Investigations and Operation FOSTER, being the SACAT Process Review Team.
19. I am aware that AFP Learning and Development Command facilitated training specific to sexual offences and child abuse, utilising subject matter experts throughout the courses/programs, in 2015, 2017 and 2019. The Pilot SOCAP was the first training program directly relevant to sexual offences and child abuse since 2019.
20. To my knowledge, prior to 1 February 2021, the only training required to be completed by a member of SACAT was the Interviewing Vulnerable Witness Program (IVWP).

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This enabled members to be qualified under the *Evidence (Miscellaneous Provisions) Act 1991 (Cth)* to complete Evidence in Chief Interviews (EICI) with vulnerable witnesses.

21. Further, I am aware that new investigators in SACAT were allocated a 'buddy', who was a more senior SACAT member, to educate and support the new member as they became more proficient in investigating sexual offences and child abuse matters. I was allocated a buddy when I commenced in SACAT in 2017, however at no time was I afforded the opportunity to be a participant on a SACAT training program whilst working in SACAT.
22. I was required to complete a number of mandatory psychological assessments to perform the role of investigator within SACAT. I participated in these assessments upon commencement in SACAT, and every six months thereafter whilst in the role. I was under the impression the psychological assessments enabled ACTP, AFP to assess and maintain a record of a member's psychological welfare while investigating and being exposed to content relevant to sexual offences and child abuse. In addition, these assessments enabled investigators the opportunity to speak to a Psychologist in the instance they wished to discuss anything causing them concern. I believe psychological assessments continue to be completed every six months with members of SACAT. I have no specific knowledge relating to policy, procedure or governance on psychological assessments other than what I have already stipulated.

Training and Education

23. I have no direct knowledge of who occupied the positions within the ACTP, AFP structure/chain of command for SACAT in February 2021. I can recall Detective Superintendent Scott MOLLER being the Superintendent of ACT CI at that time. Further, the role of SOCA Crime Manager did not exist at that time. I do not possess any organisational structure/chart for ACT CI – SACAT as at February 2021.
24. In the current ACT CI structure/chain of command Detective Superintendent Hall O'MEAGER is the Superintendent of ACT CI. There are three Crime Managers

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(Inspectors), who sit directly underneath the ACT CI Superintendent. At this time the three Crime Manager positions are held by Detective Acting Inspector (D/A/Inspector) Rachel BATTERHAM (SOCA), D/A/Inspector Shane MUNDIE (Major Crime) and Detective Inspector Mark STEEL (Organised Crime). I work as a Detective Acting Sergeant and report directly to D/A/Inspector BATTERHAM, being the Crime Manager for ACT CI - SOCA. I do not have access to any current organisational structure/chart for ACT CI.

Duties and Responsibilities

25. I understand a Police Officer has a number of duties and responsibilities when conducting a sexual assault investigation. This list is not exhaustive, however includes a number of the key responsibilities required to be completed by a Police Officer in my personal opinion and experience:

- a) To listen to the complainant/victim in an unbiased and non-judgemental manner when the complainant/victim is recounting their version of the alleged sexual assault. This is typically completed through a process referred to as the 'Meet & Greet';
- b) Ensure the complainant/victim is adequately supported by myself, if I am the Case Officer/Informant, and by the appropriate support services available, including Canberra Rape Crisis Centre (CRCC), if the complainant/victim provides consent to be referred to such services;
- c) Facilitate the complainant/victim being engaged/referred to the appropriate support services by completing a 'Wraparound referral', which Police Officers are required to complete, irrespective of whether the complainant/victim accepts or declines support. There are different forms required to be completed by a Police Officer in the instance consent is provided/not provided by the complainant/victim;
- d) In the instance the complainant/victim agrees to make a formal statement, a Police Officer is required to obtain their evidence lawfully, via an EICI

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complying with the required provisions under the *Evidence (Miscellaneous Provisions) Act 1991* (Cth);

- e) To comply with all requirements reflected within the 'ACTP Better Practice Guide (BPG) on Sexual Offences and Child Abuse Investigations and First Response'. Refer to the guideline attached and marked as **Exhibit 2**;
- f) Gather evidence, inculpatory and exculpatory, for the purpose of objectively searching for the truth with respect to the allegation/offence being investigated;
- g) In the instance the Police Officer has a reasonable belief the alleged sexual assault occurred based upon the material/evidence obtained throughout the investigation, the Police Officer will proffer a charge by completing the indictment and Brief of Evidence (BOE), for the purpose of bringing the alleged offender before the Court; and
- h) Ensure the complainant/victim is updated and supported throughout the investigation and Court process. The *Victims of Crime Act 1994* (ACT) requires a Police Officer to ensure a complainant/victim is updated every six weeks, unless an alternative agreed timeframe for the updates has been identified/agreed upon by the complainant/victim and Police Officer.

26. I am a Project Officer within ACT CI – SOCA, thus I am not actively investigating sexual offences at this time. As stated above, I work/report to the SOCA Crime Manager, who is currently D/A/Inspector BATTERHAM.

Triage Process for Sexual Assault Complaints

27. There are a number of ways a person can report an alleged sexual assault in the ACT. These include:

- a. Attending a Police Station interstate, overseas or in the ACT;
 - b. Contacting a support agency, such as CRCC, who refer the matter to ACTP on the complainant/victim's behalf;
 - c. Contacting ACTP Communications via triple zero, 131 444 or Crime Stoppers;
- or

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d. Completing a historical sexual report online, via the ACTP website.

28. The way in which the report is triaged depends on the circumstances alleged, how long ago the offence/s were alleged to have occurred, whether there is perishable evidence that could be lost/destroyed and whether the complainant/victim wishes to make a formal statement at the time of reporting.
29. Typically, ACTP General Duties will attend/obtain the initial complaint from the complainant/victim. In the instance the complainant/victim wishes to make a formal statement the ACTP General Duties Police Officer, via their Team Leader, will contact the Criminal Investigations Reception Officer (CIRO) and request SACAT to take carriage of the investigation.
30. I was working in SACAT as an investigator as at 23 March 2019 however I do not specifically recall the process being significantly different to what it is now as explained in the above paragraph. I do note however, the online reporting mechanism for historic sexual assaults (anything 6 months or older at the date of reporting) was not in existence in 2019 to my knowledge.
31. I was not working in SACAT as at 4 February 2021, thus I cannot speak to what the practices were at that time.
32. SACAT most typically respond to a sexual assault complaint. This is normally following ACTP General Duties attending/completing an assessment of the information received and referring it to SACAT, via the CIRO. Please see paragraph 28 and 29 for further information regarding who and how a sexual assault complaint would typically be responded too. I note on occasion, ACT CI - Major Crime investigators will attend/investigate sexual assaults also. Please refer to paragraph 25 above regarding the initial steps required to be completed by a Police Officer investigating a sexual assault allegation, what support services would be facilitated and how this would be completed.

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33. I am unable to speak to whether process was different as at 23 March 2019 or as at 4 February 2021.

Investigating Sexual Assault Complaints

34. I do not investigate sexual assaults in my current role as Project Officer. I can however speak to the initial 'Meet & Greet' process as I have recently drafted an updated 'Meet & Greet Guide' for the information of SACAT investigators. Input regarding this document was sourced from CRCC and Victim Support ACT. Refer to the 'Meet & Greet Guide' attached and marked as **Exhibit 3**. This Guide provides/reinforces the necessary information required to be supplied/communicated by SACAT investigators to complainant/victims of sexual offences. This document highlights the various stages of the investigation process, including support services, Court and the role of the Office of the Director of Public Prosecutions (ODPP). Further information relating to best practice in sexual assault investigations is detailed in the ACTP BPG on 'Sexual Offences and Child Abuse Investigations and First Response', which I have referred to above.
35. I do not possess any knowledge, besides what I have articulated above, regarding whether the typical process of a sexual assault investigation has changed or not over the last four years. I can only state that I feel investigations generally have become additionally complex, with respect to advances in technology and guidelines surrounding disclosure.
36. I have not personally been involved in a sexual assault investigation where a Superintendent was actively involved in the investigation.
37. The adjudication process for compiling a BOE as a Police Officer depends on whether it is a mention or arrest brief. The arrest brief is the first brief submitted with respect to the matter before the Court. A hearing brief is required to be compiled/submitted following a Defendant entering a plea of not guilty. The hearing brief process involves a Case Officer/Informant compiling a BOE, whether that is a hardcopy or electronic brief. The

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Case Officer/Informant then submits the BOE to their Team Leader for review and adjudication before submitting it to the ACT CI - Adjudications and Practice (AP) role for further adjudicating/oversight. It is my understanding the ACT CI – AP position then supplies the BOE to ACTP Judicial Operations, who facilitates the supply of the BOE to the ODPP. I am not aware of any significant changes to this process over the last four years, except that electronic BOE's are a lot more common now.

38. I understand the redaction process within the BOE involves the Case Officer/Informant redacting anything that relates to personal information which is not already known to the parties before the Court. For example, the address of the complainant/victim may not be redacted if the address was the location of the offence, thus a common proof requiring to be proven in Court. It may not be redacted if it is known to the parties, thus there is no risk to the parties security or safety by referring to it in the BOE. I understand that as the BOE moves through the review process, further oversight is provided by differing members of ACTP to ensure all relevant redactions have been completed prior to the BOE being provided to the ODPP and Defence. I am not aware of any process changes relating to the redaction process over the last four years, except that technology has advanced and this requires additional systems to be utilised to be able to redact material such as body worn cameras and the like.
39. As I referred to above, Police Officers are required under the *Victims of Crime Act 1994* (ACT) to provide updates to a complainant/victim at six-week intervals unless the complainant/victim has agreed to an alternative with the Case Officer/Informant. Agreements can take place in many forms and can include when and how the complainant/victim would prefer to be contacted, for example via a telephone call, text message or email.
40. ACTP have a victim centric/trauma informed approach with respect to complainant/victims of sexual offences. This means that ACTP Police Officers will not formally commence a sexual offence investigation (E.g. a sexual assault) without the

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complainant/victim making a formal statement. Police Officers may attempt to secure perishable evidence, such as Closed-Circuit Television (CCTV) footage, while the complainant/victim is determining whether they would like to make a formal statement. However, without that formal statement, a criminal investigation will not be pursued. Being victim centric and trauma informed means a Police Officer listens to the wishes of a complainant/victim, supports them in their decision making, ensures they are adequately supported by the relevant support agencies/organisations and Police Officers and not judge the complainant/victim in any way. Police remove any bias and assist the complainant/victim as best they possibly can, noting they have been the victim of a serious offence.

41. My understanding of the threshold to charge is that it is reasonable belief. ACT CI – SACAT investigators must be satisfied they have the following, before they proffer a charge:
- a) There is an honest belief that the probability of the accused’s guilt is such that a charge is warranted; and
 - b) There is a sufficient basis on the material present for this belief.
42. It is my understanding at one point in late 2021, early 2022 that the ODPP wished for ACTP Police Officers to apply the threshold of ‘suspicion’ to proffer a charge, however this was not agreed upon by ACTP and reasonable belief was confirmed by AFP Legal as being the ACTP threshold to charge. I am not aware of any further changes relating to the threshold to charge for sexual offences.
43. I understand that if a Police Officer requires an additional statement, called a supplementary statement, they are able to obtain this from the complainant/victim if the complainant/victim agrees to provide/participate. This may be in the form of a written statement or a supplementary EICI. I do not have knowledge of where this is clearly articulated in ACTP guidelines or governance. I understand it to be something that is able

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to be completed if identified as being required and is a practice that has been supported in the past by Team Leaders and the ODPP.

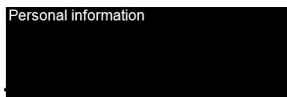
44. I can only speak to my prior experience as an Investigator in ACT CI – SACAT in 2017 – 2019 when referring to what process is undertaken in advising and/or consulting with a complainant/victim when a decision is made to charge or not to charge. When I was an Investigator in SACAT I would keep in regular contact with my complainant/victims to ensure any questions or concerns they might have were addressed as the investigation progressed. This communication would include a discussion early on, possibly surrounding or during the Meet & Greet stage, to ascertain what the complainant/victim would like as a result of providing an EICI/formal statement. This could include whether they would like for the matter to be recorded only, whether they would like to make a formal statement immediately or take some time to decide. I would ensure they knew and understood that pursuing a criminal investigation may require them to give evidence in Court following charge/s being proffered. I would continue to keep them updated at intervals identified as appropriate by the complainant/victim and I. In the instance I deemed there was not sufficient evidence to proffer charge/s I would request the complainant/victim to meet in person for the purpose of having a discussion. The process of the Meet & Greet enables the Police Officer and the complainant/victim to commence a line of communication that is suitable to both parties and enables the complainant/victim to understand their options and the possible stages throughout the criminal investigation process. I am not aware of any ways this process has changed however, some Police Officers may be different in the way they engage with complainant/victims. The Meet & Greet is currently being updated by myself with the assistance/input of SACAT investigators, Team Leaders and Management in addition to key external stakeholders.

45. I am only aware of one underlying cultural view that existed within ACTP, AFP over the last four years with respect to conducting sexual assault investigations. When I was an investigator in SACAT between 2017 and 2019, I was taught the threshold to charge was

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‘beyond reasonable doubt’ and this terminology was routinely used by myself and other members within SACAT during that time. Since returning to SOCA in my current role I clearly understand that was the incorrect terminology because the threshold then was reasonable belief. Beyond reasonable doubt is the threshold of the ACT Courts. I am not aware of any cultural issues relating to sexual assault complainant/victims being treated differently to other victims/survivors of crime.

46. The process of discontinuing an investigation at the request of a complainant/victim has not changed over the last four years to my knowledge. In the instance a complainant/victim wishes to no longer proceed with their complaint, this can be communicated to the Police Officer. If a charge has not been proffered, the Police Officer would cease the investigation as per the complainant/victim’s wishes.
47. In the instance a charge/s have been proffered and the matter is with the ODPP, the Police Officer and complainant/victim would liaise with the ODPP with respect to the complainant/victim’s wishes. The ODPP would then decide whether to continue with the proceedings.
48. In the instance a complainant/victim in a sexual assault investigation wishes to withdraw their complaint, the Police Officer will reflect this on the investigation in addition to any reasoning the complainant/victims provides. The Police Officer will ensure the complainant/victim is receiving adequate support from relevant agencies/organisations and will advise the complainant/victim they may change their mind at any time in the future and make contact with ACTP for the purpose of reactivating the complaint/investigation. Further, the Police Officer would provide the complainant/victim the ways in which they could make contact with them as the specific Police Officer or via ACTP Communications and the relevant incident number linking the investigation for case in the instance they wished to have the matter reactivated.

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Challenges, Issues and/or Pressures

49. I am not aware of any challenges and/or pressures to have existed within ACTP, AFP or externally to ACTP, AFP in the past four years which have hindered the conduct of sexual assault investigations.

Report of the Sexual Assault Prevention and Response Steering Committee (SAPR)

50. I have read a significant amount of the SAPR Steering Committee Report titled ‘Listen. Take Action to Prevent, Believe and Heal’ published in December 2021. I have knowledge relating to a number of the recommendations which relate directly to SOCA, ACTP, AFP and what ACTP has implemented with respect to the recommendations.
51. I routinely engage with CRCC, specifically the Crisis Program Coordinator, Lauren CLARKE. I have engaged with her on a number of different matters whereby I have sought her/her team’s assistance in presenting to members of ACTP. Further, I have sought her/her team’s input/guidance on recently updated/created documentation, including the ‘Meet & Greet Guide’ and an ‘ACTP information pamphlet for complainant/victims of sexual offences’. Refer to the pamphlet attached and marked as **Exhibit 4**. I am in the process of seeking formal endorsement by the ACTP Executive with respect to this pamphlet, prior to it being disseminated to all of ACTP, to CRCC and Victim Support ACT.
52. I have been directly involved with implementing training for Police Officers in relation to conducting sexual assault investigations. Please see paragraph 17 above, where I speak to the SOCA Program in further detail. I facilitated the Pilot SOCAP conducted between 30 January – 10 February 2023. Refer to timetable attached and marked as **Exhibit 5**. Prior to Dr TIDMARSH, Mr WIT_Personal_Info and I redeveloping the SOCAP, Dr TIDMARSH completed a review paper. Refer to the review paper authored by Dr TIDMARSH attached and marked as **Exhibit 6**. I am facilitating another SOCAP between 12 – 23 June 2023.

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53. With reference to the recommendations, I have no knowledge, nor have I had any involvement, with respect to *“cross-agency cooperation and communication with the Victims of Crime Commissioner for the ACT”* or *“dealing with sexual assault complaints generally”*.
54. I have observed a slight cultural shift within the ODPP in the prosecution of sexual assault offences since the release of the Steering Committee’s Report. I feel that I have observed an extreme willingness for the ODPP to run sexual assault investigations with minimal corroboratory evidence, for example an investigation which included an EICI and a first disclosure statement only. Separately, I have observed an increased willingness/support for the ODPP to review sexual assault investigations and provide advice, guidance or support on such matters to ACTP. I have observed SACAT investigators to speak very highly of the reviews being completed by the ODPP.
55. I have not observed a cultural shift within ACTP, AFP in its investigation and charging of sexual assault offences since the release of the Steering Committee’s report. I have however observed ACTP enact an additional measure of oversight to sexual offence investigations whereby a complainant/victim has participated in an EICI and the SACAT/Major Crime Case Officer/Informant does not believe there is sufficient evidence to proffer a charge. Matters that fall into this specific category are reviewed by the Criminal Investigations Management Committee (CIMC).
56. The CIMC meets once per week and is comprised of the CI Superintendent in addition to the three Crime Managers, inclusive of the SOCA Crime Manager. The CIMC will decide if the matter before it should proceed to prosecution, endorse the finalisation of the matter, reject it pending further investigation or refer it to the ODPP for review/advice.
57. Traditionally, SACAT investigations followed suit with all other CI/ACTP investigations in that, at the conclusion of a matter, the investigation would be finalised by the Informant/Case Officers Team Leader. In recognition of the technical complexity of a

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sexual assault/offence investigation, and the heightened level of scrutiny over such matters, a three-stage process for the finalisation of these investigations was implemented. Refer to 'Finalising sexual offence investigations' (three blue boxes) attached and marked as **Exhibit 7**. This process has been underway since late November 2021.

58. In short, it provides an escalating level of oversight when certain criteria are met within an investigation. All three stages require a Police Officer to complete the 'Sexual Offence Finalisation' Case Note Entry (CNE) prior to marking the matter as awaiting finalisation. In addition, the Team Leader is required to reflect they have reviewed the investigation/CNE by completing a section reflecting their details at the bottom of the CNE.
59. With reference to the three stages; stage one requires an investigator's Team Leader, whether from SACAT or Major Crime, to review matters where an enquiry has been completed or assistance has been provided, a matter is finalised in Court, the matter has been referred to another jurisdiction, matters which are unfounded/nil offences have been established and matters where the complainant does not wish to proceed before they are finalised.
60. Stage two requires the SOCA Crime Manager to review matters where the investigator has lost contact with the complainant/victim, prior to the matter being finalised.
61. Stage three requires the matter to be presented before the CIMC to be reviewed prior to the matter being finalised. This stage involves matters where a complainant/victim has participated in an EICI however the SACAT/Major Crime team member and their Team Leader, believe there is insufficient evidence to proceed.

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Director of Public Prosecutions (DPP) Office of the Director of Public Prosecutions (ODPP)

- 62. I have no direct knowledge of the professional relationship between the ODPP and ACTP, AFP prior to the investigation of the allegations of Ms Brittany HIGGINS concerning Mr Bruce LEHRMANN (the investigation). I did not have involvement in the actual investigation. Further, I attended no meetings between ACTP, AFP and the ODPP regarding the investigation.
- 63. When previously investigating sexual assaults as the Case Officer/Informant I had routine involvement with the ODPP, specifically the prosecutor or the prosecutor’s associate in the lead up to the hearing or trial. I would ensure I made myself available to answer any questions and/or address any issues the ODPP had with respect to the BOE, the witnesses or the complainant/victim’s evidence and the like.
- 64. I had no direct involvement with the DPP prior to the investigation.
- 65. I have a positive professional working relationship with Ms Skye JEROME (Ms JEROME) as she has been the lead prosecutor in a number of my past sexual assault investigations. I speak to Ms JEROME on occasion outside of work and I arranged for Ms JEROME to present on the Plot SOCAP I facilitated earlier this year.
- 66. I was present within Supreme Court Room Three for a number of days, approximately 6-8 days, throughout the duration of the trial for the investigation. I did notice that Ms JEROME was not her engaging self when I saw her outside of the Courtroom however, I did not take this personally, I just found it to be slightly out of character.
- 67. I had minor interactions with Mr Mitchell GREIG on the days I attended Supreme Court Room Three, which only involved being present for any conversations between Senior Constable Emma FRIZZELL (SC FRIZZELL) and Mr GREIG.

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68. I did not have any involvement/interactions with Ms Sarah PITNEY, Ms Erin PRIESTLY, nor Mr Andrew CHATTERTON with respect to the investigation. Further, I had no involvement nor interactions with Mr Shane DRUMGOLD.
69. I have never met with the ODPP for the purpose of discussing the conduct of an investigation concerning sexual assault. I have however met the ODPP approximately three or so times to receive proofing or to speak about Court prior to a sexual assault investigation progressing to Court.

Victims of Crime Commissioner

70. I have had no direct dealings with the Victims of Crime Commissioner directly for any sexual assault investigation.
71. Until the investigation, I have never observed nor heard of the Victims of Crime Commissioner attending Court every day for the purpose of accompanying a complainant/victim in a sexual assault investigation. I do not have knowledge of the role performed by the Victims of Crime Commissioner. I do understand it is the role of her staff to accompany complainant/victims to Court on occasion if requested to do so.

The Investigation

72. In June 2021, I was working as an Acting Sergeant (Team Leader) between two roles, the ACTP CPLO for the MPES and the Executive Officer for the ACTP Executive, before I formally commenced a role I had won, being the Executive Officer to the ACTP, DCPO, Assistant Commissioner Peter CROZIER (AC CROZIER).
73. On 10 June 2021, I made notes in my AFP Diary. Refer to my 'AFP Diary, numbered 14755, pages 235' as attached and marked as **Exhibit 8**. This was my first involvement with the investigation which involved confirming with Detective Superintendent Scott MOLLER that he was going to email DCPO Michael CHEW an electronic copy of the Operation COVINA (the investigation) BOE.

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LAUR [REDACTED] GILLILAND [REDACTED] Witness

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74. In July 2021, I commenced working as the Executive Officer for the ACTP, DCPO. In my first week, AC CROZIER, the ACTP DCPO, advised me the ACTP Chief Police Officer, Deputy Commissioner Neil GAUGHAN, requested me, due to my relevant contemporary experience in sexual assault investigations, to assist in the investigative review at the Edmund Barton Building (EBB), led by Commander Andrew SMITH (CMD SMITH).
75. I first had peripheral involvement in the investigation when I was selected to be one of four members involved in completing this review.
76. Between Wednesday 28 July and Friday 30 July 2021, I worked from the AFP EBB between approximately 8:00am and 5-5:30pm with CMD SMITH, Detective Sergeant Mark ELVIN and D/SGT Matt STOCKS for the purpose of completing the review. I made notes in my AFP Diary relating to this. Refer to my 'AFP Diary, numbered 14755, pages 261 and 265' attached and marked as **Exhibit 9**.
77. The purpose of conducting the review was to identify any further possible avenues of inquiry for the investigation team. We had a particular scope when completing the review in addition to reviewing only some of the material/evidence, which we documented as an attachment to the review. The review was authored by CMD SMITH. It is my understanding, CMD SMITH and AC CROZIER utilised the review to brief the Sensitive Investigations Oversight Board (SIOB) as the investigation met the criteria for the SIOB to be briefed/informed. Refer to 'Investigative review of Operation COVINA (the investigation) authored by CMD SMITH' attached and marked as **Exhibit 10**. The review identified the Police Officers involved in the investigation had completed an extremely thorough investigation. From completing the review, we made a number of recommendations which included:
- a. They continue inquiries with respect to the Uber records;
 - b. They continue inquiries regarding CCTV footage of Ms HIGGINS and Mr LEHRMANN exiting the Ministerial office within Australian Parliament House;

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LAUREN M. GILLILAND

Witness

- c. To continue to liaise with the ODPP regarding consideration of a third EICI;
- d. To continue to liaise with the ODPP regarding the decisions relating to prosecution; and
- e. To ensure adequate resources continue being provided to support the investigation team.

78. I was not at work for approximately six weeks between September and October 2021 due to leave/personal reasons.

Trial

79. During the trial (R v LEHRMANN) I was present in Supreme Court Room Three for approximately six days for the purpose of conducting briefings to key ACTP members, mainly ACT CI Management and the ACTP Executive.

80. On Wednesday 5 October 2022, I was requested to attend the Supreme Court (Room Three) by Detective Acting Inspector Adam MOORE (D/A/Inspector MOORE), who was acting as the SOCA Crime Manager.

81. D/A/Inspector MOORE added me to a pre-existing 'Signal' group chat. Signal is an encrypted messaging service. I use it personally and professionally as a form of communication. I have used it in a number of the ACT CI teams I have worked within, including but not limited to, ACT CI – SACAT, Gangs Taskforce and Homicide. On all occasions, I utilise the disappearing message function when communicating in these conversations on Signal as the conversations quite often relate to Police methodology. The use of the Signal application as a formal communication resource within the AFP is not unusual. I recall D/A/Inspector MOORE requesting me to provide a briefing for anything related to security concerns or operational matters involving the trial enabling the Case Officer/Informant Senior Constable Emma FRIZZELL (SC FRIZZELL) to action the associated requests, such as Court ordered redactions to the EICI. As a result of this, and the fact the Corroborator, Detective Leading Senior Constable Trent MADDERS (DLSC MADDERS) would be required to action taskings with SC FRIZZELL, I added DLSC MADDERS to the Signal group.

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82. Following speaking to D/A/Inspector MOORE, SC FRIZZELL, DLSC MADDERS and I were approached by Commander – Investigations, Commander Joanne CAMERON (Ma'am CAMERON). Ma'am CAMERON understood I was going to be in Court to provide briefings and requested I add her to the Signal group, which I recall doing. Ma'am CAMERON asked me to provide timely briefings on anything related to operational security matters within the Court and outside of the Courts and anything politically or media related. I recall Ma'am CAMERON asking me to complete an update/briefing anytime a Minister was referred to in Court so that she could ensure all appropriate briefings could be completed. This resulted me in completing briefings every half an hour or so on some of the days.
83. I recall making the Signal group chat disappearing, as I always do, and I observed the following members to be in the Signal chat at that time:
- a. Myself;
 - b. SC FRIZZELL;
 - c. DLSC MADDERS;
 - d. Detective Acting Superintendent Mark [Personal Information] EL;
 - e. Ma'am [Personal Information] and [Personal Information];
 - f. Detective Acting Sergeant Jude [Personal Information]
84. I began providing briefings/trial updates in the Signal group chat. Although it was set to disappearing messages, D/A/Inspector MOORE amended that function later that same date or soon after. Refer to 'Signal 'trial updates' conversation chain' attached and marked as **Exhibit 11**. I attempted to make notes in my AFP Diary at the same time however found it difficult to actively listen to what was taking place within the Courtroom, complete the updates as requested by Ma'am CAMERON, via the Signal application, and make appropriate notes in my AFP Dairy. I made some notes that day and over the days to follow in my AFP Diary, numbered 16438, on pages 67 – 68. Refer to my AFP Dairy, numbered 16438, pages 67 – 68 attached and marked as **Exhibit 12**.

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85. On 6 October 2022, SC FRIZZELL and DLSC MADDERS left the Signal group chat. Further, the Signal group chat reflects D/Superintendent MOLLER to have been added by FC FRIZZELL that same date with him removing himself from the chat shortly after he was added. At some point, whilst I was seated in court providing these updates over Signal, I recognised some potential witnesses in the case were within the group chat. This was identified as being less than optimal and as a result of some conversations any potential witnesses removed themselves from that group chat.
86. I recall Constable Katelyn POMROY attended the trial on the morning of Tuesday 11 October 2022, and provided direct briefings to D/A/Inspector MOORE. D/A/Inspector MOORE then provided an update on behalf of Constable POMROY via the Signal group chat.
87. The Signal group chat shows I added SC FRIZZELL to the Signal group chat on 13 October 2022, with SC FRIZZELL completing majority of the briefings from then on (following her giving her evidence).
88. The Signal group chat further shows I added D/A/Inspector Ryan O'HARA to the Signal group on 12 October 2022 and D/Superintendent Hall O'MEAGHER to the Signal group on 14 October 2023.
89. I was not at work/not in the trial for the following times/dates for annual or personal leave reasons:
- a. Monday 10 October 2022; and
 - b. 10:00am – 1:00pm, Tuesday 11 October 2022.
90. I was no longer responsible for completing briefings from 14 October 2022 onwards.
91. I had minimal interactions, outside of what I have detailed above, with ACTP, AFP Police Officers as I was not directly involved in the investigation.

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LAUREN [REDACTED] MILLILAND [REDACTED] Witness

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92. On 7 October 2022, I was outside of Supreme Court Room Three following Court concluding for the day. I had a conversation with FC FRIZZELL who was within the vicinity of the ACT Supreme Court as she was the Case Officer/Informant for another trial at the same time. While speaking to her, I observed Mr LEHRMANN'S Defence, Mr Stephen WHYBROW approach SC FRIZZELL. I overheard Mr WHYBROW ask SC FRIZZELL a question similar to whether he could run a few things past her on Monday. I heard her state words to the effect of yes, as long as the request comes through DPP with him acknowledging what she said. I also heard Mr WHYBROW ask SC FRIZZELL if she had heard what Mr DRUMGOLD had said about the Police EICI. I cannot recall what or if SC FRIZZELL said anything in response. I observed ODPP Ms JEROME, Mr GREIG and Mr DRUMGOLD walk past and enter the lift while SC FRIZZELL was responding to Mr WHYBROW. I recall briefing this interaction in the Signal group chat and I recall SC FRIZZELL telling me she would speak to Mr GREIG and make contact with the ODPP in writing (via email) regarding what had occurred.
93. On 12 October 2022, I was present in Supreme Court Room Three for the purpose of providing briefings via the Signal chat group. I had no interactions that I can recall with anyone involved in the trial. Refer to 'Signal 'trial updates' conversation chain' attached and marked as **Exhibit 11**. This chain outlines what took place during the trial that date. I made some notes that day and over the days to follow in my AFP Diary, numbered 16438, on pages 69 – 70. Refer to my AFP Diary, numbered 16438, pages 69 – 70 attached and marked as **Exhibit 13**.
94. In the afternoon on 13 October 2022, SC FRIZZELL messaged me and asked if I could accompany her to a meeting with Defence in their offices. SC FRIZZELL advised D/A/Inspector MOORE was aware of the meeting and he was going to accompany her but now could not. SC FRIZZELL requested I meet her at City Police Station (CPS) following Court concluding for the day, which I did.
95. At about 3:30pm, I met SC FRIZZELL at CPS. I recall SC FRIZZELL advising me the ODPP was aware of the meeting and did not want to attend. I accompanied SC

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FRIZZELL to a nearby office where we met Mr WHYBROW and his associate, a female whose name I cannot recall. The meeting was conducted at 4:00pm for about 20 minutes or so. I was present for the conversation during which Mr WHYBROW asked SC FRIZZELL about a CNE she had written, her statement, some medical records and some enquires that may be required. I do not recall what medical centre. I recall Mr WHYBROW enquiring if we could ask D/Superintendent MOLLER if he would call Mr WHYBROW in the instance he was happy to meet with him also, as SC FRIZZELL did. We agreed to ask D/Superintendent MOLLER.

96. Upon exiting the meeting SC FRIZZELL asked if I would contact D/Superintendent MOLLER as I was performing the role of a Team Leader, to which I agreed.
97. SC FRIZZELL and I returned to Winchester Police Centre (WPC) separately. Upon returning to WPC, I called D/Superintendent MOLLER and mentioned what Mr WHYBROW had asked. I was unable to explain in great detail why and asked him to speak to SC FRIZZELL as the Case Officer/Informant. He said he would contact SC FRIZZELL. I found out over the following days that D/Superintendent MOLLER did not contact Mr WHYBROW.
98. I adopted SC FRIZZELL'S notes in her AFP Diary, page 144, as being a true and accurate record of the events which took place during the meeting with Mr WHYBROW and his associate. Refer to 'SC FRIZZELL'S AFP Diary, page 144' attached and marked as **Exhibit 14**. On 17 October 2022, upon returning to work, I made brief notes about my recollection of the meeting with Mr WHYBROW and his associate. Refer to 'AFP Diary, numbered 16438, page 70' as **Exhibit 13**.
99. I possess no direct knowledge of any relationship breakdown or similar with respect to the ODP and ACTP, AFP. I did not directly observe anything either, except what I stated above in paragraph 66 and 93.

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LAUREN GILLILAND

Personal information

Witness

Impressions of the Victims of Crime Commissioner during the Investigation and Trial in the Matter of R v Lehrmann

100. I had no direct issues or concerns with respect to the Victims of Crime Commissioner. I noted my minor observations above in paragraph 71. Further, I did not observe any breakdown of the relationship with respect to the Victims of Crime Commissioner/her staff and the ACTP, AFP, as I did not have any dealings/interactions involving her, noting I was not involved in the actual investigation.

Bail

101. I had no interactions or involvement with respect to Mr LEHRMANN'S bail.

AFP Internal/Investigative/Tactical Reviews in relation to the investigation

102. Please refer to paragraphs 72-78 whereby I explain the circumstances of the investigative review, how I became involved, who was involved in it and what the purpose of the investigative review was. It is common to conduct an investigative review for an investigation, however it is not common in my opinion, to have a Commander and three Team Leaders to be requested by the ACTP CPO to conduct a review, in addition to being solely focused on that review for a number of consecutive days.

Other Projects in relation to sexual assault investigations

103. I have been involved in a number of projects relating to sexual offences, as it is my role as the Project Officer to complete projects. I have spoken about a number of the projects I have been responsible for, involved in and am currently completing extensively above. Please refer to my above comments/statements.

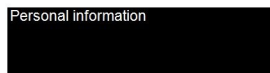
104. I have had no involvement with respect to recommendation 15 of the Steering Committee Report. D/Inspector Melissa BUSHBY is responsible for overseeing the work relevant to recommendation 15.

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LAUREN ILLILAND

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Media

- 105. I personally feel the level of media involvement in this investigation as it progressed was unnecessary and excessive. However, it is Ms HIGGINS’ right to engage with the media, thus it is not my place to comment further.
- 106. I had no involvement with ACTP, AFP and the ODPP with respect to anything related to the media, media plans or similar. Further, I have had no interactions with the media with respect to this investigation.
- 107. I have not spoken to anyone regarding my provision of evidence with respect to the Board of Inquiry, except my legal representatives.
- 108. I have no further matters to raise with respect to the Terms of Reference of the Board of Inquiry.

SWORN before me at Canberra in the Australian Capital Territory on 31/03/2023

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Signature of witness

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