



## Special Commission of Inquiry into LGBTIQ hate crimes

13 September 2023

Katherine Garaty  
Director, Crime Disruption and Special Inquiries Law  
Office of the General Counsel, NSW Police Force  
Locked Bag 5102  
PARRAMATTA NSW 2124

By email: [REDACTED]

Dear Ms Garaty,

### Special Commission of Inquiry into LGBTIQ hate crimes

I refer to my letter of 12 September 2023 and your letter of 12 September 2023 in relation to paragraph [34] of the submissions of the Commissioner of NSW Police Force (“NSWPF”) dated 28 June 2023 (“the submissions of NSWPF”).

I note the general comment at paragraph [2] of your letter in which you seek to remind the Inquiry of its function to investigate relevant issues.

### Bias Crimes Unit and paragraph [34] of the submissions of NSWPF

As set out in my letter on 12 September 2023, the Inquiry has been involved in prolonged discussions with you regarding the submission made at paragraph [34] of the submissions of NSWPF. It is surprising that the NSWPF has been unable to answer the Inquiry’s queries regarding this issue since filing its submissions on 28 June 2023. I further note that the protracted communications, and inability of NSWPF to substantiate its own submission, have hindered the Inquiry’s preparation for the resumption of Public Hearing 2.

I note that you provided the unsigned statement of Superintendent Andrew Hurst with your letter. The provision of this statement at 6:21pm on 12 September 2023 was the first time the Inquiry was made aware that a statement was being obtained, or rather *had been* obtained, by NSWPF from Superintendent Hurst. This is despite repeated requests from the Inquiry for assistance from NSWPF in understanding its submission. The protracted correspondence between the Inquiry and NSWPF on this issue might easily have been avoided had the NSWPF informed the Inquiry that an appropriate officer had been identified and a statement was being obtained.

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### Non-publication orders

I note that no non-publication orders have been sought over the statement of Superintendent Hurst nor the three documents enclosed with that statement, other than one redaction applied to the email chain labelled NPL.9000.0030.0006. The Inquiry will proceed on the basis that NSWPF does not seek any additional orders over these documents.

Please do not hesitate to contact Enzo Camporeale on 0498 484 133 if you have any queries.

Yours faithfully,



Enzo Camporeale  
Director, Legal  
**Solicitor Assisting the Inquiry**