

Sensitive: Legal



18 October 2022

The Honourable Justice John Sackar
Commissioner
Special Commission of Inquiry into LGBTIQ hate crimes
C/- Mr Enzo Camporeale
Director, Legal
GPO Box 5341 SYDNEY NSW 2001

By email: enzo.camporeale@specialcommission.nsw.gov.au

Dear Justice Sackar

Special Commission of Inquiry into LGBTIQ hate crimes – New South Wales Police Force resourcing concerns

1. I am writing to respectfully convey the level of resourcing that has been allocated by State Crime Command, NSW Police Force to service the response to the Special Commission of Inquiry (**Inquiry**). I also write to respectfully request an indication, if known, of the level of assistance that will be required of the NSW Police Force to the Inquiry moving forward, including whether the trend of Summonses being issued to the Commissioner of Police is anticipated to continue at the current level or increase so that appropriate resource planning can be undertaken.
2. Since 18 May 2022, 31 Summonses to produce material have been issued to the Commissioner of Police (**Summonses**). 32 Summonses in total have been issued to date, however one of those was a Summons to appear to give evidence .
3. Having regard to the subject matter of those Summonses, most of the work required to be undertaken to identify and prepare material held by NSW Police Force responsive to those Summonses has been performed by the Unsolved Homicide Team (**UHT**), being a unit within the Homicide Squad, State Crime Command.
4. Identifying and preparing material responsive to those Summonses has required a significant amount of time being invested by the UHT to properly respond. It is acknowledged that the work required to properly respond to each Summons has varied depending on the content of each Summons.
5. I am instructed that to date, the services of 10 UHT staff have needed to be drawn on to respond to the Summonses, with that work requiring full-time allocation for varying periods. This is because searching through electronic databases to locate information or material responsive to the Summonses and searching large numbers of archive boxes for hard copy responsive material is time intensive. Since late July, three UHT staff have

Sensitive: Legal

been allocated to the response to the Inquiry full time. Three staff have also been drawn from the Central Metropolitan Region and North West Region to assist with the response to the Inquiry.

6. The effect on the day to day operations of the UHT, and in turn the Homicide Squad, has been significant as those staff are drawn away from their usual day to day tasks. This has on three specific occasions resulted in the stalling of live investigations and "reviews" being conducted by the UHT. If the trend of the number and scope of Summonses being issued is expected to continue or increase without resourcing being properly addressed, it is anticipated that this may result in further delay or suspension of reviews and investigations.
7. Further, I note that significant resources have been invested by my office (Office of the General Counsel) to assist the Inquiry to date. Recently it has been necessary for my office to instruct a private law firm to assist with the response to the Inquiry.
8. It is appreciated that the direction that the Inquiry may go, and in turn the nature and extent of the level of assistance that will be required of the NSW Police Force may not be known at this stage. However, to allow for the proper planning of sufficient resources being available to properly service the response to the Inquiry moving forward, I would be grateful for any indication that can be given in respect of the level of assistance that will be required, and anticipated volume of any further Summonses for production or requests for information that may be issued.
9. If the trend of the number and scope of Summonses being issued is expected to continue or increase, the NSW Police Force respectfully requests that, if it is possible, a petition to Government be made for funding to be allocated to the NSW Police Force to increase staffing levels available to the UHT in order to assist it in properly resourcing its assistance to the Inquiry, and to avoid any significant adverse effect that that assistance may have on the day to day operations of the UHT.
10. This correspondence is in no way intended to suggest that the New South Wales Police Force does not fully support the Inquiry and/or is not willing to work constructively to provide the Inquiry with any and all material it holds that would be of assistance to the Inquiry (subject to any legitimate objections that are required to be made). On the contrary, the Inquiry has the full support of the New South Wales Police Force.

Yours sincerely



Natalie Marsic
General Counsel
NSW Police Force