



## Special Commission of Inquiry into LGBTIQ hate crimes

### Statement of Elizabeth Blomfield 16 May 2023

This statement made by me accurately sets out the evidence that I would be prepared, if necessary to give to the Special Commission of Inquiry into LGBTIQ hate crimes (“the Inquiry”) as a witness. This statement has been prepared from my own knowledge and also from perusing the records of the Inquiry. The statement is true to the best of my knowledge and belief.

1. My name is Elizabeth Blomfield. My address is known to the Inquiry.
2. I am employed as a solicitor by the Inquiry.
3. In the course of my duties, I have reviewed and conducted inquiries in relation to the death of William Rooney, who died on 20 February 1986 at Wollongong Hospital.

#### Conference with Duncan McNab

4. On 13 December 2022, members of the Inquiry’s Legal Team conferred with Duncan McNab, author of “Getting Away With Murder”.
5. Mr McNab advised that he had interviewed Wayne Davis, Mr Rooney’s then de facto partner, in the course of his research. Mr McNab stated that Chapter 19 of “Getting Away with Murder” was essentially a contemporaneous note of this interview.
6. During this conference, Mr McNab also informed me that during his interview with Mr Davis, Mr Davis expressed that he was very angry at police due to being treated poorly and being treated as a “killer”. Mr McNab confirmed that Mr Davis didn’t doubt Mr Rooney had been assaulted and killed as a result of foul play.

#### Information from David Ainsworth

7. On 14 December 2022, I called former Detective Inspector (**DI**) David Ainsworth to advise him of the work of the Inquiry in relation to Mr Rooney. Mr Ainsworth told me he remembered the matter well.
8. On 16 December 2022, 24 January 2023, 9 February 2023, 11 April 2023 and 14 April 2023, I called former DI Ainsworth with Counsel Assisting in relation to the matter of Mr Rooney.
9. During the course of these conversations, former DI Ainsworth summarised his recollection as noted in the following paragraphs.
10. He had no new information about the matter of Mr Rooney, and his view that Mr Rooney died as a result of foul play had remained unchanged.
11. On the morning of 14 February 1986, DI Ainsworth heard a callout on the police radio for police assistance in Crown Lane, Wollongong where an incident had occurred.

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12. The following day, 15 February 1986, DI Ainsworth obtained approval to review the occurrence pad entries and to attend the crime scene to make his own observations. After doing so, DI Ainsworth formed the view that it was most unlikely that Mr Rooney had fallen, in light of the location and how intoxicated he was. DI Ainsworth suspected that Mr Rooney had been taken to the spot where he was found and dropped on his head.
13. DI Ainsworth was not formally assigned to the Rooney case. However, he did participate in interviewing some of the witnesses, and he also continued to work on the case thereafter in his own time.
14. Mr Ainsworth considered that the police investigating the Rooney case had assumed too quickly that Mr Rooney had fallen off the concrete wall and hit his head, and that not enough care was taken with the investigation.
15. In particular, he did not know why a sexual assault examination was not performed on Mr Rooney. He said that in the circumstances it would have been wise to conduct such an examination.
16. Mr Ainsworth said that he referred the Rooney matter to the DPP in an attempt to bring some finality to the matter.
17. When [183] was attacked on 9 March 1986, DI Ainsworth was assigned to that case (and to most of the subsequent further eleven cases). He ensured that a sexual assault kit examination was carried out in respect of [183]. At some stage during the course of his involvement with those matters, Mr Ainsworth formed the view that Mr Rooney was likely to have been a victim of the same attacker.

### Lighting in Crown Lane in 1986

18. On 4 May 2023, I sent a letter to Wollongong City Council about street lighting in Crown Lane in 1986.
19. On 12 May 2023, I received a letter from Wollongong City Council informing me that the Council had made enquiries with Endeavour Energy who provided them with the following information:
  - a. the columns for the street lights that are currently in Crown Lane were designed in 1984; and
  - b. records indicate that the current electrical infrastructure in Crown Lane (i.e., columns, poles and street lights) were commissioned and installed in Crown Lane in 1986.
20. On 12 May 2023, I spoke to a representative of Endeavour Energy who informed me that company records indicate that the electrical infrastructure presently in Crown Lane was commissioned in December 1986, but that this date might not be accurate. He said he could not be certain what date the street lights were installed and whether they would have been in Crown Lane and functional as at February 1986.

Signature:



Name:

ELIZABETH BLOMFIELD

Date:

16 MAY 2023