



Special Commission of Inquiry into LGBTIQ hate crimes

15 September 2023

Sergeant Andrew Agostino
Address known to the Inquiry

By email: [REDACTED]

Dear Sergeant Agostino,

Special Commission of Inquiry into LGBTIQ hate crimes: Opportunity to provide a statement

I refer to my letter to you of 29 August 2023 in relation to the above Inquiry, a copy of which is **enclosed** for your reference.

Opportunity to provide evidence to the Inquiry

I note that Public Hearing 2 of the Inquiry is listed to recommence on Thursday, 21 September 2023.

In my letter of 29 August 2023, I provided you with the opportunity to file a statement as to the issues raised in Public Hearing 2 that are relevant to you by **8 September 2023**.

That date has now passed, and the Inquiry has not received any evidence or return correspondence from you. Accordingly, the Inquiry will proceed on the assumption that you do not wish to file a statement in relation to Public Hearing 2.

Please do not hesitate to contact Enzo Camporeale at 0498 484 133 or at enzo.camporeale@specialcommission.nsw.gov.au or Caitlin Healey-Nash at 0466 480 286 or caitlin.healey-nash@specialcommission.nsw.gov.au if you have any queries in relation to this matter.

Yours faithfully,

A handwritten signature in blue ink that reads 'E. Camporeale'.

Enzo Camporeale
Director, Legal
Solicitor Assisting the Inquiry

Encl. (1)



Special Commission of Inquiry into LGBTIQ hate crimes

29 August 2023

Sergeant Andrew Agostino
C/O Locked Bag 5102
PARRAMATTA NSW 2124

By email: [REDACTED]

Dear Sergeant Agostino,

Special Commission of Inquiry into LGBTIQ hate crimes

I assist the Honourable Justice John Sackar (“Commissioner”) in the Special Commission of Inquiry into LGBTIQ hate crimes (“the Inquiry”).

The Inquiry

On 13 April 2022, the Governor, by Letters Patent, issued a commission to the Commissioner to inquire into and report on historical LGBTIQ hate crimes. Specifically, the Letters Patent require the Commissioner to inquire into and report to the Governor and Premier on the following matters:

- A. The manner and cause of death in all cases that remain unsolved from the 88 deaths or suspected deaths of men potentially motivated by gay hate bias that were considered by Strike Force Parrabell; and
- B. The manner and cause of death in all unsolved suspected hate crime deaths in New South Wales that occurred between 1970 and 2010 where:
 - i) The victim was a member of the lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) community; and
 - ii) The death was the subject of a previous investigation by the NSW Police Force.

The Commissioner is required to report on the above matters by **15 December 2023**. Furthermore, in conducting the Inquiry, the Commissioner is directed to have regard to the “findings of previous inquiries and reports” (see Paragraph C of the Letters Patent).

A copy of the full Letters Patent and additional information about the Inquiry is available on the Inquiry’s website: www.specialcommission.nsw.gov.au.

Public Hearing 2

The second public hearing of the Inquiry (“Public Hearing 2”) is examining the ways in which the NSW Police Force (“NSWPF”) has approached issues relating to “bias crimes” and “hate crimes” from 1970 to present,

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including the investigations conducted by Strike Forces Parrabell, Macnamir and Neiwand. I understand you were involved in the investigation in relation to Strike Force Parrabell.

In February and March 2023, Assistant Commissioner Anthony Crandell gave evidence on behalf of the NSWPF in relation to Strike Force Parrabell, along with the experts briefed by the NSWPF to perform an academic review of SF Parrabell (Dr Derek Dalton and Professor Willem de Lint).

Public Hearing 2 has been conducted in several stages of hearings in December 2022, February-March 2023, and April-May 2023.

Public Hearing 2 is listed for two additional weeks of hearing scheduled to commence on Monday, 18 September 2023 ("the September hearing"). It is not proposed that you be called to give evidence at the September hearing.

Material before the Inquiry

On 7 June 2023, Counsel Assisting the Inquiry filed written submissions in relation to the issues explored in Public Hearing 2. Strike Force Parrabell is addressed at Parts E, F, G, H and I (paragraphs [783]-[1433]) of Counsel Assisting's submissions.

I also draw your attention to Exhibit 6 before the Inquiry, which comprises a bundle of material which has been tendered into evidence during the course of Public Hearing 2.

Further, on 27 June 2023, written submissions were filed on behalf of Sergeant Geoffrey Steer. On 28 June 2023, written submissions were filed on behalf of the Commissioner of Police and Mr Michael Willing.

Copies of the parties' written submissions and Exhibit 6 are available on the Inquiry's website: <https://www.specialcommission.nsw.gov.au/hearings/public-hearing-2-commencing-5-december-2022/>.

Opportunity to provide evidence and submissions to the Inquiry

The Inquiry does not request that you provide a statement in relation to your involvement in Strike Force Parrabell.

However, the Inquiry is providing you with the opportunity to file a statement and/or make written submissions if you wish to regarding the issues raised in Public Hearing 2 that are relevant to you. Should you wish to file a statement, please do so by **8 September 2023** by email to enzo.camporeale@specialcommission.nsw.gov.au. Should you wish to make any written submissions, please do so by **5 October 2023** by email to enzo.camporeale@specialcommission.nsw.gov.au.

Please do not hesitate to contact Enzo Camporeale on 0498 484 133 or at enzo.camporeale@specialcommission.nsw.gov.au if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale

Director, Legal

Solicitor Assisting the Inquiry