



Special Commission of Inquiry into LGBTIQ hate crimes

21 March 2023

Patrick Hodgetts
 Senior Lawyer
 Office of the General Counsel, NSW Police Force
 Locked Bag 5102
 PARRAMATTA NSW 2124

By email: [REDACTED]

Dear Mr Hodgetts,

Special Commission of Inquiry into LGBTIQ hate crimes

I refer to the above Inquiry, and to your letter of 8 March 2023 (“the Letter”) and the accompanying ‘Summary of Fingerprint Evidence’ dated 6 March 2023 (NPL.0100.0001.0003) (“the Summary”).

Fingerprint examination – Gerald Cuthbert

The Summary purports to have been compiled by Detective Leading Senior Constable Di Donato on 6 March 2023. In the Summary, the results of various fingerprint examinations are set out. The Summary relevantly states:

- In relation to a 2005 review, that a “review conducted, suspect and eliminations compared and searched on upgraded version of NAFIS – nil result”.
- In relation to a 2007 review, that the fingerprints were provided to the FBI via Interpol, but “the latent fingerprints were too damaged for examination in the latent Print Unit”.

Contrary to this, the Letter advises that there is no record of the results following a request for review on 5 October 2005 or 7 December 2006.

I would be grateful if you could please clarify whether any division, department or branch of the NSWPF holds records of the results of the review in 2005, and/or the 2006-2007 review. Could you also please advise as to the nature of any documents held by NSWPF in relation to same, and provide copies of each.

In the event that you advise that no such documents are held by the NSWPF, could you please clarify the basis of the Summary prepared by Detective Senior Constable Di Donato.

Timeframe for response

I would be grateful if you could please provide a response by no later than **5:00pm on Thursday 23 March 2023**. I note that this matter is proceeding to hearing in the week of 27 March 2023, and assistance is therefore requested on an urgent basis.

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Thank you for your assistance.

Please do not hesitate to contact Francesca Lilly at [REDACTED] if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale
Director, Legal
for Crown Solicitor