



NSW POLICE FORCE

P190B

## STATEMENT OF POLICE

**In the matter of:** Special Commission of Inquiry into LGBTIQ Hate Crimes -  
summons NSWPF22

**Place:** Homicide Squad - State Crime Command

**Date:** 16 March 2023

**Name:** Neil SHELDON Tel. No: [REDACTED]

**Rank:** Detective Sergeant

**Station/Unit:** Homicide Squad

**STATES:**

1. This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution if I have wilfully stated in it anything that I know to be false, or do not believe to be true.
2. I am 38 years of age.
3. I am a Detective Sergeant in the Homicide Squad of the New South Wales Police Force (**NSWPF**). I am currently a Team Leader within the Unsolved Homicide Team (**UHT**).
4. As part of my role, I am assisting the NSWPF in responding to requests issued by the Special Commission of Inquiry into LGBTIQ Hate Crimes (**Inquiry**).
5. I make this statement in respect of:
  - a) Summons NSWPF22 issued by the Inquiry to the Commissioner of the NSWPF (**Commissioner**) dated 28 September with a return date of 12 October 2022 (**Summons 22**); and
  - b) the letter from Caitlin Healy-Nash, for the Solicitor Assisting the Inquiry dated 3 March 2023 (**Inquiry's Letter**).

3438-3413-0977v3

Witness:

Justin SAUNDERS  
Detective Senior Constable  
Homicide Squad  
16 March 2023

Signature:

Neil SHELDON  
Detective Sergeant  
Homicide Squad  
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6. I make this statement on the basis of information known to me and information provided to me by colleagues in the NSWPF and believe that information to be true at the time of making this statement.
7. Summons 22 requested the production of exhibits associated with the death of Mark STEWART (formerly, Mark SPANSWICK). Those exhibits being:
- a) Seiko wristwatch; and
  - b) a small piece of notepaper containing the telephone number of the Chevron Hotel, Sydney and the words "7.20 11.5.76".
8. The Inquiry's Letter requested that the NSWPF provide a statement regarding the status of, and the searches undertaken in relation to, the exhibits the subject of Summons 22 and two further items described in a *Manly Daily* Newspaper article dated 14 May 1976, namely a:
- a) gold cigarette lighter; and
  - b) steel comb.

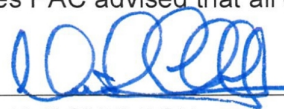
which together with the exhibits the subject of Summons 22 are hereafter referred to as **Exhibits**.

9. The NSWPF has conducted the following enquiries to locate the Exhibits:
- a) Searches of the NSWPF exhibit management system - Exhibits Forensic Information and Miscellaneous Property System (**EFIMS**) were conducted. The EFIMS system catalogues exhibits maintained by NSWPF. No Exhibits were located as a result of this search.
  - b) Searches of all NSWPF investigative holdings – WebCOPS, Historical COPS Data, Pre-COPS data, E@glei and KODA ('Google' Style Search Engine across NSWPF systems) were reviewed. No records of the Exhibits were located as a result of these searches.
  - c) Enquiries were made with the Northern Beaches Police Area Command (**PAC**) (which encompasses the Manly Police Station which I understand conducted the original investigation). The exhibits unit at Northern Beaches PAC advised that all exhibits which

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are stored at the Northern Beaches PAC are recorded on EFIMS and that all exhibit books have been archived. As no results were returned following a search of EFIMS (see paragraph 9a) above) I understand that the Exhibits and associated exhibit books are not stored with the Northern Beaches PAC.

- d) As discussed above, the Northern Beaches PAC advised all exhibit books were archived. Exhibit books were issued with an individual number, similar to a serial number which is unique to that particular book. The NSWPF refers to these types of books as “accountable books”. Due to the development of EFIMS, exhibit books are no longer used by the NSWPF.
- e) Enquires were made with NSWPF Records and Information Management Unit (**Archives**). All accountable books are stored and maintained by Archives. Requests were made to locate the exhibit book for Manly Police Station for May 1976 which would have recorded information relating to the Exhibits movements and examination/analysis. Archives confirmed that no records of the exhibit book for the Manly Police Station for May 1976 exist.
- f) Enquiries were made with Forensic Evidence & Technical Services (**FETS**). FETS maintains the exhibit and exhibit records for cold cases and works closely with UHT on cold cases. Senior Sergeant Anne COADY, Coordinator - Cold Case, DNA Management Unit is the contact point for UHT within FETS for these types of requests and after conducting searches of FETS systems confirmed no Exhibits or records of the Exhibits could be located.
- g) Enquiries were made with Dr David BRUCE, Senior Forensic Biologist for the NSW Forensic and Analytical Science Service (**FASS**). FASS's role is to test exhibits during the conduct of investigations. In some instances, exhibits are not returned to NSWPF but are rather retained by FASS whether that be for further testing or other reasons. Dr BRUCE is the contact point for UHT within FASS for these types of requests and after conducting searches of FASS systems confirmed no record of samples similar to the Exhibits were located in the exhibit register.

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h) The NSWPF uses a central long-term exhibit storage location, Metropolitan Exhibit and Property Centre (**MEPC**). A physical search of the MEPC was conducted however, no Exhibits were located. All exhibits stored at the MEPC are recorded on the EFIMS system.

10. I consider the above searches and enquiries to be an exhaustive search for the Exhibits and no further avenues of enquiry are available to locate the Exhibits.

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