



## Special Commission of Inquiry into LGBTIQ hate crimes

10 October 2022

The Proper Officer  
 c/o Sharnie Ferguson  
 Hilton Sydney Hotel  
 488 George Street  
 SYDNEY NSW 2000

By email [REDACTED]

Dear Proper Officer,

### Special Commission of Inquiry into LGBTIQ hate crimes: Summons to produce documents

I assist the Honourable Justice John Sackar 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 his Honour to inquire into and report on historical LGBTIQ hate crimes. The Letters Patent require his Honour to inquire into and report to the Governor and Premier on the following matters by 30 June 2023:

- 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 (“NSWPF”).

The full Letters Patent and other information about the Inquiry is available online: <http://www.specialcommission.nsw.gov.au/>.

#### Summons to produce

One of the matters being considered by his Honour is the death of Mark Stewart (formerly Mark Spanswick) who died on 10 or 11 May 1976 at Fairy Bower, Manly. Information before the Inquiry indicates that Mr Stewart was a guest at the Hilton Sydney Hotel (“the Hotel”) at the time of his death. Mr Stewart had checked into room 3117 at the Hotel on 9 May 1976 for two nights. His property was later recovered from room 3117 by NSWPF officers on 13 May 1976.

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In light of this, please find **enclosed**, by way of service, a summons requiring the production of any records held by the Hotel regarding Mr Stewart. The summons is returnable on **24 October 2022** and the documents may be produced electronically.

If such records do not exist or are unable to be located, I would be grateful if the Hotel could provide the Inquiry with a formal written response which sets out what searches were performed to locate records relating to Mr Stewart and the results of those searches.

Please do not hesitate to contact Caitlin Healey-Nash on (02) 9372 8497 or at [caitlin.healey-nash@specialcommission.nsw.gov.au](mailto:caitlin.healey-nash@specialcommission.nsw.gov.au), or Kate Lockery on (02) 9372 8600 or 0478 319 158, if you have any queries in relation to this matter.

Yours faithfully,



Caitlin Healey-Nash  
Senior Solicitor  
**for Crown Solicitor**

Encl. 1