



## Special Commission of Inquiry into LGBTIQ hate crimes

30 September 2022

Dr Isabel Brouwer  
Statewide Clinical Director  
c/o Anne Catanuto  
NSW Health Pathology – Forensic Medicine Sydney  
1A Main Avenue  
LIDCOMBE NSW 2141

By email: [REDACTED]

Dear Dr Browuer

### **Special Commission of Inquiry into LGBTIQ hate crimes: File for Simon Blair Wark**

I refer to the above Inquiry and to the summons issued to NSW Health Pathology – Forensic Medicine (“Forensic Medicine”) on 22 August 2022 (DOFM1). I refer also to my subsequent correspondence with Anne Catanuto on 29 and 30 August 2022 regarding the production of files relating to Simon Blair Wark (case no. 90/61).

#### **Request for further information**

I note Ms Catanuto’s advice that Forensic Medicine could not locate Mr Wark’s file at State Archives and thus were unable to produce any documents for this case.

For completeness, it would assist the Commissioner if Forensic Medicine could provide the Inquiry with a formal written response regarding the status of Mr Wark’s file, which could then be tendered into evidence at any eventual hearing. For example, a letter or statement from an appropriate person at Forensic Medicine which sets out what searches were performed to locate Mr Wark’s file and the results of those searches.

Separately, could you please also advise whether any records are held by Forensic Medicine relating to the following biological samples taken from Mr Wark at autopsy on 14 January 1990 and/or any test results of such samples:

- a. Scalp and pubic hair;
- b. Nail clippings from the right and left hand; and
- c. Anal and perineal swabs and smears.

Again, if such records do not exist or unable to be located, I would be most grateful if this could be set out in a written response.

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### Timeframe for response

I would be grateful if the above information as to the status of Mr Wark's file and biological samples could be provided to the Inquiry by **14 October 2022**. Please let me know as soon as possible if you anticipate any difficulties with this timeframe.

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

Yours faithfully,



Caitlin Healey-Nash  
Senior Solicitor