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Commissioner Ian Stewart,
Queensland Police Service
Police Headquarters,
200 Roma Street,
Brisbane QLD 4000
GPO Box 1440, Brisbane QLD 4001

Dear Commissioner Stewart,

We are independent journalists who write for an online news journal, [Independent Australia](http://www.independentaustralia.net).

One of our main focuses in articles lately has been the investigation of the 1,704 pages of evidence on the Federal Court website, regarding the allegations and court processes against the former Speaker of the House of Representatives in the Australian Parliament, the Honourable Peter Slipper MP, by Mr James Hunter Ashby.

The website for these documents is here

<http://www.fedcourt.gov.au/case-management-services/access-to-files-and-transcripts/court-documents/ashby-v-commonwealth>

One of the things which concerned us as interested observers was the progress of Mr Ashby in the text messages from lawyer to lawyer. From Mr Mark McArdle to Mr Christopher Pyne and finally to Mr Mal Brough who, although he is apparently not legally qualified, met with Ashby and Karen Doane (Mr Slipper's media adviser) to offer legal advice on 23 March 2012.

From our reading of the material, it seems to us that following that meeting Ashby sent pages from Mr Slipper's diary to Mr Brough.

In his judgment, His Honour Rares J said the following at Para [58] "Later on 29 March 2012, Mr Brough exchanged texts with Mr Ashby. Mr Brough asked whether Mr Ashby could email a document because, what Mr Ashby had sent is "hard to read". Mr Ashby said that he would email it and Mr Brough later responded: "Will need to get daily printouts tomorrow with greater detail".

We infer that this exchange related to Mr Brough having been sent, and later emailed, copies of printouts from Mr Slipper's electorate diary from 2009 made by Mr Ashby or Ms Doane.

On 29th March 2012, Mr Brough sent Ashby a text message and asked for the copies of the diary pages to be emailed, because the originals were hard to read:

Can that be emailed James it is hard to read Mal.brough2@bigpond.com	29/03/2012 11:31:19 am UTC (Network)	Read
Done. Coming thru in minutes	29/03/2012 11:31:53 am UTC (Device)	Sent
Thanks	29/03/2012 11:32:11 am UTC (Network)	Read
James can you give me a call please. Mal	12/04/2012 10:09:04 am UTC (Network)	Read

This information can be found on the following PDF file (annexure to an affidavit) found on the Federal court website, containing the evidence used in the court case of Ashby vs Commonwealth and Slipper, page 241/265:

<http://www.fedcourt.gov.au/case-management-services/access-to-files-and-transcripts/court-documents/ashby-v-commonwealth/ashby-commonwealth-of-australia/2-Oct-2012-Book-of-Evidence-Annexure.pdf>

Subsequently, on 30 July 2012, Mr Brough took part in a radio Interview with Fran Kelly on ABC Radio National. Once again, on my understanding of the material, Mr Brough appeared to admit that he had indeed received these allegedly stolen diary pages from Mr Ashby.

A recording of the interview can be found on the internet at this address:

http://mpegmedia.abc.net.au/rn/podcast/2012/07/bst_20120730_0853.mp3

As part of my research, I have also read some of the Queensland laws relating to criminal offences and the party provision offences under the Queensland Criminal Code.

Relevant sections of the Criminal Code (Qld) appear to be:

- s140 - Attempting to pervert justice;
- Ch 36 - Stealing;
- s 433 - Receiving tainted property.

I also see that under Section 30(1)(d) of the Criminal Code (Qld):

*A person is a party to an offence that is committed if the person—
(d) counsels or procures anyone to commit the offence.*

And that under ss30(3)-(5):

(3) If a person procures anyone to do an act that would have been an offence committed by the person had the person done the act, the person is taken to have committed an offence of the same type as if the person had done the act.

(4) Subsection (3) applies even if the person who actually does the act does not commit an offence.

(5) A conviction for counselling or procuring the commission of an offence has the same effect as a conviction for committing the offence.

The alleged act by James Ashby and Karen Doane of stealing information from Peter Slipper's private work diary and giving it to a third unrelated party (Mal Brough) appears to be an offence in itself. In fact, there appear to be multiple offences committed by Mal Brough when one also considers the Queensland Criminal Code party provisions.

Further evidence of Mr Brough's possible transgressions against the Queensland Criminal Code are detailed by His Honour, Justice Rares in his Federal Court judgment in the case Ashby vs Slipper, which may be found here:

<http://www.judgments.fedcourt.gov.au/judgments/Judgments/fca/single/2012/2012fca1411>

And more specifically: paras 58, 116, 132, 133, 135, 136, 138, 139, 141, 142, 146, 147 and 199.

Further, there may well be a prima facie case against News Limited Journalist Steve Lewis over his involvement in the counselling or procuring the commission of the alleged offence(s) as well.

In the interests of upholding the Queensland criminal law, and in the public interest, we ask that you look into the matters described above to determine whether any offences have been committed by the parties mentioned: Brough, Ashby, Doane and Lewis, with a view to prosecuting any offences found.

Yours Sincerely

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