



Special Commission of Inquiry into LGBTIQ hate crimes

24 August 2023

Associate Professor Philip Birch
 School of International Studies and Education
 University of Technology Sydney
 Building 10, Level 5, 235 Jones Street
 Sydney NSW 2007

By email: philip.birch@uts.edu.au

Dear Associate Professor Birch

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 his Honour 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, his Honour is directed to have regard to the “findings of previous inquiries and reports”, including “the report and findings of Strike Force Parrabell” (see Paragraph C of the Letters Patent).

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

Special Commission of Inquiry into LGBTIQ hate crimes

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 crime" and "hate crime" from 1970 to present, including the investigations conducted by Strike Forces Parrabell, Macnamir and Neiwand.

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").

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.

In particular, I direct you to the following paragraphs of Counsel Assisting's submissions, which concern aspects of your involvement in the subject matter being examined in Public Hearing 2:

- paragraphs [264]-[284], [1086].

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.

I direct you to the following paragraphs, which concern aspects of your involvement in the subject matter being examined in Public Hearing 2:

- paragraphs [43]-[49], [594]-[596], [636], [788] of the written submissions of the Commissioner of Police.

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

At this stage, it is not proposed that you be called to give evidence at the September hearing.

Nevertheless, in light of the submissions referred to above, the Inquiry has determined that it is appropriate for you to have the opportunity to file a statement and/or make written submissions as to the issues raised in Public Hearing 2 that are relevant to you. Should you wish to file a statement, please do so by **4 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 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