

Sensitive: Legal



**NSW Police Force**

10 February 2023

Mr Enzo Camporeale  
Director, Legal  
Special Commission of Inquiry into LGBTIQ hate crimes  
121 Macquarie St  
SYDNEY NSW 2000

By email ONLY: [enzo.camporeale@specialcommission.nsw.gov.au](mailto:enzo.camporeale@specialcommission.nsw.gov.au)

**Cc:** [REDACTED]

Dear Mr Camporeale

**Special Commission of Inquiry into LGBTIQ hate crimes – Production of documents pursuant to Summons No. NSWPF55**

We refer to Summons No. NSWPF55, issued to the Commissioner of NSW Police (**Commissioner**) on 7 February 2023 (**Summons**) and returnable 10 February 2023, a copy of which is **enclosed** with this letter.

Our office has been in direct contact with Sergeant Steer, with the approval of his legal representative, in relation to the Summons. We are informed by Sergeant Steer that he has conducted a review of his historical emails and is unable to locate any emails in which the materials referred to by him in his evidence were provided to him.

We are informed by Sergeant Steer that notwithstanding his evidence, he now recalls that the documents referred to in his evidence, and as now called for by way of the Summons, were not in fact provided to him by email but were placed in a local NSWPF "P:Drive" by the Program Development Team, Crime Prevention Command, for Sergeant Steer to access.

The Program Development Team has searched the relevant P:Drive location and retrieved the 12 x case summary documents which appear to be the case summary documents referred to by Sergeant Steer in his evidence and called for at Item 2 of the Summons.

In relation to the spreadsheet referred to at Item 1 of the Summons, we are unable, at this time, to identify the specific document called for.

We are informed by Sergeant Steer that that spreadsheet, to the best of his recollection, was an Excel spreadsheet containing the 12 x dip sample cases he was reviewing and which corresponded with the 12 x case summary documents with which he recalls being provided with. The Program Development Team has been unable to locate this Excel spreadsheet in the relevant P:Drive location. We are informed by Sergeant Steer that it is possible that the Excel spreadsheet was removed from the P Drive location and it has since been lost.

We have identified, however, three Excel spreadsheets in relevant P Drive location by the Program Development Team which contain six of the 12 x dip sample cases that Sergeant Steer was to review. We are further informed by Sergeant Steer that these spreadsheets were created by him using extracts from the initial Excel spreadsheet provided to him which he then amended.

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**OFFICE OF THE GENERAL COUNSEL**

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We are informed by Sergeant Steer that those three spreadsheets created by him were for the purpose of him providing those spreadsheets for further review externally.

As a matter of completeness, we also made a request to the current Engagement and Hate Crimes Unit (being the current iteration of the former Bias Crimes Unit) to conduct a search of its internal P:Drive for any material that accords with the description of the material given by Sergeant Steer during his evidence. That search has not identified any material beyond that which has been identified by the Program Development Team.

**Confidentiality**

We refer to Practice Guidance 2 issued by the Inquiry dated 1 February 2023. Given the time which the Commissioner has had to respond to the Summons it has not been possible for the Commissioner to complete a review of the documents for information over which she may seek a non-publication order.

In those circumstances, and in light of the conversation between the author and Enzo Camporeale on 2 February 2023, the Commissioner seeks the Inquiry's agreement to accept the documents on a confidential basis while the Commissioner completes her review of the documents. We expect the confidentiality review will be complete by **5 pm Wednesday 15 February 2023**

We have copied Sergeant Steer's legal representative to this correspondence.

Yours sincerely



Katherine Garaty  
Director – Crime Disruption and Special Inquiry Law  
Office of the General Counsel  
NSW Police Force