



Special Commission of Inquiry into LGBTIQ hate crimes

25 May 2022

Patrick Hodgetts
Lawyer
Office of the General Counsel
Locked Bag 5102
PARRAMATTA NSW 2124

By email: [REDACTED]

Hearing of the Inquiry to obtain evidence about the status of NSW Police Force ("NSWPF") investigations

Dear Mr Hodgetts,

The Inquiry's Terms of Reference (see Item "D") require it to "operate in a way that avoids prejudice to criminal investigations, and current or future criminal prosecutions, and any other contemporaneous inquiries." The Inquiry is anxious to obtain information in relation to any such criminal proceedings and investigations as rapidly as possible, given the timeframe within which the Inquiry is expected to report.

Given the above, the Commissioner intends to hold a hearing of the Inquiry to obtain evidence from an appropriate senior officer of the Unsolved Homicide Unit in relation to the present status of any NSWPF investigations (including whether there are any pending or anticipated criminal proceedings) in relation to each of the deaths listed in the **enclosed** Schedule.

The Commissioner wishes to receive a brief summary from that officer, in viva voce evidence at the hearing, of the status of NSWPF investigations in relation to each of the nominated cases. Affidavit or other documentary evidence is not required in advance (although I note that in my letter to you of 4 May 2022 I requested that you identify all homicide deaths of LGBTIQ persons in the period 1970-2010 and the status of any related NSWPF investigations into them, and would be grateful your updating me with the likely date when that information will be provided).

At the hearing, the Commissioner also proposes to seek and receive evidence from that officer concerning the Unsolved Homicide Unit itself, including its protocols, processes and methodology in relation to reviewing unsolved crimes.

Noting the sensitive nature of the evidence, the hearing will be held in closed court, with the transcript not to be published.

It is proposed that the hearing take place on **6** and, if necessary, **7 June 2022**.

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I would be grateful if you would confirm with me, by this **Friday 27 May 2022**, which senior officer from the Unsolved Homicide Unit is to give the evidence. A summons can then be issued. Please also advise if the dates of 6 and 7 June 2022 cause any difficulties.

The Commissioner will consider any application by the Commissioner of Police for leave to be represented at the hearing.

Please do not hesitate to contact James Herrington on [REDACTED] if you have any queries in relation to this matter.

Yours faithfully



James Herrington
Special Counsel
for Crown Solicitor

Encl. 1

SCHEDULE

(Names of deceased with corresponding Strike Force Parrabell reference number)

1. Mark STEWART (aka SPANSWICK) (# 1)
2. David Lloyd WILLIAMS (# 3)
3. Walter John BEDSER (# 4)
4. Richard SLATER (# 5)
5. Gerard Leslie CUTHBERT (# 7)
6. Peter SHEIL (# 11)
7. Wayne "Wendy WAIN" BRENNAN (# 16)
8. Giles MATTAINI (# 19)
9. William Antony ROONEY (# 20)
10. Raymond Frederick KEAM (# 22)
11. William Emanuel ALLEN (# 30)
12. Ross Bradley WARREN (# 34)
13. Graham Paynter (# 35)
14. John RUSSELL (# 36)
15. Michael John SWACZAK (# 38)
16. William DUTFIELD (# 50)
17. Cyril OLSEN (# 56)
18. Crispin Wilson DYE (# 65)
19. James William MEEK (# 68)
20. Kenneth BRENNAN (# 69)
21. Scott Stuart MILLER (# 71)
22. Carl STOCKTON (# 75)
23. David ROSE (# 80)