



Special Commission of Inquiry into LGBTIQ hate crimes

18 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: Public Hearing 2

I refer to my letter of 11 September 2023 and to your letter of 15 September 2023, enclosing the statement of Detective Sergeant Rowena Clancy, dated 15 September 2023.

Statement of [REDACTED] **I446**

I confirm receipt of the statement of [REDACTED] **I446** provided to the Inquiry at 8:55pm on Friday, 15 September 2023.

As you are aware, the Inquiry wrote to [REDACTED] **I446** on 22 August 2023, requesting that, should she wish to provide a statement to the Inquiry, it be provided by no later than 4 September 2023.

On 4 September 2023, the NSW Police Force ("NSWPF") wrote the Inquiry to request an extension for the provision of any statement by [REDACTED] **I446** to 8 September 2023, which was granted by the Inquiry.

On 11 September 2023, the Inquiry wrote to NSWPF to note that the due date for the provision of [REDACTED] **I446** had passed with no statement being provided, and that, in the absence of a request for a further extension, the Inquiry would proceed on the basis that no statement would be provided.

With no explanation for the delay, request for an extension or indication that the statement was *to be provided*, the statement of [REDACTED] **I446** was then provided to the Inquiry on 15 September 2023.

Time pressures

As you are aware, the Inquiry is preparing for the upcoming tranche of evidence relating to Public Hearing 2, commencing on 21 September 2023. The commencement of this hearing has already had to be delayed as a result of the delays by the NSWPF in the provision of statements to the Inquiry.

The Inquiry's preparations include, *inter alia*, making decisions about which witnesses will be called to give oral evidence, and ensuring that each of the now eight interested parties have sufficient time to consider the tender bundle, which includes a significant number of new witness statements.

Special Commission of Inquiry into LGBTIQ hate crimes

For the Inquiry to complete its work and ensure fairness to all parties, it is of paramount importance that the NSWPF provides statements (and other requested material) in accordance with the deadlines set by the Inquiry. Failing this, it is essential that NSWPF communicates openly and regularly with the Inquiry in order for the Inquiry to stay abreast of what evidence will be available for tender in the upcoming hearing, and make arrangements accordingly.

The tender bundle is in the process of being finalised. I would therefore be grateful if you could please confirm by no later than **4:00pm today, 18 September 2023**, whether a statement will be provided by Jacqueline Braw and, if so, when the Inquiry might expect that such a statement will be provided.

Please also confirm by this time when the Inquiry will receive the statement of Detective Sergeant Alicia Taylor.

Non-publication orders

I note the foreshadowed application for non-publication orders over Detective Sergeant Clancy's name. I would be grateful if this application could please be provided as soon as possible and by no later than **9:00am on Wednesday, 20 September 2023**.

Please do not hesitate to contact me if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale
Director, Legal
Solicitor Assisting the Inquiry