



Special Commission of Inquiry into LGBTIQ hate crimes

30 September 2022

Dr Danny Sullivan
Consultant Forensic Psychiatrist

[REDACTED]
[REDACTED]

By email: [REDACTED]

Dear Dr Sullivan,

Special Commission of Inquiry into LGBTIQ hate crimes: expert report in relation to the death of Walter John Bedser

As you are aware, I assist the Honourable Justice John Sackar in the Special Commission of Inquiry into LGBTIQ hate crimes ("the Inquiry").

The Inquiry

By way of background, on 13 April 2022 the Governor of NSW, by Letters Patent, issued a commission to his Honour to inquire into and report on historical LGBTIQ hate crimes. Specifically, the Letters Patent require his Honour to inquire into and report to the Governor and Premier on the following matters by 30 June 2023:

- A. The manner and cause of death in all cases that remain unsolved from the 88 deaths or suspected deaths of men potentially motivated by gay hate bias that were considered by Strike Force Parrabell; and
- B. The manner and cause of death in all unsolved suspected hate crime deaths in New South Wales that occurred between 1970 and 2010 where:
 - i. The victim was a member of the lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) community; and
 - ii. The death was the subject of a previous investigation by the NSW Police Force.

Request for expert opinion

Further to your conferences with the Commissioner and assisting team on 23 May 2022 and 31 August 2022, by this letter, you are briefed to prepare an expert report for the Inquiry in relation to death of Walter John Bedser from the perspective of a forensic psychiatrist addressing certain matters identified below.

I would be grateful if you could provide your report by **21 October 2022**. If you anticipate any difficulties with this timeframe, please let me know as soon as possible.

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In addition to providing your report, you may be required to give oral evidence at any hearing in relation to Mr Bedser's death. If you are required to give oral evidence, I will notify you as soon as practicable to discuss suitable arrangements.

Assumptions

In preparing your report, you are requested to assume the facts set out in the below summary. Additionally, please have regard to any other relevant information contained in the briefing materials provided to you.

1. Walter Bedser (born 3 September 1933) died in Parramatta Hospital shortly after being attacked by a knife-wielding assailant in his antique shop in the arcade at 4 Darcy St Parramatta, at approximately 2pm on 2 December 1980.
2. Several witnesses heard a struggle within the store at the time of the attack, which resulted in several display cabinets being broken. Even more persons bore witness to the immediate aftermath of the attack, with the most consistent account being of a man hurriedly exiting the store and fleeing down the street (in some accounts shouting for an ambulance to be called) followed shortly after by a badly wounded Mr Bedser, who stumbled across the arcade and collapsed in a neighbouring store. Mr Bedser did not say anything that would assist to identify his attacker before his death.
3. There is evidence to suggest a man similar in appearance to the assailant purchased the knife used in the attack at the Toy World shop elsewhere in the arcade at about 10am that day, and was also seen loitering in the vicinity of the antique shop between 1 and 2pm. The knife was found by attending police behind the counter at the scene (without fingerprints). Despite the significant number of witnesses who saw the suspect, he was never successfully identified.
4. The autopsy report found that Mr Bedser had been stabbed twice in the upper and lower chest and had multiple severe lacerations to his left arm. The cause of death was identified as blood loss due to a lacerated liver and left lung.
5. Mr Bedser was well known to be gay (or possible bisexual) amongst friends and acquaintances, including in the antique community. He appears to have had multiple sexual relationships with a large number of male acquaintances and to have propositioned others. There is also evidence that he may have regularly attended several gay beats (especially public toilets) in the Parramatta area. In particular, Mr Bedser had a series of successive and overlapping sexual relationships with teenage boys he employed in his shop, especially boys from a Greek background.
6. Of potential significance is Mr Bedser's relationship with **NP58**, who worked in Mr Bedser's antique shop until approximately 6 months before his death (although accounts of this timing differ). Mr Bedser appears to have made frequent visits to Mr **NP58**'s home and loaned his family significant amounts of money, including for the purchase of a car. Mr **NP58** was reported to have large amounts of money in his account during the period of his relationship with Mr Bedser. However, there is also evidence to suggest Mr Bedser caught him stealing from the shop and joyriding in his car.
7. Mr **NP58** ceased working for Mr Bedser at a time when there appears to have been a significant deterioration in Mr Bedser's relationship with Mr **NP58**'s family. It appears Mr Bedser became engaged in a dispute with Mr **NP58** family regarding an unpaid loan. He gave his solicitor a taped conversation with Mr **NP58**'s mother in which she appears to blackmail him with information she knows about his sexual liaisons, and commenced (then abandoned) legal proceedings in relation to the monies owed, claiming to have reached an arrangement. However, as late as two months before his death, there is evidence that Mr Bedser

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tipped off the NRMA regarding an attempted insurance fraud by Mr NP58 in relation to his car.

8. The leading police hypothesis was that Mr Bedser had been killed in a revenge crime arising from one of his relationships, potentially with one of the young boys employed in his store. Although the immediate families of the (known) boys did not match the description of the assailant, it was hypothesised that he may have been an associate of one of the families. However, there is no clear or definitive evidence as to the motive for the assault. There was unconfirmed evidence from Mr Bedser's sister at the inquest that several thousand dollars' worth of watches may have gone missing from a safe in the store, but it is not clear they were in fact missing or that this was related to Mr Bedser's murder.

Material with which you are briefed

For the purpose of preparing your report, you are briefed with the materials in the **enclosed** index. The material contained in the index has been extracted from the NSWPF investigation file and the court file from the Coroners Court of NSW.

Please note that the briefing materials contain sensitive images. The relevant tabs of your briefing material have been marked with an asterisk on the index. I note that your brief does not presently contain photographs of the crime scene. The Inquiry is in the process of attempting to obtain those photographs and, if necessary, will seek a supplementary or updated report following their receipt.

If there is any additional material that you consider would be of use to you in forming your opinion, please contact Emily Burston and this material will be provided to you (if available).

Matters to be addressed in your report

I would be grateful if you could address the following matters in your report, having regard to the material with which you are briefed and to the extent that they are matters which fall within your expertise:

1. Whether there are any aspects of the manner of death (including the nature and extent of the injuries inflicted) and/or crime scene which may indicate that a homicide has occurred in the context of LGBTIQ hate/prejudice/bias (hereafter collectively referred to as "hate");
2. The possible motivation/s of the unidentified perpetrator of Mr Bedser's injuries, to the extent that this can be discerned from the available evidence. In answering this question, please consider any relevant concepts including (but not limited to) notions of masculinity, male honour, internalised homophobia, medicalised stigma, conflating homophobia with paedophilia, perceptions of the characteristics of LGBTIQ persons, and particular psychopathologies;
3. Aspects of victimology that may be relevant to Mr Bedser's death;
4. Any recommendations for further investigations with respect to determining the manner and cause of Mr Bedser's death; and
5. Any other matters you wish to raise within your expertise that may be of assistance to the Inquiry.

Subject to your discretion, the Inquiry requires only a succinct analysis of the above matters and does not anticipate that your report need exceed three pages. However, you should not feel constrained to this page guidance if you consider a longer report necessary or appropriate.

In the event that you are called to give evidence before the Inquiry, either as to general matters in connection with LGBTIQ hate crimes or particular cases, it may be necessary for the Inquiry to disclose to interested parties any correspondence or conference notes with you.

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Expert Witness Code of Conduct

I **enclose** a copy of the Expert Code of Conduct with which expert witnesses in Supreme Court proceedings in NSW are typically required to comply. While the present inquiry is not a Court proceeding, I would be grateful if you would read the Code of Conduct and agree to be bound by it. I suggest the following form of words be included in the body of your report in due course:

“I, Dr Danny Sullivan, acknowledge that I have read the Expert Witness Code of Conduct in Schedule 7 to the Uniform Civil Procedure Rules 2005 (NSW) and agree to be bound by it.”

Thank you for your consideration and assistance.

Please do not hesitate to contact Emily Burston, Senior Solicitor on [REDACTED] or Kate Lockery, Principal Solicitor on [REDACTED] if you have any queries in relation to this matter.

Yours faithfully,



Emily Burston
Senior Solicitor
for Crown Solicitor

Encl. 2

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Death of Walter John Bedser

Index to Brief to Dr Sullivan

Tab	Document	Date	Relativity reference
Forensic material			
1.	Autopsy report prepared by Naaman Malouf	3 December 1980	SCOI.00008.00017
2.	Synopsis of clinical notes	2 December 1980	SCOI.00008.00012
3.	Newspaper clipping re possible attack scenario (accuracy unknown)	Undated	SCOI.10064.00005
Information regarding deceased and police investigation			
4.	Summary of investigation by Detective Sergeant John McGregor and Detective Graeme Trebley	Undated	SCOI.00008.00018
5.	Transcript of coronial inquest	11 July 1983	SCOI.00008.00139
6.	Running sheet entry by Sergeant K.S. Kerr re attendance at scene	2 December 1980	SCOI.10061.00003
7.	Running sheet entry re initial police attendance at scene	2 December 1980	SCOI.00008.00019
8.	Statement of Athole Janice Aldwinkle	2 December 1980	SCOI.10058.00003
9.	Statement of Maria Carmen Ariti	17 December 1980	SCOI.10058.00009
10.	Statement of Elizabeth Beck	2 December 1980	SCOI.10058.00010
11.	Statement of Brant Warland Browne	2 December 1980	SCOI.10058.00013
12.	Statement of Emma Ellen Clarke	14 December 1980	SCOI.10058.00018
13.	Statement of Ross Augustus Calkin	2 December 1980	SCOI.10058.00020
14.	Statement of Wendy Caulkin	2 December 1980	SCOI.10058.00024
15.	Statement of Rofiena Mary Davis	3 December 1980	SCOI.10058.00027
16.	Statement of John Richard Dempster	23 December 1980	SCOI.10058.00037

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17.	Statement of I203	28 December 1980	SCOI.10058.00038
18.	Statement of Jeffery Robert English	3 December 1980	SCOI.10058.00042
19.	Statement of I41	5 December 1980	SCOI.10058.00048
20.	Statement of Raymond Morris Hadley	2 December 1980	SCOI.10058.00050
21.	Statement of Eddie Mikha	2 December 1980	SCOI.10058.00054
22.	Statement of Gail Mary Marshall	2 December 1980	SCOI.10058.00060
23.	Statement of Gwenn Noblett	3 December 1980	SCOI.10058.00063
24.	Statement of Elsie Nealon	6 December 1980	SCOI.10058.00067
25.	Statement of Marjorie Joyce Purnell	5 December 1980	SCOI.10058.00074
26.	Statement of John Roland Peck	6 December 1980	SCOI.10058.00077
27.	Statement of I35	Undated	SCOI.10058.00079
28.	Statement of Douglas George Samuels	17 December 1980	SCOI.10058.00085 (first part) SCOI.10058.00083 (second part)
29.	Further statement of Douglas George Samuels	17 December 1980	SCOI.10058.00091
30.	Statement of Steven John Street	3 December 1980	SCOI.10058.00089
31.	Statement of Graham Paul Strauss	2 December 1980	SCOI.10058.00096
32.	Statement of Philip Stephens	2 December 1980	SCOI.10058.00099
33.	Statement of Debbie Faye Smith	2 December 1980	SCOI.10058.00103
34.	Statement of Mavis Adelaide Turner	5 December 1980	SCOI.10058.00111
35.	Statement of Ross William Thompson	17 December 1980	SCOI.10058.00114
36.	Statement of Clive Mervyn Watt	2 December 1980	SCOI.10058.00116
37.	Statement of Charles Evans Wheat	3 December 1980	SCOI.10058.000121
38.	P109 report of interview with Gregory James Bolton	11 December 1980	SCOI.10061.00006 at 18

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39.	P109 report of interview with Gregory James Bolton	29 December 1980	SCOI.10061.00006 at 21
40.	P109 report of interview with I40	24 January 1981	SCOI.00008.00071
41.	P109 report of interview with I38	18 December 1980	SCOI.10061.00012 at 8
42.	P109 report of interview with I37	14 January 1981	SCOI.10072.00003 at 6
43.	P109 report of interview with Charles Joseph Duffield	3 December 1980	SCOI.00008.00025
44.	P109 report of interview with I39	5 December 1980	SCOI.00008.00128
45.	P109 report of interview with I46	24 January 1981	SCOI.00008.00070
46.	P109 report of interview with I47	8 December 1980	SCOI.00008.00079
47.	P109 report of interview with I47	12 December 1980	SCOI.00008.00080
48.	P109 report of interview with I41	3 December 1980	SCOI.00008.00074
49.	P109 report of interview with Bruce Macdonald	19 December 1980	SCOI.10061.00006 at 42
50.	Transcript of recorded conversation between Walter Bedser and NP59 including police summary	11 June 1980	SCOI.10061.000011 AND SCOI.10061.00010



Uniform Civil Procedure Rules 2005

Current version for 1 December 2021 to date (accessed 21 September 2022 at 11:52)

Schedule 7

Schedule 7 Expert witness code of conduct

(Rule 31.23)

1 Application of code

This code of conduct applies to any expert witness engaged or appointed—

- (a) to provide an expert's report for use as evidence in proceedings or proposed proceedings, or
- (b) to give opinion evidence in proceedings or proposed proceedings.

2 General duties to the Court

An expert witness is not an advocate for a party and has a paramount duty, overriding any duty to the party to the proceedings or other person retaining the expert witness, to assist the court impartially on matters relevant to the area of expertise of the witness.

3 Content of report

Every report prepared by an expert witness for use in court must clearly state the opinion or opinions of the expert and must state, specify or provide—

- (a) the name and address of the expert, and
- (b) an acknowledgement that the expert has read this code and agrees to be bound by it, and
- (c) the qualifications of the expert to prepare the report, and
- (d) the assumptions and material facts on which each opinion expressed in the report is based (a letter of instructions may be annexed), and
- (e) the reasons for and any literature or other materials utilised in support of each such opinion, and
- (f) (if applicable) that a particular question, issue or matter falls outside the expert's field of expertise, and
- (g) any examinations, tests or other investigations on which the expert has relied, identifying the person who carried them out and that person's qualifications, and
- (h) the extent to which any opinion which the expert has expressed involves the acceptance of another person's opinion, the identification of that other person and the opinion expressed by that other person, and
- (i) a declaration that the expert has made all the inquiries which the expert believes are desirable and appropriate (save for any matters identified explicitly in the report), and that no matters of significance which the expert regards as relevant have, to the knowledge of the expert, been withheld from the court, and

- (j) any qualification of an opinion expressed in the report without which the report is or may be incomplete or inaccurate, and
- (k) whether any opinion expressed in the report is not a concluded opinion because of insufficient research or insufficient data or for any other reason, and
- (l) where the report is lengthy or complex, a brief summary of the report at the beginning of the report.

4 Supplementary report following change of opinion

- (1) Where an expert witness has provided to a party (or that party's legal representative) a report for use in court, and the expert thereafter changes his or her opinion on a material matter, the expert must forthwith provide to the party (or that party's legal representative) a supplementary report which must state, specify or provide the information referred to in clause 3(a), (d), (e), (g), (h), (i), (j), (k) and (l), and if applicable, clause 3(f).
- (2) In any subsequent report (whether prepared in accordance with subclause (1) or not), the expert may refer to material contained in the earlier report without repeating it.

5 Duty to comply with the court's directions

If directed to do so by the court, an expert witness must—

- (a) confer with any other expert witness, and
- (b) provide the court with a joint report specifying (as the case requires) matters agreed and matters not agreed and the reasons for the experts not agreeing, and
- (c) abide in a timely way by any direction of the court.

6 Conferences of experts

Each expert witness must—

- (a) exercise his or her independent judgment in relation to every conference in which the expert participates pursuant to a direction of the court and in relation to each report thereafter provided, and must not act on any instruction or request to withhold or avoid agreement, and
- (b) endeavour to reach agreement with the other expert witness (or witnesses) on any issue in dispute between them, or failing agreement, endeavour to identify and clarify the basis of disagreement on the issues which are in dispute.