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AUSTRALIAN FEDERAL POLICE ASSOCIATION MEDIA RELEASE

AFPA SUPPORTS JUDICIAL INQUIRY INTO LEHRMANN MISTRIAL

The Australian Federal Police Association (AFPA) wholeheartedly supports a judiciary inquiry following the *R v. Lehrmann* mistrial, as reported in *The Guardian*¹ on Thursday, 8 December 2022.

The AFPA wants to make it extremely clear that the desperate attempts to smear AFP and ACT Policing made by the ACT Director of Public Prosecutions (DPP), Shane Drumgold SC, are untested and currently subject to internal Australian Federal Police (AFP) mechanisms.

AFPA President Alex Caruana said that a full judicial inquiry is an absolute necessity, possibly also accompanied by a referral to the ACT Integrity Commission or the Commonwealth Ombudsman if the inquiry finds any misconduct **by any party or person(s)**.

While Mr Drumgold has called for an inquiry into the actions of police, any inquiry, in the interests of impartiality and holism, must also assess the conduct of Mr Drumgold, the DPP, the ACT Victims of Crime Commissioner, and ACT Attorney-General Shane Rattenbury, as well as issues causing delays in the trial and subsequent mistrial.

"If Mr Drumgold and the Attorney-General want to conduct a judicial inquiry, so be it. However, it seems as though the Attorney-General has a very selective memory — the ACT community has been calling for an independent review and inquiry into bail and sentencing for months.

"Shane Rattenbury has ignored those calls.

"The ACT Government must complete a review of the entire judicial system without delay; the system is in shambles thanks to Mr Rattenbury's inaction and incompetence. If the Attorney-General will not call for a full and comprehensive inquiry into the justice system, then the ACT Chief Minister must step in and take action." Mr Caruana said.

The AFPA also questions if information was deliberately leaked by the ACT DPP to the media and believes breaches of the Freedom of Information (FOI) legislation are likely to have occurred.

"The FOI from the ACT DPP to *The Guardian*, to our knowledge, has no redactions, and it includes personal details of officers involved in the investigation. ACT Policing was not consulted on the release of information and its members' details.

¹ <https://www.theguardian.com/australia-news/2022/dec/08/bruce-lehrmann-trial-brittany-higgins-dpp-director-public-prosecution-shane-drumgold-act-police>

"The AFPA will make a formal complaint to the Office of the Australian Information Commission and the ACT Ombudsman regarding the possibility of FOI breaches and misconduct by the Director of Public Prosecutions.

The AFPA firmly believes that the ACT DPP compromised the Lehrmann trial.

Mr Caruana questioned why the matter progressed to trial if the initial brief didn't contain the evidence required for a reasonable chance of conviction.

"If the brief didn't contain enough evidence and there were legitimate concerns about how what evidence was there was obtained, then why did he continue with the trial? Mr Drumgold needs to explain this."

For comments:

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