



Special Commission of Inquiry into LGBTIQ hate crimes

SUPPLEMENTARY SUBMISSIONS OF COUNSEL ASSISTING

13 October 2023

IN THE MATTER OF PETER SHEIL

Introduction

1. These submissions are filed on behalf of Counsel Assisting the Special Commission of Inquiry into LGBTIQ hate crimes (**Inquiry**). These submissions supplement the written submissions filed on behalf of Counsel Assisting the Inquiry on 4 April 2023.
2. This matter was the subject of a hearing by way of documentary tender on 3 April 2023.

Subsequent investigative steps

3. Subsequent to the hearing of Mr Sheil's case, the Inquiry undertook the following additional investigative steps:
 - a. The Inquiry issued a summons to the South Eastern Sydney Local Health District (**SESLHD**) for all records held in relation to Mr Sheil, including records held by the Prince of Wales and Prince Henry Hospitals (summons SESLHD2).¹ In response, the SESLHD produced a small Chest Clinic file for Mr Sheil, which related to a brief admission he had in June 1981 for moderately severe asthma.² The SESLHD later advised that an additional patient card had been located for a person named "Peter Sheil", but with a different date of birth to Mr Sheil's, which indicated a psychiatric admission. However, the corresponding file for this card was destroyed in 2011.³
 - b. The Inquiry made inquiries regarding Patricia Marlene Campbell, who was the supervisor in charge of Mr Sheil's residence at the time of his death. Through the NSW Registry of Births,

¹ Exhibit 20, Tab 24, Supplementary statement of Caitlin Healey-Nash, 12 September 2023, [5] (SCOI.85435).

² Exhibit 20, Tab 24, Supplementary statement of Caitlin Healey-Nash, 12 September 2023, [6]-[7] (SCOI.85435).

³ Exhibit 20, Tab 24, Supplementary statement of Caitlin Healey-Nash, 12 September 2023, [9] (SCOI.85435).

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Deaths and Marriages, the Inquiry received a copy of Ms Campbell's death certificate, which indicated that she died in 2021.⁴

- c. The Inquiry wrote to Dr Christopher Rikard-Bell, who was the psychiatric registrar at Prince of Wales Hospital and provided a statement to the Coroner regarding Mr Sheil's treatment at the Prince of Wales and Prince Henry Hospitals, to inquire as to whether he had any records or other information about Mr Sheil.⁵ On 4 September 2023, Dr Rikard-Bell spoke with a solicitor employed by the Inquiry on the telephone. Dr Rikard-Bell informed the Inquiry that he has no recollection of treating Mr Sheil, and nor does he have any notes relating to him.⁶

Comments on the further information obtained

4. The investigative steps outlined at [3] above were undertaken by the Inquiry in order to seek a better understanding as to Mr Sheil's mental health in the period prior to his death and as to his previous admissions at the Prince of Wales Hospital and the Prince Henry Hospital. Unfortunately, no records relating to Mr Sheil's mental health-related admissions were able to be produced. Further, in light of Ms Campbell's death, the Inquiry was unable to determine whether she had any relevant information about Mr Sheil additional to that contained in her police statement.
5. Accordingly, Counsel Assisting consider that the information obtained through these investigative steps above does not require any change to their submissions dated 4 April 2023 as to the manner and cause of Mr Sheil's death.

Peter Gray SC

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⁴ Exhibit 20, Tab 24, Supplementary statement of Caitlin Healey-Nash, 12 September 2023, [10] (SCOI.85435).

⁵ Exhibit 20, Tab 24, Supplementary statement of Caitlin Healey-Nash, 12 September 2023, [11]-[12] (SCOI.85435).

⁶ Exhibit 20, Tab 24, Supplementary statement of Caitlin Healey-Nash, 12 September 2023, [13] (SCOI.85435).