



NSW POLICE FORCE

P190B

STATEMENT OF POLICE

In the matter of:	Special Commission of Inquiry (SCOI) – LGBTIQ (Hate Crimes) <i>Response to Summons NSWPF47.</i>
Place:	Homicide Squad - State Crime Command
Date:	19 January 2023


Name:	Neil SHELDON	Tel. No:	██████████
Rank:	Detective Sergeant		
Station/Unit:	Homicide Squad		

STATES:

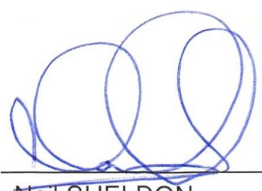
1. This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution if I have wilfully stated in it anything that I know to be false, or do not believe to be true.
2. I am 37 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 Summons NSWPF47 issued by the Inquiry to the Commissioner of the NSWPF on 21 December 2022 with a return date of 17 January 2023 (**Summons 47**). 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.

3476-8338-1024v2

Witness: _____


Nigel WARREN
Detective Inspector
Homicide Squad
19 January 2023

Signature: _____


Neil SHELDON
Detective Sergeant
Homicide Squad
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 LGBTIQ (Hate Crimes) Deaths*

6. Summons 47 requested the production of various biological samples taken from Simon Blair WARK at autopsy on 14 January 1990. Those exhibits being:
- a) scalp and pubic hair
 - b) nail clippings from the rights and left hand; and
 - c) anal and perineal swabs and smears.


together referred to as **Exhibits**.

7. The Inquiry noted in a letter to the NSWPF dated 21 December 2022, the following advice from NSW Health Pathology:

NSW Health Pathology advised the Inquiry that any biological samples would have been handed over to NSW Police Force at the time and, thus, that any records relating to testing of these samples would be held by NSW Police Force.

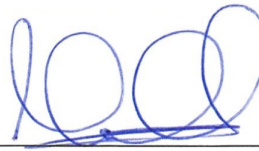
8. I can confirm from my experience the advice from NSW Health is the current common practice at post mortem examinations however, there is no documentation such as Standard Operating Procedures (**SOPs**) or training manuals to indicate whether this is consistent with the process in January 1990. As such, we have taken a comprehensive approach to locating the documents.
9. Following the receipt of Summons 47, the NSWPF conducted the searches and enquiries detailed below in order to locate the Exhibits responsive to Summons 47:
- a) Searches of the NSWPF exhibit management system the Exhibits Forensic Information and Miscellaneous Property System (**EFIMS**) were conducted. No Exhibits were located as a result of this search.
 - b) Searches of all NSWPF investigative holdings including WebCOPS, Historical COPS Data, Pre-COPS data, E@glei and KODA were reviewed (this is conducted via a

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'Google' Style Search Engine across NSWPF systems). No records of the Exhibits were located as a result of these searches.

- c) 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.
- d) 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 for the time period of January 1990 to March 1990.
- e) Enquires were made with the Department of Forensic Medicine, formerly known as Lidcombe Coroners' Court. The Department of Forensic Medicine conducts autopsies in New South Wales and may have records of Exhibits. Investigators were provided access to the coronial file for Mr WARK however, no details or records of the Exhibits were located.

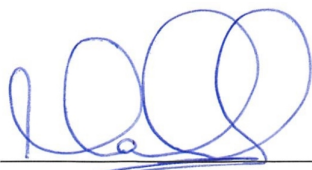
10. No Exhibits or documents relating to the Exhibits have been located as a result of the above searches and enquiries. I consider the above searches and enquiries to be an exhaustive search for the Exhibits and I am not aware of any further avenues of enquiry available to locate the Exhibits.

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 Nigel WARREN
 Detective Inspector
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 19 January 202

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