



Special Commission of Inquiry into LGBTIQ hate crimes

12 October 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: William Rooney

I refer to the above Inquiry, and to your email of 15 September 2022 which identifies the material provided pursuant to Summons NSWPF1 in relation to William Rooney (“your email”).

In relation to **Item 3** referred to in your email, I confirm the video has been provided to the Inquiry.

In relation to **Item 2** referred to in your email, I confirm that the Office of the Director of Public Prosecutions (“ODPP”) has produced to the Inquiry various material held by the Director in relation to this matter. The ODPP file notes that the following documents were provided to the Director:

- Various statements to the Coroner;
- A large number of photographs;
- A video recording of Mr Rooney;
- Some observations by Detective Inspector Ainsworth; and
- A police brief of evidence regarding Mark Scerri in relation to 27 counts of serious sexual matters (concerning other victims).

In relation to **Item 1** referred to in your email and the boxes referred to therein, I note the following:

- B/2016/9096: This ‘box’ is part of a mixed box. Within this mixed box is a yellow packet of no more than 50 pages which contains material relevant to the death of Mr Rooney.
- B/2003/17611: There is no record of this archive box being provided to the Inquiry.
- B/2001/103: This box contains material solely relating to the case of Wendy Waine (formerly Wayne Brennan).
- B/2017/12973: There is no record of this archive box being provided to the Inquiry.

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Further investigative material

From a review of the material provided, the following information suggests there is further material held by the NSW Police Force ("NSWPF") that has not been provided to the Inquiry:

- The matter was investigated by Detective Inspector Ainsworth of Wollongong Police from 14 February 1986 until at least 21 June 1993.
- Between 1990 and 1993, there appear to have at least three requests to the ODPP to advise in relation to charging Mr Scerri with Mr Rooney's murder. Advice was provided by the ODPP to the NSWPF in respect of same in April 1991, May 1993 and June 1993.
- An Investigators Note dated 20 September 2016, located in the Strike Force Parrabell material, indicates [REDACTED] was interviewed by police (IN-251). No copy of this interview has been provided.
- An Investigators Note dated 20 September 2016, located in the Strike Force Parrabell material, indicates Leslie Harrison was arrested, charged and interviewed by NSWPF (IN-256). No copy of this interview or information related to the charges has been provided.
- An Investigators Note on 20 September 2016, located in the Strike Force Parrabell material, indicates Peter Hyde was interviewed by NSWPF (IN-254). No copy of this interview has been provided.
- COPS Event E 33048256 created by Detective Sergeant Jason Hogan of Wollongong Police dated 11 March 2008 indicates that after Mr Scerri was charged with unrelated sexual assault matters in May 2002, Detective Sergeant Bridge "made a number of enquiries with the family in relation to this investigation." No record of these enquiries has been provided.

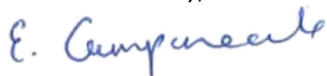
Given the duration of the initial investigation by Detective Inspector Ainsworth, the re-investigation of this matter by Detective Sergeant Bridge, the multiple requests for advice to the ODPP, and the various references to material which has not been provided to the Inquiry, it would appear that there is further material held by the NSWPF which has not been provided to the Inquiry in respect of Mr Rooney's death.

I would be grateful if further enquiries, perhaps with Detective Inspector Ainsworth and Detective Sergeant Bridge, could be made in relation to the location of further brief items in order to provide the Inquiry with confirmation as to whether these further brief items exist. If they do, please provide a copy to the Inquiry.

To ensure that the Inquiry can review the death of Mr Rooney in a timely manner, I would be grateful if you could advise of the outcome of your further enquiries in writing by **Wednesday, 19 October 2022**.

Please do not hesitate to contact **Elizabeth Blomfield** at Elizabeth.Blomfield@specialcommission.nsw.gov.au if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale
Director
for Crown Solicitor