



## Special Commission of Inquiry into LGBTIQ hate crimes

### Statement of Caitlin Healey-Nash

8 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 Caitlin Clare Healey-Nash. My address is known to the Inquiry.
2. I am employed as a Senior Solicitor by the Inquiry.
3. In the course of my duties, I have reviewed and conducted inquiries in relation to the death of Simon Blair Wark (known as ‘Blair’), who died on 9 or 10 January 1990 in Sydney.

#### Information received from NSW Health Pathology – Forensic Medicine

4. On 22 August 2022, a summons was issued to NSW Health Pathology – Forensic Medicine (“Forensic Medicine Sydney”) for all records held in relation to Mr Wark.
5. On 30 August 2022, Anne Catanuto, an Administration Officer at Forensic Medicine Sydney, sent me an email advising that the post-mortem report for Mr Wark was unable to be located at State Archives and that, therefore, Forensic Medicine Sydney were unable to produce any documents for this case.
6. On 30 September 2022, I wrote to Forensic Medicine Sydney requesting a formal written response regarding the status of Mr Wark’s file. I also inquired as to whether any records were held by Forensic Medicine Sydney relating to biological samples taken from Mr Wark at autopsy and/or the test results of such samples.
7. On 5 October 2022, Ms Catanuto advised me by email that Forensic Medicine Sydney had requested Mr Wark’s file from State Archives using a different location. Ms Catanuto further advised:

*“As for the test results for the samples such as scalp, pubic hair, nail clippings etc, these were taken at the time of autopsy and are handed over to the police, we do not receive the results of these tests, so we would have no record of this.”*

8. On 11 October 2022, I received a USB containing the Forensic Medicine Sydney file for Mr Wark.

## Statement of Caitlin Healey-Nash – 8 May 2023

Information received from Catholic Archdiocese of Sydney and Diocese of Armidale

9. On 29 March 2023 and 31 March 2023, summonses were issued to the Catholic Archdiocese of Sydney (summons CAS1) and the Catholic Diocese of Armidale (summons CAA1), respectively, for the following documents relating to KN:
  - a. His clergy file; and
  - b. Any records relating to alleged misconduct, complaints and/or disciplinary issues.
10. On 4 April 2023, the Catholic Archdiocese of Sydney wrote to the Inquiry advising that it did not have any documents to produce in response to either of the categories in summons CAS1. The Archdiocese advised that it had located a copy of KN's seminary file and would produce this to the Inquiry. On 11 April 2023, FN's seminary file was produced.
11. On 14 April 2023, the Catholic Diocese of Armidale produced KN's personnel file to the Inquiry. The Diocese advised that it had no documents responsive to category b in summons CAA1.
12. Counsel Assisting and I reviewed the material in KN's seminary file and personnel file. We did not consider there to be any documents in either file relevant to the circumstances of Mr Wark's death. Accordingly, no documents from these files were included in the tender bundle for Mr Wark's matter.

Contact with NM

13. On 30 March 2023, I wrote to NM, who was Mr Wark's treating psychologist prior to his death. I inquired as to whether NM still held any records relating to her treatment of Mr Wark and/or whether she had any other information about Mr Wark which may assist the Commissioner in more fully understanding the circumstances surrounding Mr Wark's death.
14. On 1 April 2023, I received an email from NM advising that:
  - a. She was not in a position to throw any extra light onto Mr Wark's case apart from what she wrote to the Coroner on 12 January 1990;
  - b. She has no recollection of the details of her work with Mr Wark nor does she remember his face; and
  - c. She is now aged 86. She retired in 2012 and disposed of her clients' records in 2016.

Contact with Michael Plotecki

15. On 28 April 2023, I wrote to Michael Plotecki, who was the original officer in charge of the investigation into Mr Wark's death. I provided Mr Plotecki with a copy of his statement dated 30 January 1990 (SCOI.00052.00026) and invited him to speak with the Inquiry's Legal Team about Mr Wark's matter.
16. On 5 May 2023, Counsel Assisting and I had a teleconference with Mr Plotecki. Mr Plotecki advised that he could not recall any information about Mr Wark's death beyond the contents of his statement.

Statement of Caitlin Healey-Nash – 8 May 2023

**Signature:** 

**Name:** Caitlin Healey-Nash

**Date:** 8 May 2023