



Special Commission of Inquiry into LGBTIQ hate crimes

28 September 2022

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: physical items relating to death of Mark Stewart

As you are aware, I assist the Honourable Justice John Sackar in the Special Commission of Inquiry into LGBTIQ hate crimes (“the Inquiry”).

Summons to produce further documents

One of the matters being considered by the Inquiry is the death of Mark Stewart (formerly Mark Spanswick) (DOB: 18 July 1957) on 10 or 11 May 1976 at Fairy Bower, Manly.

I understand, from records provided to the Inquiry by the Coroners Court of NSW, that the following items were discovered at the scene by attending NSW Police Force (“NSWPF”) officers:

- a men’s Seiko wristwatch located about 21 feet east of Mr Stewart’s body; and
- a small piece of notepaper with the telephone number of the Chevron Hotel, Sydney on one corner and the words “7.20 11.5.76” written in biro, located on Mr Stewart’s person.

I **enclose**, for ease of reference, the statements of Constable Keith Thoms and Constable Ronald Fyson which refer to these items.

On the material currently before the Inquiry, it is unclear whether forensic testing was performed on these items and/or they were retained by NSWPF as exhibits.

In light of this, please find **enclosed**, by way of service, a summons requiring the production of any exhibit book references and EFIMS records for the items. The summons is returnable on **12 October 2022** and the documents may be produced electronically.

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Please do not hesitate to contact Caitlin Healey-Nash at caitlin.healey-nash@specialcommission.nsw.gov.au if you have any queries in relation to this matter.

Yours faithfully,



Caitlin Healey-Nash
Senior Solicitor
for Crown Solicitor

Encl. 3