



Special Commission of Inquiry into LGBTIQ hate crimes

8 May 2023

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: Biological articles for Paul Rath

As you are aware, the Special Commission of Inquiry into LGBTIQ hate crimes (“the Inquiry”) is inquiring into the death of Paul Rath on or around 16 June 1977.

Testing of biological articles

The following documents have been produced to the Inquiry by NSW Health Pathology – Forensic Medicine:

- P79A Report of Death to Coroner dated 17 June 1977, which states that an officer of the Chatswood Scientific Branch attended the scene, and that due to the location of the body and the positioning of Mr Rath’s pants, a precautionary anal swab was taken by Dr Fletcher at the City Morgue on 16 June 1977; and
- A report of Robert John Goetz, forensic biologist, dated 21 June 1977, which states that Senior Constable Parry of Manly Police provided him with the following articles on 16 June 1977:
 - One anal swab;
 - One anal smear;
 - One penile swab; and
 - One penile smear.

Mr Goetz detected semen on the penile swab and smear (articles 3 and 4), but no semen on the anal swab and smear (articles 1 and 2).

Copies these documents are **enclosed**. The status of these articles following Mr Goetz’s examination is unknown.

Special Commission of Inquiry into LGBTIQ hate crimes

Request for statement

It would assist the Inquiry if NSW Police could provide the Inquiry with a formal written response regarding the status of the four biological articles, including their current location and whether they are available for further testing.

If the articles have been destroyed or are unable to be located, I would be most grateful if this could be set out in a written response.

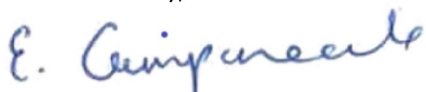
Please note that the Inquiry is making separate inquiries with NSW Health Pathology regarding their knowledge of the status of the biological articles.

Timeframe for response

I would be grateful if the above information could be provided to the Inquiry as soon as possible and by no later than **Monday, 15 May 2023**. Please let me know if you anticipate any difficulties with this timeframe.

Please do not hesitate to contact Caitlin Healey-Nash at caitlin.healey-nash@specialcommission.nsw.gov.au if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale

Director, Legal

Solicitor Assisting the Inquiry

Encl. 2