

REPORT ON PROCEEDINGS BEFORE

**PORTFOLIO COMMITTEE NO. 5 - JUSTICE AND
COMMUNITIES**

**IDENTITY PROTECTIONS FOR PROCEEDINGS INVOLVING
CHILDREN**

CORRECTED

At Macquarie Room, Parliament House, Sydney, on Friday 1 May 2026

The Committee met at 3:00.

PRESENT

Ms Sue Higginson (Acting Chair)

The Hon. Susan Carter
The Hon. Greg Donnelly
The Hon. Stephen Lawrence
The Hon. Cameron Murphy

PRESENT VIA VIDEOCONFERENCE

The Hon. Natasha Maclaren-Jones

The ACTING CHAIR: Welcome to the fourth hearing of the Committee's inquiry into identity protections for proceedings involving children. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders past and present, and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today. My name is Sue Higginson and, in the absence of Mr Borsak, I will be acting as the Committee Chair for today's hearing.

Before we commence questions, I would like to make a few comments about the proceedings. The Committee has made multiple attempts to hear from the individuals who were present at a meeting in the office of the Director of Public Prosecutions, where a decision was made to pitch a story to 2GB relating to a sentencing hearing involving a young person. Ms Brigid Glanville, an external media consultant who was present at this meeting, has declined to appear before the Committee on multiple occasions. She has also elected not to provide a written statement to the Committee. Earlier this week, the Committee agreed to summons Ms Glanville to give evidence at today's hearing. However, Ms Glanville has not made herself available to be served the summons. The Committee is disappointed by Ms Glanville's decision not to participate in the inquiry and answer important questions about what occurred during that meeting.

I ask everyone in the room to please turn their mobile phones to silent. Parliamentary privilege does not apply to witnesses in relation to anything they say outside of the hearing. I urge witnesses to be careful about making comments to the media or to others after completing their evidence. In addition, the Legislative Council has adopted rules to provide procedural fairness for inquiry participants. I encourage Committee members and witnesses to be mindful of these procedures.

Ms SALLY DOWLING, SC, Director of Public Prosecutions, Office of the Director of Public Prosecutions, on former affirmation

The ACTING CHAIR: Welcome and thank you for making time to give evidence today. Would you like to start by making a short opening statement?

SALLY DOWLING: No, thank you.

The ACTING CHAIR: The Committee has resolved to ask questions. We'll just sequence those questions, and we'll commence with questions from Ms Carter.

The Hon. SUSAN CARTER: Good afternoon, Ms Dowling. We've heard evidence from both you and Ms Killoran about the meeting attended by you, Ms Killoran, Ms Glanville and Mr Dorney in October 2024, at which the provision of proactive stories was discussed. I refer to the communication and engagement plan prepared for you by GRACosway in July 2024. Given those in attendance, this was a meeting referred to at point 9 of the "Media enquiry workflow", was it not?

SALLY DOWLING: What page is that, please?

The Hon. SUSAN CARTER: I have a copy of the plan here if you need to see it.

SALLY DOWLING: No, I've got it. I just would like a page reference.

The Hon. SUSAN CARTER: It is at page 11, I believe. "Media enquiry workflow", point 9, reads:

Email or meeting with Sally Dowling cc'ing Craig Hyland with a rundown of the matter and our recommended response for approval.

SALLY DOWLING: That's media inquiry workflow. This was not a media inquiry, as far as I understand, unless it's the verification—

The Hon. SUSAN CARTER: So you're saying that only applies to inquiries. But if you look at the letter of 7 August that Brigid Glanville writes to you, referring to your recent meeting and outlining the work that will be done, at point 4, it states:

Assist the team in pitching proactive stories and thought leadership piece to media outlets.

So this was a pitching of a story, then, was it?

SALLY DOWLING: No, it wasn't a pitching of a story as it was referred to in that—

The Hon. SUSAN CARTER: If it's not the pitching of a story and it's not the response to a media request, what was it?

SALLY DOWLING: I'm not sure. What are you talking about? What are you asking me about? What was what?

The Hon. SUSAN CARTER: Well, you were in a meeting that sounds very much like it's point 9 of the media workflow.

SALLY DOWLING: As I've already said, it wasn't point 9 of the workflow.

The Hon. SUSAN CARTER: What was it?

SALLY DOWLING: It was a regular media meeting, where I was—

The Hon. SUSAN CARTER: What was the business of the meeting?

SALLY DOWLING: Excuse me, Ms Carter. You must let me finish my answers. I refer you to the procedural fairness resolution.

The Hon. SUSAN CARTER: Would you like to finish?

SALLY DOWLING: I would like to finish what I'm saying to you right now, which is that you must treat me with courtesy and you must let me finish my answers. As I've just said, that was a regular media meeting. Frank Veltro—now Judge Veltro—was the deputy director to whom the media team reported and was the person that was usually in those meetings. He wasn't available that day and I was in the meeting in his stead.

The Hon. SUSAN CARTER: What was the business of the meeting?

SALLY DOWLING: It was to discuss the usual media questions. I'll have to go back to have a look at what was on the agenda for that meeting.

The Hon. SUSAN CARTER: Can you provide a copy of the agenda for the—

SALLY DOWLING: I don't know the answer to that.

The Hon. SUSAN CARTER: If you said that you were going back to look at the agenda, what is it that you're going back to refresh your memory about, Ms Dowling?

SALLY DOWLING: I said I would have to look at the agenda. Please don't paraphrase my evidence.

The Hon. SUSAN CARTER: If that exists, can you provide a copy of it for us?

SALLY DOWLING: If it exists, I probably can. I don't have it here.

The Hon. SUSAN CARTER: That would be great. Thank you very much. So you're saying this was not the type of proactive inquiry that you engaged GRACosway to assist you with?

SALLY DOWLING: Absolutely. That is absolutely my evidence.

The Hon. SUSAN CARTER: And it's a regular media meeting, but it had nothing to do with approval of media stories.

SALLY DOWLING: As far as I understand it, there were no proactive media stories that were on the agenda at that time. There have been very few proactive media stories, as envisaged by that policy. They have been confined to things like our First Nations initiatives, our positive results in our employee engagement surveys—matters like that.

The Hon. SUSAN CARTER: But you would recognise that the whole structure of the media inquiry workflow has you as the approver.

SALLY DOWLING: There's a fundamental difference between having a high-level communication strategy and authorising a specific media approach about a specific matter. The strategy does not authorise conduct that bypasses executive approval or breaches established protocols. These are different things that happened.

The Hon. SUSAN CARTER: I am referring to your submission number two, dated 16 December 2025.

SALLY DOWLING: Could you just bear with me while I get that up?

The Hon. SUSAN CARTER: Sure. I'm going to refer to paragraph 66, if that assists you.

SALLY DOWLING: This is dated the sixteenth?

The Hon. SUSAN CARTER: It's 16 December, received by us on 17 December, if that assists—marked submission 4b. At paragraph 66, you indicate that Ms Killoran was counselled specifically for the release of the screenshot because this constituted a breach of the director's legal privilege. If what Ms Killoran did was, as you have just suggested, not following the media workflow but a breach of established protocols, why was she not counselled for a breach of those protocols and just for the release of the screenshot?

SALLY DOWLING: Because at the time—and I'm hazarding, I'm speculating about this to a certain degree, because this was handled by Deputy Director Veltro and Justice Wilson—the counselling arose out of the Norton Rose Fulbright investigation, which took place after the police investigation. The police investigation, as you know, was entirely directed towards the screenshot issue. The Norton Rose Fulbright investigation, which I was not involved in at all—and, in fact, as I've already said before, I didn't read that report until shortly before the previous hearing—that was directed again to the breach of the code of conduct involved in the provision of the screenshot. So this issue of the proactive pitching was not the subject of either of those investigations. In fact, it only became known, as I understand it, during the course of the Norton Rose Fulbright investigation. That was not handled by me. That was handled—

The Hon. SUSAN CARTER: And what discussions did you have with—

SALLY DOWLING: I'm still speaking, Ms Carter. That investigation was not handled by me. I didn't do the counselling. I didn't read the report. It was handled by the two now judicial officers.

The Hon. SUSAN CARTER: And what discussions did you have either with Ms Wilson or Mr Veltro prior to the preparation of your submission No. 2?

SALLY DOWLING: I don't know the answer to that, actually. I would have to—

The Hon. SUSAN CARTER: If they're the repositories of knowledge about this, wouldn't it have been relevant to have inquired of them before you prepared and presented your submission?

SALLY DOWLING: I don't agree with that proposition. What is it you're asking me about—about paragraph 66? I was informed by Mr Veltro and by Her Honour Justice Wilson that a breach of the code of conduct had been established and that the recommended response to that was counselling of the staff member, which took place.

The Hon. SUSAN CARTER: On how many occasions have you discussed the release of material about a matter which occurred in the District Court with Justice Huggett?

SALLY DOWLING: Can you repeat the question?

The Hon. SUSAN CARTER: On how many occasions have you discussed the release of material about a matter which occurred in the District Court with Justice Huggett?

SALLY DOWLING: The release of material to whom?

The Hon. SUSAN CARTER: The proactive release of material to 2GB about a matter that occurred in the District Court with Justice Huggett.

SALLY DOWLING: How many times have I discussed this matter with Justice Huggett?

The Hon. SUSAN CARTER: Yes.

SALLY DOWLING: I think only one time.

The Hon. SUSAN CARTER: And what did you inform Justice Huggett about your office's role in the release of any information?

SALLY DOWLING: I don't recall that. I'd have to look at the date at the time that happened, because I wasn't aware of the screenshot until the police investigation, which I think was 21 November.

The Hon. SUSAN CARTER: Who initiated that discussion, you or Justice Huggett?

SALLY DOWLING: It would have been me and, as I said, I don't know when that happened.

The Hon. SUSAN CARTER: If you weren't aware of the screenshot, what was your reason for initiating that discussion?

SALLY DOWLING: Because I was aware of the 2GB story. I was aware of, first of all, the invitation to do the welcome to country, which, as I have already given evidence, was widely notorious across the legal profession, and then I was aware that the story had been picked up by 2GB. As I've already said—I've already given an account of my understanding in my previous evidence.

The Hon. SUSAN CARTER: What, then, was the purpose of the discussion with Justice Huggett?

SALLY DOWLING: As I said, I need to check the dates. Maybe I can have a look at Judge Wass's submission, because I think she's got the date in there, doesn't she? If you bear with me a moment, I'll look that up, unless you have it to hand.

The Hon. SUSAN CARTER: I don't have it in front of me, no.

SALLY DOWLING: Excuse me, I'll just see if one of my team has got Judge Wass's—

The Hon. SUSAN CARTER: Do you have the date?

SALLY DOWLING: No, we're just looking it up.

The Hon. STEPHEN LAWRENCE: Thanks, Ms Dowling, for coming back; it is much appreciated by all members. Just to clarify something that you said to Mrs Carter, I've got a note that you said—and you were talking about this meeting in October—"As far as I know, there were no proactive media stories discussed." Was that your evidence?

SALLY DOWLING: If that's what Hansard records. I am concerned about members of this Committee paraphrasing my evidence and putting it back to me, so I would like to just make that point.

The Hon. STEPHEN LAWRENCE: Just to go to the substance of that, were there proactive media stories discussed in the meeting?

SALLY DOWLING: I don't recall that. I don't think that there were.

The Hon. STEPHEN LAWRENCE: You've made a submission to this inquiry saying that you don't dispute Ms Killoran's evidence, correct?

SALLY DOWLING: I referred to the actual evidence that I've given, so why don't we go and have a look at that.

The Hon. STEPHEN LAWRENCE: No, I'll just ask you a question.

SALLY DOWLING: No, I'm going to—

The Hon. STEPHEN LAWRENCE: You've given evidence that you don't dispute the account that Ms Killoran has given, correct?

SALLY DOWLING: With respect, Mr Lawrence, I am entitled to have my evidence put back to me accurately. If you're referring to my evidence on a previous occasion, then take me to it. You know how this works.

The Hon. STEPHEN LAWRENCE: I'll just ask you, and if you don't agree with the proposition, you know well how to respond. Have you given a submission to this inquiry where you've said that you don't dispute Ms Killoran's account about the discussion in the meeting about the proactive pitching of the story?

SALLY DOWLING: I'll have to go back and have a look at what I've said.

The Hon. STEPHEN LAWRENCE: Please do.

SALLY DOWLING: I said:

I do not dispute that Ms Killoran had a mistaken understanding that she was authorized to raise the story with 2GB.

As I've said before and I say again:

I repeat and stress that it was not my understanding that she intended to proactively raise the story with a journalist, or that she believed that she was so authorized.

It wasn't my intention to give that authorisation or any impression of that kind.

The Hon. STEPHEN LAWRENCE: Do you dispute her account of the meeting?

SALLY DOWLING: It is not my recollection. I do not recollect her saying anything about pitching a story. I've never heard that phrase before. To that extent, I don't—

The Hon. STEPHEN LAWRENCE: The phrase was used in the letter from GRACosway to you, I think, where they talked about proactive pitching of stories as part of their pitch to you, but anyway.

SALLY DOWLING: I've never heard Ms Killoran use that phrase.

The Hon. STEPHEN LAWRENCE: So we're at a point where you don't necessarily agree that there was discussion in the meeting between Ms Killoran and Ms Glanville about the proactive pitching of the story.

SALLY DOWLING: No, what I've said—I recall in general terms that there was—it's my recollection, Ms Carter, that there was an agenda or that there were things on the list. It may be that that recollection is coming from my reading of Ms Killoran's evidence. I don't have a recollection of the agenda. But at the end of the meeting, or towards the end of the meeting, there was a discussion about the invitation to do the welcome to country, and there was a discussion, as I've said—Ms Killoran and Ms Glanville were discussing the story being of public interest and discussing that it would be of interest to news outlets. That was a sort of end-of-the-meeting discussion that was happening between them, which I did not understand to be involving this proposition that Ms Killoran has put in her evidence. I didn't understand her to be proposing that she would proactively raise the story with a particular news organisation. As I've said before, I didn't authorise it, and I wouldn't have authorised it had I understood that.

The Hon. STEPHEN LAWRENCE: But you don't dispute that that's the impression that she got in the meeting—that it was approved?

SALLY DOWLING: I mean, that's her impression. It's her own internal mental state.

The Hon. STEPHEN LAWRENCE: And you were busy, what, attending to emails, I think you've said.

SALLY DOWLING: As I've said, I was doing other work at the end of the meeting there. I mean, this is not a regular meeting that I attended, and I was doing other things. I didn't understand that this was what was being proposed in this discussion. It was happening and I was aware that it was happening. I was not an active participant in it.

The Hon. STEPHEN LAWRENCE: When you said to us that you were busy attending to emails and so forth, you were basically conveying to us that you may not have heard those things talked about, even though you don't dispute that she left the meeting with that impression.

SALLY DOWLING: I rely on what I've already said in that regard.

The Hon. STEPHEN LAWRENCE: Do you agree that the surreptitious planting or pitching of stories by the ODPP about cases such as—

SALLY DOWLING: Let's just stop it there, Mr Lawrence. This is one case and one example—so not the plural.

The Hon. STEPHEN LAWRENCE: Sure, but I'm just going to put a more general proposition.

SALLY DOWLING: Why don't you put it in the singular, then, please.

The Hon. STEPHEN LAWRENCE: Would you agree that the surreptitious planting of stories—I'm talking about a broad sort of concept, I suppose, going into the future—such as occurred in this case, is an undesirable practice?

SALLY DOWLING: I take issue with the word "surreptitious" and I take issue with the use of the plural.

The Hon. STEPHEN LAWRENCE: Did you issue a public statement saying that you were alerting the community about this?

SALLY DOWLING: Would you let me finish my answer, please. I haven't even started answering that question. I take issue with the pejorative terms in which you're phrasing that question to me. As I have said repeatedly in writing to this Committee and in my previous evidence, I did not authorise the proactive pitching of that story and I wouldn't have. If I had understood that was what was being proposed, I would have interrupted that process. I think that that is an answer to your question.

The Hon. STEPHEN LAWRENCE: If this was to become a common practice—

SALLY DOWLING: Oh, I'm sorry, Mr Lawrence—

The Hon. STEPHEN LAWRENCE: Ms Dowling, would you please let me finish the question. If this was to become a common practice where the DPP proactively pitched or planted—whatever the description—stories about particular cases to journalists without going on the record in the story, which is what I meant by "surreptitious", would you agree that that would be an undesirable practice?

SALLY DOWLING: I think it is inherently implausible that that would ever happen as a matter of practice. The broad proposition upon which your question is asked is ridiculous.

The Hon. STEPHEN LAWRENCE: It's happened in this case, with the greatest respect.

SALLY DOWLING: It's happened once, and so why on—

The Hon. STEPHEN LAWRENCE: Exactly. I think I'm entitled to ask you if it's an undesirable practice. Would you agree if it was to become widespread it would be undesirable?

SALLY DOWLING: What happened in this case was undesirable.

The Hon. STEPHEN LAWRENCE: If this were to become a common practice in the system it would undermine trust and relationships, wouldn't it? Because people would start to suspect that the DPP is planting stories about particular cases.

SALLY DOWLING: Madam Chair.

The ACTING CHAIR: Yes?

SALLY DOWLING: In my respectful submission, this is a completely irrelevant and pointless question to be asked of me. It's inviting me to speculate and to create an answer setting my office up for criticism more broadly. There is only one proactive pitching that has happened. That is the subject of interest to this inquiry. Mr Lawrence's question invites a completely irrelevant answer. I respectfully ask you to rule on that question.

The ACTING CHAIR: Mr Lawrence, is there any way you can reframe your question and seek whatever information it is—

The Hon. STEPHEN LAWRENCE: The question was does the witness agree that if what occurred in this case became a common practice it would undermine trust and relationships in the criminal justice system because people would start to suspect that the DPP was planting particular stories? That's the question.

SALLY DOWLING: I can't answer that question.

The Hon. STEPHEN LAWRENCE: It's relevant to recommendations that we might make.

The ACTING CHAIR: I understand that it may appear difficult and that you may not think that it has too much scope to the relevance of what's happening here. I think that's what I'm hearing your objection is. But I think what Mr Lawrence is—obviously, I have the benefit as the Acting Chair to understand some of the concerns that have arisen throughout this inquiry are that you do have a very significant role. Under your leadership, the direction of the office going forwards is something that is of enormous import and public interest, as you are more aware than anyone. Therefore, I do think Mr Lawrence's question is relevant. If there is some way you could offer an answer, but that answer would be qualified—clearly it is your opinion, your view and your perspective in terms of your vision and view of the leadership that you hold for the Office of the Director of Public Prosecutions.

SALLY DOWLING: Thank you, Madam Chair. The integrity of the Office of the Director of Public Prosecutions is of paramount importance and interest to me. I agree that anything that would derogate from that would be of great concern.

The Hon. STEPHEN LAWRENCE: Thank you, Ms Dowling. Why do you think radio station 2GB was chosen as the recipient of this story?

SALLY DOWLING: I can't answer that.

The Hon. STEPHEN LAWRENCE: I'm asking you, based on your knowledge of Ms Glanville and Ms Killoran—and you're someone with great expertise in the law and a lot of experience in media from your position—why do you think they chose this particular media outlet?

SALLY DOWLING: I'm sorry, you would have to ask them.

The Hon. STEPHEN LAWRENCE: Are you trying to assist this inquiry in giving that answer?

SALLY DOWLING: Yes.

The Hon. STEPHEN LAWRENCE: I would suggest you know these people. You know the facts of this matter intimately. What's your opinion about why they picked that particular media outlet?

SALLY DOWLING: Mr Lawrence, I am not going to speculate about other people's states of mind. That would be entirely inappropriate for me to do that. I am not a listener of 2GB, with respect. In fact, I'm not much of a partaker of any tabloid journalism. I don't—

The Hon. STEPHEN LAWRENCE: The other media outlet—

SALLY DOWLING: I'm not finished, Mr Lawrence.

The Hon. STEPHEN LAWRENCE: The other media outlet talked about was *The Daily Telegraph*.

SALLY DOWLING: Madam Chair, I'm not finished my answer.

The Hon. STEPHEN LAWRENCE: I think I'm entitled to redirect the witness here. The other media outlet was *The Daily Telegraph*.

The ACTING CHAIR: Mr Lawrence, it is courteous to let Ms Dowling finish her answer and then you can have another question.

SALLY DOWLING: Thank you. You're asking me to speculate about the state of mind of some people in a meeting who made a decision that I wasn't aware of and a choice to do a particular thing that I wasn't aware of. I can't answer that question.

The Hon. STEPHEN LAWRENCE: What's your hunch about why, on the evidence before us, two particular media outlets were talked about in the meeting, *The Daily Telegraph* and 2GB? Do you think there is something about those two outlets that maybe motivated those in the meeting to think about pitching to them?

SALLY DOWLING: I don't have a hunch about that, and I repeat my earlier answer.

The Hon. STEPHEN LAWRENCE: Why do you think it wasn't the SMH or *The Guardian*?

SALLY DOWLING: I repeat my earlier answer.

The Hon. STEPHEN LAWRENCE: Was this a retaliatory leak handed to a media outlet that you knew would take a critical view of it?

SALLY DOWLING: I completely reject that characterisation, and it is not properly available on any of the evidence that is before this Committee. I have given sworn evidence, and I have given a repeated account of my own state of mind. If it was a retaliation, it wasn't one by me.

The ACTING CHAIR: I'm just going to ask a couple of questions. Can I turn, Ms Dowling, to the nature of how we've ended up here and how some people haven't ended up here? Are you aware of the decision in *Cullen v President the Legislative Council of New South Wales*?

SALLY DOWLING: Yes.

The ACTING CHAIR: Have you ever discussed this decision with any of the ODPP staff?

SALLY DOWLING: The 1,100 staff?

The ACTING CHAIR: Any of them.

SALLY DOWLING: The decision in Cullen, as all significant constitutional decisions were, was sent via our internal email system to every staff member in the organisation. We are a law firm.

The ACTING CHAIR: Of course. Have you ever discussed the decision with any of the staff?

SALLY DOWLING: Yes, I would have.

The ACTING CHAIR: Do you recall—did you discuss this decision with any of the staff who have been asked to come before this Committee?

SALLY DOWLING: Yes, I would have—only the legal adviser, I think, who had already read the decision.

The ACTING CHAIR: And probably synthesised that themselves in a very capable way.

SALLY DOWLING: He is a very senior lawyer.

The ACTING CHAIR: In that regard, have any of the non-legal staff of the ODPP ever received any legal advice in relation to their appearance before this Committee in the context of Cullen?

SALLY DOWLING: They've all received legal advice. I don't know what that is. I haven't spoken to any of the non-legal staff about anything to do with this inquiry to preserve the integrity of evidence that they may give to the inquiry, but they have been provided with legal advice.

The ACTING CHAIR: Have you discussed summonses of this Committee, or the prospect of summoning with this Committee, with any of the office staff and any external consultants?

SALLY DOWLING: General office staff, or office staff concerned in this?

The ACTING CHAIR: Office staff concerned in these proceedings.

SALLY DOWLING: Have I discussed? I'm sorry, I have forgotten the first part of the question.

The ACTING CHAIR: I understand—the issue of a summons and the power of this Committee, or any Committee, the power of summons.

SALLY DOWLING: I haven't directly, but I know that it's been discussed. I mean, it's no—if what you're trying to get at is what is the understanding of the people in the ODPP about the effect of the decision in Cullen, I think it is understood by them. That's my impression, and I haven't talked to any of them directly about their evidence, or about any response to any processes or requests by this inquiry.

The ACTING CHAIR: I want to go back to the notion of the acknowledgement and the welcome. I've raised this with you, I think, on a previous occasion, but even today in your evidence there is consistent reference that the young person in the proceedings somehow performed a Welcome to Country.

SALLY DOWLING: No. That's not my evidence, with respect, Ms Higginson. There is a really clear distinction between what the judge invited the young person to do—and the judge repeatedly refers to in her submission to this inquiry—and what actually happened. I'm well aware of that distinction and I've already given that evidence.

The ACTING CHAIR: Your reference earlier today to a "welcome", that was in relation to what?

SALLY DOWLING: When you go back and check the transcript, you will see that that was a reference to the judge's invitation to the young person to do the welcome.

The ACTING CHAIR: I did actually think that.

SALLY DOWLING: And that compendious phrase is used with care.

The ACTING CHAIR: Thank you very much. In any way that you are discussing a welcome or an acknowledgement, you are absolutely conscious of the difference of the two things.

SALLY DOWLING: Absolutely, and I do refer to the lengthy response to supplementary questions that was filed by my office in relation to all of the First Nations initiatives and cultural competency efforts made by me to support my staff and to educate myself.

The ACTING CHAIR: Can I ask as well about your position—and only to the extent you feel comfortable—on any further reform prohibiting the disclosure of information tending to identify a young person? I know that your submission states the importance of open justice, which is often outweighed by the public interest in protecting the identities of children during criminal proceedings. You've provided evidence:

These observations are no less apposite with respect to proceedings involving children. To conduct criminal proceedings involving children in secret and to prohibit disclosure or publication of those proceedings through the media would be to deny children involved in these proceedings the fundamental protections that open justice affords.

You also refer to the Law Reform Commission's 2022 report into open justice. I'm just curious why you have done that, given the Law Reform Commission's open justice report did recommend updating the definition of publish and disclose across New South Wales legislation and a clearer recommended and non-exhaustive list of information tending to identify a young person. Do you hold a view on whether reform is warranted? If not, why not?

SALLY DOWLING: Ms Higginson, that was a very dense question, with respect.

The ACTING CHAIR: I apologise.

SALLY DOWLING: To do justice to the complexity of that question and by reference to our existing quite dense submissions, I would prefer to take that question on notice, if I may.

The ACTING CHAIR: I would really appreciate it. If the Law Reform Commission is open to reform and the Children's Court submission to the Law Reform Commission also signalled they were open to reform, I would be really grateful if your response in a question could really provide us with some substantive material. You are obviously in a unique position in your role and anything that could assist this Committee—I'm sure you've picked up my deepest interest here—is what we can do to protect children and their identity, and the work of this Committee is to focus on how best we could recommend. We've had some incredible submissions, particularly from the Aboriginal Legal Service about tendency evidence. I just think this is a great opportunity here in New South Wales. If we can do something in terms of reform, your answer to this particular question could really assist the Committee.

SALLY DOWLING: I'll be pleased to do that.

The Hon. SUSAN CARTER: Ms Dowling, just reflecting on the answers that you gave to questions from Mr Lawrence, is it your evidence that you're only responsible for decisions made at meetings when you're paying attention?

SALLY DOWLING: That's not my evidence. If you would like to put that as a question without the preamble "is it your evidence that" and just ask me a question—

The Hon. SUSAN CARTER: Is it your evidence that you're only responsible for decisions made at meetings when you're paying attention?

SALLY DOWLING: No, that's not my evidence.

The Hon. SUSAN CARTER: So you gave evidence that—we're discussing the meeting where you're filling in for Mr Veltro and you're very busy and you're doing emails. Your evidence was that you weren't really paying attention to this whole discussion that was going on about whether the story was better provided to *The Daily Telegraph* or to 2GB.

SALLY DOWLING: Ms Carter, may I—

The Hon. SUSAN CARTER: Can I finish my question, perhaps?

SALLY DOWLING: Sure.

The Hon. SUSAN CARTER: I'm just curious whether, as an experienced lawyer—and, in fact, I would love to ask the same question to Mr Dorney—whether your ears, we're all familiar with multitasking, but one's ears tend to prick up when young Aboriginal persons are mentioned in relation to stories being provided to the press. I'm curious as to why that didn't draw your attention. I'm also curious as to whether you believe you had any responsibility for decisions made when you claim you were not paying attention.

SALLY DOWLING: Doing my best to address the various parts of that question, you've misstated my evidence. You've attempted to summarise it. You've done so inaccurately. I take issue with that. I refer you to the *Hansard* and to the various written statements that have been filed. You have then asked why my attention wasn't drawn to this discussion. That's because I thought it was two media people talking about a story that was quite notorious across the legal profession at that time and within our office because it was unusual and was a matter of notoriety within the office. That's why I wasn't particularly interested. It was clearly—

The Hon. SUSAN CARTER: Can I just ask you a follow-up question in relation to that? If, as I think you said before, this was end-of-meeting talk, if you were so busy and if you thought this was two media people chatting, why didn't you get up and leave the meeting so you could do your work more efficiently some place else?

SALLY DOWLING: Because the meeting was finishing up. That's not a question.

The Hon. SUSAN CARTER: So it was a discussion that was held while the meeting was still on foot before you thought it was necessary to leave?

SALLY DOWLING: That was not my evidence, Ms Carter.

The Hon. SUSAN CARTER: It feels like we're hearing two different things. It either was part of the meeting or it wasn't part of the meeting.

SALLY DOWLING: The meeting isn't a formal meeting like the kind that you have here in this setting. It had some items of business that had to be got through. Then, as between colleagues, there's general discussion of things at the end of the meeting. That's my evidence. I don't find that unusual.

The Hon. SUSAN CARTER: If your evidence is that this appeared to be the continuation of a discussion of a notorious matter that had taken place in the office, had there been ongoing discussion in the office about providing information about this story to the media?

SALLY DOWLING: No, there hadn't.

The Hon. SUSAN CARTER: Then that discussion in the meeting would've had a different character, would it not, then the discussion—

SALLY DOWLING: No.

The Hon. SUSAN CARTER: It can't be both, with respect, Ms Dowling.

SALLY DOWLING: I think it can actually, Ms Carter. I rely on the account that I have given repeatedly here. I can't take it any higher than that.

The Hon. SUSAN CARTER: With respect, your account repeatedly is, "I was doing emails; I wasn't paying attention." The necessary inference one draws is that you were saying that you are not responsible for decisions made in your presence, with you as a participant at a meeting, if you're not paying attention. I find that, from someone in your position, quite extraordinary.

SALLY DOWLING: The fact that I was present at a meeting in which there were things that were discussed does not equate to the approval of things that were discussed that weren't put to me for approval. There's no suggestion that I approved them. I have already given you an account on multiple occasions. The operative fact is simple and that is that no approval was sought and no approval was given. I take responsibility for having a policy and I take responsibility for compliance with the policy. I don't take responsibility for actions that occur not in accordance with that policy, which is what happened here.

The Hon. SUSAN CARTER: If Ms Killoran acted without approval, why was she only counselled in relation to the release of the screenshot?

SALLY DOWLING: You would have to ask the decision-makers who were involved in that, who are Judge Veltro and Justice Wilson. I wasn't involved in that.

The Hon. SUSAN CARTER: Have you subsequently asked them?

SALLY DOWLING: No, I haven't, because they are now justices and it would be completely inappropriate for me to do that.

The Hon. SUSAN CARTER: Have you subsequently asked whoever now is in charge of supervising the work of Ms Killoran?

SALLY DOWLING: No, I haven't. I have not sought to do anything that could disturb the integrity of the evidence that, as of 5 December, it became clear this Committee was interested in. I have taken a step back from anything to do with this.

The Hon. SUSAN CARTER: With respect, Ms Dowling, this question has been a live issue since before 5 December.

SALLY DOWLING: Has it?

The Hon. SUSAN CARTER: Yes, it has.

SALLY DOWLING: That is not my recollection.

The Hon. SUSAN CARTER: Perhaps we can move to another issue.

SALLY DOWLING: Ms Carter, may I ask you about that, because 5 December is when I first came to give evidence and when I was first, as I've said, ambushed with that statement of Judge Wass.

The Hon. SUSAN CARTER: Ms Dowling, I believe we have discussed this same issue of the release of the information and who was responsible for its release at at least two estimates hearings prior to any work of this Committee. This is hardly a new line.

SALLY DOWLING: I don't know that it's been discussed with me.

The Hon. STEPHEN LAWRENCE: To assist, on 28 February 2025 there was extensive questioning, including questions about if the story had been pitched et cetera.

The Hon. SUSAN CARTER: So that's 10 months. If I can take you to your statement—

SALLY DOWLING: Can I just make an observation there. Please let me just check my chronology. That was February 2025? The internal investigation by Norton Rose Fulbright wasn't completed until June 2025, and that is a really material fact.

The Hon. SUSAN CARTER: Ms Dowling, the question went to whether or not this was an issue that was of concern, and whether it's something perhaps that you may have made inquiries about. But if we can turn to another issue—

SALLY DOWLING: I would also like to refer you to the evidence that I've already given about when I first became aware of the proactive pitching of the story, which was shortly before I gave evidence in December 2025.

The Hon. SUSAN CARTER: Can I take you to another issue in relation to your statement of—

SALLY DOWLING: Ms Carter, this is an important point to me, because I feel that this Committee is very much looking for a basis to make adverse findings in relation to me. You're trying to—

The Hon. SUSAN CARTER: Can I just stop you there and say I think that's mischaracterising entirely the work of this Committee. We are interested in finding out the truth, and we have experienced considerable obstacles in getting access to evidence and witnesses and documents. But please go on, Ms Dowling.

SALLY DOWLING: I'm sorry that the Committee has experienced those obstacles, and I can assure you that they are not of my making. However, I just do want to point out, as I have attempted to make clear in my various written documents and also in my oral evidence, there is a clear sequence of events here. There was the police investigation that started on 21 November 2025, and that is the first time anyone in a leadership role at the ODPP became aware of the provision of the screenshot. Please let me finish. Once that happened, the media team received legal advice. There was no discussion with anybody in the media team about what could be their evidence, because of course they had the privilege against self-incrimination. It was a criminal investigation. In accordance with the Government Sector Employment Act, no internal investigation can happen until a criminal investigation has been concluded.

The criminal investigation was concluded on 21 March 2025, and that's relevant to the point that, Mr Lawrence, you made about questions that may have been put in February 2025. At that point, Norton Rose Fulbright then commenced their internal investigation and I did not have involvement in that. That was Justice Wilson and Judge Veltro. As I understand it, that investigation was concerned with the breach of the code of

conduct involved in the provision of the screenshot, rather than the genesis of the story. I was aware that that process was going on. I was aware that the recommendations were counselling and a reprimand and that they were delivered by Judge Veltro. That happened in June 2025. I didn't read the Norton Rose Fulbright report until shortly before I came to give my evidence in December 2025, and that was when I became aware of the genesis of the story. I hope that that clarifies the sequence of events and my state of knowledge.

The Hon. STEPHEN LAWRENCE: Just to clarify something I asked you earlier, Ms Dowling, do you agree that Ms Killoran had a mistaken understanding that she was authorised to raise the story with 2GB at the end of the meeting?

SALLY DOWLING: I agree that that's the evidence that she's given.

The Hon. STEPHEN LAWRENCE: But I'm asking if you agree with it.

SALLY DOWLING: No, how can I agree with her state of mind?

The Hon. STEPHEN LAWRENCE: Do you dispute it?

SALLY DOWLING: No, I don't dispute that she had a particular state of mind but, on the other hand, I'm not in her mind. She has given that evidence. I—

The Hon. STEPHEN LAWRENCE: So you don't dispute it?

SALLY DOWLING: It's impossible for me to dispute that she had a particular state of mind, is it not?

The Hon. STEPHEN LAWRENCE: Normally, let's say, if we're in a court proceeding, if a matter is not disputed, not challenged, then it's often taken to signify that it can accepted by the tribunal. I'm just interested, in terms of the submission that you put to us on 2 February 2026 where you said—

SALLY DOWLING: Just let me turn that up, please.

The Hon. STEPHEN LAWRENCE: I'm going to direct you to the second page, about halfway down.

SALLY DOWLING: Is that 2 February?

The Hon. STEPHEN LAWRENCE: Yes, 2 February.

SALLY DOWLING: Was that a written submission?

The Hon. STEPHEN LAWRENCE: I think it was a letter.

SALLY DOWLING: Excuse me, I just have to grab a copy of it.

The Hon. STEPHEN LAWRENCE: I'll read to you the relevant portions and maybe you won't have a problem.

SALLY DOWLING: That would be great, thank you.

The Hon. STEPHEN LAWRENCE: You say:

During the meeting on 24 October 2024 about which Ms Killoran gave evidence, I was, as is my usual practice, also reading emails and texts concerning various prosecutions and other ODPP business.

SALLY DOWLING: Yes, I'm familiar with that.

The Hon. STEPHEN LAWRENCE: You go on:

I deeply regret now not giving that meeting my complete attention.

SALLY DOWLING: And then I say that she had a mistaken understanding.

The Hon. STEPHEN LAWRENCE: And then you go on and said:

I do not dispute that Ms Killoran had a mistaken understanding that she was authorized to raise the story with 2GB.

SALLY DOWLING: Yes.

The Hon. STEPHEN LAWRENCE: By that, are you suggesting that we wouldn't, in your view, have a problem accepting Ms Killoran's evidence in that respect?

SALLY DOWLING: Well, that's her evidence, that she thought that that was authorised.

The Hon. STEPHEN LAWRENCE: Do you know if Ms Glanville also left the meeting with that mistaken understanding?

SALLY DOWLING: I don't know that.

The Hon. STEPHEN LAWRENCE: What about the lawyer that was there, the male lawyer?

SALLY DOWLING: I don't know that either.

The Hon. STEPHEN LAWRENCE: So you've never spoken to any of them about it?

SALLY DOWLING: I have not. Can I just say, the reason that I haven't is because I have not wanted to affect the integrity of evidence that they may give to this inquiry.

The Hon. STEPHEN LAWRENCE: There's been quite an extensive period of time between the meeting in October 2024 and now. It seems, on what you don't dispute, that for an extended period—I think a year and two months—you've got one view about the meeting; Ms Killoran's got a different view. She thinks that you've authorised the pitching of the story.

SALLY DOWLING: No. She says she thought she was authorised.

The Hon. STEPHEN LAWRENCE: Correct.

SALLY DOWLING: I think there's a slight difference there.

The Hon. STEPHEN LAWRENCE: She took, on her evidence, your silence to mean that she was authorised to do it. I'm just curious, did you then work together for the next year and two months?

SALLY DOWLING: Yes.

The Hon. STEPHEN LAWRENCE: Did she assist you in relation to media inquiries and so forth?

SALLY DOWLING: She did her job as media manager and, in accordance with the workflows—which are not rigid, but I was not her manager and I was not the executive responsible for the bulk of the media inquiries.

The Hon. SUSAN CARTER: To assist, you're clearly in the flow for the media response.

SALLY DOWLING: Yes.

The Hon. STEPHEN LAWRENCE: On 14 February 2025 *The Australian* newspaper published a story which said, in part:

Police are investigating allegations that the leak to 2GB's Ben Fordham was motivated by a staffer in the ODPP in a bid to damage the reputation of a judge who had been critical of DPP Sally Dowling SC's conduct—

SALLY DOWLING: This was 14 February, was it?

The Hon. STEPHEN LAWRENCE: The 14 February story, yes. The story continues:

... but at present it is unclear why the material was leaked.

That's one example of something being raised in the public domain about whether your office leaked the story, planted the story. I'm just wondering, that wasn't a juncture where you and Ms Killoran had a discussion and this mistaken assumption arose?

SALLY DOWLING: No, because at that stage, on 14 February—sorry, let me refer to this chronology. The matter was still—this is 14 February 2025, the police investigation was still ongoing, so there was no discussion.

The Hon. STEPHEN LAWRENCE: Seeing that story published, did that make you think, "Maybe my office did plant the story"?

SALLY DOWLING: No, it didn't.

The Hon. STEPHEN LAWRENCE: The possibility never occurred to you, over that period of one year and two months, that your office had planted the story?

SALLY DOWLING: No. I refer to my earlier written evidence, which was it was my impression that they had the story and that they had come to the office for verification of the story.

The Hon. STEPHEN LAWRENCE: I have one more question that is sort of on that topic. We've got evidence from Judge Wass that, between October 2024 and 27 November 2025, she spoke with the Chief Judge of the District Court and that she spoke to her on various occasions regarding whether the ODPP had made the disclosure to the radio station. Apparently, according to Judge Wass, at the first meeting the Chief Judge undertook "to ask Ms Dowling if the ODPP had made the disclosure". According to Judge Wass, soon after, the Chief Judge advised Judge Wass, "Ms Dowling had told her that, to her knowledge, the ODPP had not made the disclosure."

I want to ask you, did you tell Chief Judge Huggett that, to your knowledge, the ODPP had not made the disclosure?

SALLY DOWLING: Yes, I think that conversation was before the screenshot information had been conveyed to the office and at that stage I did not know how, what had happened.

The Hon. STEPHEN LAWRENCE: When the Chief Judge asked you that, did you think, "Maybe I should just go back and check to see whether anyone in my office in fact had pitched the story or proactively given the story"?

SALLY DOWLING: It was my understanding that verification had been sought, as happens all the time. That's generally the job of the media managers. Media come to us with stories that they have already and ask for verification. And that's what I thought had happened.

The Hon. STEPHEN LAWRENCE: There were no discussions between yourself and Ms Killoran around that time that in any way brought to the fore that you thought that the office had not given it, but she actually thought she was authorised by you to pitch it?

SALLY DOWLING: No.

The Hon. STEPHEN LAWRENCE: So, like two ships in the night, you've both got totally different views about this thing, but at no point did it arise for discussion.

SALLY DOWLING: It didn't come up, bearing in mind that from 21 November the entire topic was shut down, so as soon as that police investigation started, in an effort to protect her evidence and afford her her rights as a suspect, I suppose, there was no discussion about the issue whatsoever.

The Hon. STEPHEN LAWRENCE: On 28 February at estimates you were asked lots of things by Ms Carter, but there was quite a—

SALLY DOWLING: Sorry, what date is this?

The Hon. STEPHEN LAWRENCE: On 28 February 2025 at estimates. You were asked this about the media story:

If there was no question, if this was information that was volunteered, would that be appropriate action on the part of your media person?

SALLY DOWLING: I'm sorry, if this was evidence, like if the story had been volunteered?

The Hon. STEPHEN LAWRENCE: This is you being asked at estimates a whole series of questions, but it sort of culminates in a discussion where Ms Carter says:

If there was no question, if this was information that was volunteered, would that be appropriate action on the part of your media person?

And you say:

I can't answer that question.

SALLY DOWLING: Well, I think—I'm sorry, you were going to ask a question?

The Hon. STEPHEN LAWRENCE: I'm just imagining a situation where Ms Killoran, Ms Glanville and maybe this male lawyer are somehow privy to this evidence given in public where they may well have had the view that that's exactly what occurred and they must have thought that you knew that that's what's occurred, if you take Ms Killoran's evidence where she left on a mistaken impression. So there's all of this discussion in the public domain, in the media and then in estimates about the possibility of it being a voluntary or proactive disclosure. You're not confirming that. You ultimately say that you don't know about it. I'm just wondering what they would have thought about that and why any of you wouldn't have spoken about it, and then you wouldn't have continued to have this totally different view about this thing?

SALLY DOWLING: I'm sorry, I can't answer that question.

The Hon. STEPHEN LAWRENCE: So at no point, in the one year and two months from October 2024 to when you discover in December that in fact this had been talked about in the meeting and Ms Killoran had left with a mistaken impression, you don't have a conversation with Ms Killoran, Ms Glanville or the lawyer in the meeting where this mistaken difference of opinion is ever discussed?

SALLY DOWLING: I've repeatedly given an account of that. There are two aspects of that. One is that I thought the media had the story and had come to us for verification, and that wasn't surprising to me because it was a story of—

The Hon. STEPHEN LAWRENCE: Yes, but it wasn't true.

SALLY DOWLING: No, just wait and let me finish. It was a story of interest. It had been discussed widely in the legal profession and more broadly. So that was not surprising to me that that may have happened. Then on 21 November we are informed that there is a police investigation and in fact there's been an unauthorised disclosure of privileged information. At that point in time I did deliberately and with a view to preserving the integrity of this process, or of all processes—the criminal investigation principally—there was no discussion. So I continued under the understanding that it had been an approach from the media.

The Hon. STEPHEN LAWRENCE: Let's just go to a different point in time, to 28 August 2025, by which time the police investigation—

SALLY DOWLING: Sorry, what date is this?

The Hon. STEPHEN LAWRENCE: It's 28 August 2025. You got a supplementary question after estimates, "Given that the release of information in the Children's Court matter concerns a matter which was heard in a closed court, please explain the chain of communication from the hearing to the disclosure to the journalist." Your reply was—and this is in part, but the part that seems to relate to this—"The ODPP is not in a position to explain the chain of communication from the hearing to the disclosure to the journalist." Do you agree, Ms Dowling, that the statement, "The ODPP is not in a position to explain the chain of communication from the hearing to the disclosure to the journalist", was misleading?

SALLY DOWLING: No, I don't agree with that.

The Hon. STEPHEN LAWRENCE: Why?

SALLY DOWLING: Because at that point in time—sorry, it was from the hearing to the journalist?

The Hon. STEPHEN LAWRENCE: You were asked, "...please explain the chain of communication from the hearing"—and the question is about the hearing in Taree—"to the disclosure to the journalist." Your reply was, "The ODPP is not in a position to"—and you're quoting the question—"explain the chain of communication from the hearing to the disclosure to the journalist." I'll ask you the question in a different way. Wouldn't the correct answer have been, "Only the ODPP is in a position to explain the chain of communication from the hearing to the disclosure to the journalist." Who else could have explained it?

SALLY DOWLING: These questions are completely non sequiturs. I was asked a question—you asked me one question, I haven't had a chance to answer it. I was asked the question coming from budget estimates.

The Hon. STEPHEN LAWRENCE: Answer, please, if you would.

SALLY DOWLING: Give me a moment. You are wanting a complete and truthful and accurate answer to this.

The Hon. STEPHEN LAWRENCE: A hundred per cent, yes.

SALLY DOWLING: So give me a little bit of space, please, Mr Lawrence. That question, as framed, "from the hearing to the disclosure to the journalist", involves I don't know how many people. There were the lawyers there who were in the hearing, there was the entry onto the computer system, and then there was the disclosure to the journalist, which we now know was from that media officer. In August 2025 I had not read the Norton Rose Fulbright report. I knew, and everybody knew, that a screenshot had been provided. I think perhaps the vice is in the drafting of the question.

The Hon. SUSAN CARTER: Ms Dowling, what inquiries did you undertake before providing that answer?

SALLY DOWLING: My team made those inquiries and prepared the answer, so I would have to go back and ask them.

The Hon. STEPHEN LAWRENCE: Did you speak to Ms Killoran before you provided that answer?

SALLY DOWLING: I have not spoken to Ms Killoran about this matter since the commencement of the police investigation.

The Hon. STEPHEN LAWRENCE: Why wasn't the ODPP in a position to explain the chain of communication from the hearing to the disclosure to the journalist?

SALLY DOWLING: I don't know what has happened between Ms Killoran and the journalist.

The Hon. STEPHEN LAWRENCE: I think you'd agree, Ms Dowling, that when, as the head of an organisation, you either take a question on notice or you get a supplementary question, that often the point of that and the intent of that is that you go away and make inquiries and answer the question.

SALLY DOWLING: Of course.

The Hon. STEPHEN LAWRENCE: So I'd like to really get a sincere answer to this. Why weren't you in a position, when you undertook the solemn duty of replying to a question from a Parliament, to explain the chain of communication from the hearing to the disclosure to the journalist? I ask that question because of this, Ms Dowling: It's transpired that a rather unusual situation has occurred where you say that you weren't paying attention in a meeting. A public servant says they got a mistaken impression that they were authorised to proactively pitch a story. This question that you got in a supplementary form went to that issue directly. I want you to tell us why weren't you in a position to explain it.

SALLY DOWLING: With respect, I don't know that did go directly to that question. It may have been intended to, but it asked a much, much broader question. I don't know, and I still don't know, all of the steps in between. Perhaps if I go back and re-read Ms Killoran's evidence I will understand that, but it is not clear to me all of those steps.

The Hon. STEPHEN LAWRENCE: Why didn't you talk to the staff that were under your direction and control as the boss to find out what the chain of communication was? The Parliament wanted an answer to that.

SALLY DOWLING: I understood the question to want to know the steps that were not within our knowledge.

The Hon. STEPHEN LAWRENCE: They were within your knowledge.

SALLY DOWLING: I dispute that.

The Hon. STEPHEN LAWRENCE: I'm talking about the organisation. They were within the organisation's knowledge, clearly.

SALLY DOWLING: They weren't within my knowledge.

The Hon. STEPHEN LAWRENCE: When the police asked you for a statement, they told you they wanted a statement about your conversations with the media manager before the disclosure.

SALLY DOWLING: I'll have to just check that.

The Hon. STEPHEN LAWRENCE: That's the evidence that we've got from the officer.

SALLY DOWLING: What's your page reference?

The Hon. STEPHEN LAWRENCE: I don't have a page reference for it.

SALLY DOWLING: Could you please refer accurately to that evidence. That would be helpful for me, please.

The Hon. STEPHEN LAWRENCE: So you don't recall that you were asked that?

SALLY DOWLING: I'd like you to put the evidence accurately of the OIC.

The Hon. SUSAN CARTER: I think it might have been page 4 of the evidence given on 20 February by Detective Acting Chief Superintendent Craft—

The Hon. STEPHEN LAWRENCE: I might just ask Mrs Carter to read that to you if she's got it in front of her.

The Hon. SUSAN CARTER: I can get it very quickly—

The Hon. STEPHEN LAWRENCE: I might just ask a few more questions while Mrs Carter looks for that. Is it correct, Ms Dowling, that you refused to give a police statement because you'd already been told by a police officer that no offence had been detected? Is that a fair summary of why you refused?

SALLY DOWLING: No. I declined to give a statement—as is my right and every other person's right in this State and a right that was also exercised by the shadow Attorney General in this matter—because I'd already given the relevant information very, very early on in the piece. In fact, I'd given it on the 25th or 26th of 2024, whatever the date is that's in our—

The Hon. STEPHEN LAWRENCE: So you'd given the information that you thought was relevant, so you refused—

SALLY DOWLING: I'd given my knowledge. I'd given everything that I knew.

The Hon. STEPHEN LAWRENCE: Sure. When you got the request, did you go back to the police officer and say, "Look, I've already given you a comprehensive amount of information. Why should I give more? Why are you asking for more?"

SALLY DOWLING: It was a request that was made to the solicitor, and I asked the solicitor to convey to police that I had given the information that was in my knowledge.

The Hon. STEPHEN LAWRENCE: And you didn't intend to give a statement?

SALLY DOWLING: Yes—particularly in light of the fact that the police had already indicated that they had abandoned the inquiry into 308H of the Crimes Act. It was quite clear to me, as an experienced criminal lawyer, that there had been no offence under 15A, and that's the only other offence provision that police informed us that they were looking into.

The Hon. STEPHEN LAWRENCE: And the thing he wanted the statement about, I suggest to you—if you don't remember, that's fine—was conversations with the media officer, Ms Killoran, prior to the disclosure.

SALLY DOWLING: I would have to go back and check the record.

The Hon. STEPHEN LAWRENCE: What I want to suggest to you is that at various sequences during this period, you're put on notice by the media, you're asked then in Parliament about the chain of events, then the police want to know about the statements with Ms Killoran. It's all going to the subject matter where we are then told that there's this mistaken view formed by Ms Killoran in the meeting. I find it extraordinary. I want to suggest to you this: that your refusal to answer that question on notice properly—the supplementary question—the refusal to explain the chain of events, then the refusal to provide a police statement about the conversations with Ms Killoran is because you didn't want to admit that you'd authorised the story.

SALLY DOWLING: That is an outrageous suggestion that I absolutely reject categorically.

The Hon. STEPHEN LAWRENCE: And I want to suggest—

SALLY DOWLING: Can I answer that question, please, Madam Chair? What is extraordinary to me is the suggestion that's being put by you, Mr Lawrence, that after 30 years of legal practice, including 13 years as a silk and five years as the Director of Public Prosecutions—25 years of public service dedicated to the people of the State of New South Wales and an unimpeachable professional career and reputation—you are suggesting that I have done anything other than give truthful evidence, to the best of my ability, to this Parliament. That is an astonishing suggestion. There is no foundation for that in the evidence. It is not a fair suggestion and I reject it.

The Hon. STEPHEN LAWRENCE: Yet you don't dispute the evidence of Ms Killoran, and you expect us to believe that, for a year and three months, there was no meeting of the minds on this critical issue of whether you authorised the planting of the story about this boy. I want to suggest to you, Ms Dowling, that you have used all of the authority of your position to put an extraordinary sequence of events—to ask people to accept an absolutely extraordinary thing.

SALLY DOWLING: I reject that completely. It is a ridiculous and offensive and unfounded proposition.

The Hon. SUSAN CARTER: I want to go to the issue of whether or not an offence was committed. You've given evidence that, in your opinion, there wasn't. In your statement of 5 December, at the fifth paragraph of page 10, you indicate that the police had advised the ODPP that they concluded their investigation. You said:

Police took no further action reflecting, as I said, that no offence had been committed.

But Detective Acting Chief Superintendent Craft, in evidence given on 20 February 2026, said at page 6:

The admissible evidence that we were able to collect wasn't sufficient to substantiate the charges.

Do you accept that insufficient evidence being made available to the police is a different conclusion than no offence having been committed?

SALLY DOWLING: I don't accept that.

The ACTING CHAIR: Thank you very much for coming today, again, and for your evidence. That concludes this session. The secretariat will contact you in relation to any questions taken on notice. I know that

you did take one on notice from me, Ms Dowling. I would be very grateful for your input in relation to that particular question and, of course, any other questions that may have been taken on notice.

SALLY DOWLING: Madam Chair, may I ask when this inquiry is going to hand down its report?

The ACTING CHAIR: Yes, you can. The Committee is yet to determine that, but we will notify you as soon as we possibly can.

SALLY DOWLING: The date for the reporting, which, as you know, has been pushed back many times, is currently 8 May. Is that still the intended date?

The ACTING CHAIR: Yes, that's correct. That is unlikely to be the date that the Committee will report to the Parliament. I think it will be in the not too distant future.

SALLY DOWLING: May I also ask one more question? Thank you for indulging me. I have asked for notification in writing in advance of any adverse findings that are proposed to be made about me and my office. Is that going to happen?

The ACTING CHAIR: Thank you very much, Ms Dowling. I hear that request. Obviously, the Committee always has to deliberate, and do so in a private form. That will happen, and I think I can commit to certainly getting back to you about that.

SALLY DOWLING: Thank you very much.

The ACTING CHAIR: Thank you so much for your time and your evidence today.

(The witness withdrew.)

The Committee adjourned at 16:10.