



## Special Commission of Inquiry into LGBTIQ hate crimes

22 December 2022

Katherine Garaty  
 Director, Crime Disruption and Special Inquiries Law  
 Office of the General Counsel, NSW Police Force  
 Locked Bag 5102  
 PARRAMATTA NSW 2124

By email: [REDACTED]

Dear Ms Garaty,

### Special Commission of Inquiry into LGBTIQ hate crimes

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

#### Fingerprint analysis: Samantha Rose (David Samuel Rose)

The Inquiry seeks the assistance of the Forensic Evidence and Technical Services Command to conduct fingerprint and palmprint examinations in relation to the death of Samantha Rose (DOB 26 April 1956). Ms Rose was a transgender woman and her name will be recorded in relevant NSW Police Force ("NSWPF") records as Mr David Samuel Rose (being her name for legal purposes).

#### Case details

Between 22 December 1997 and 15 January 1998, fingerprints and palmprints were obtained from the crime scene at [REDACTED] Addison Road, Kensington, as well as from various exhibits subsequently received by the NSWPF.

The relevant NSWPF case numbers for the fingerprint analysis conducted at the time of the initial investigation are N366618, N344409, N366622 and N344609. The fingerprints and palmprints obtained and tested by the NSWPF in the course of the initial investigation (including the Fingerprint Case Numbers referred to above and their associated Exhibit Numbers), are recorded in the Statement of Detective Senior Constable Graem Allen Bush dated 14 October 1998, a copy of which is **enclosed** for reference. It appears from the content of that statement that it originally attached photographic records of (at least) the most significant fingerprint evidence, although those attachments do not appear in any copy available to the Inquiry.

The identified persons of interest are:

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	Name	Date of birth	NAFIS Print Reference
1.	Sandra Anne Durward	██████████	N/A. A copy of Ms Durward's elimination prints is <b>enclosed</b> .
2.	Stephen Becker	██████████	N/A. A copy of Mr Becker's elimination prints is <b>enclosed</b> .

### Request for examination and information

1. Please conduct a comparative examination of latent fingerprints/palmprints obtained from the crime scene in relation to Ms Rose for a current re-run across the fingerprint database and advise whether any conclusive or inconclusive results are identified, and
2. Please conduct a comparative examination of latent fingerprints/palmprints obtained from the crime scene in relation to Ms Rose against each of the persons of interest noted above.
  - a. If the result is inconclusive or does not match, please advise whether the person of interest's fingerprints and/or palmprint can be eliminated as a result of the comparative examination.

### DNA Testing

The Inquiry proposes to request the Forensic and Analytical Science Service conduct DNA testing on the breast implant recovered from the crime scene (EFIMS reference X000233680). This is also an item on which fingerprints were recovered.

In the event that the Forensic Evidence and Technical Services Command proposes to conduct further physical fingerprint examinations on this exhibit, I would be grateful if you could please indicate in advance of any testing whether such testing will impact on the recovery of any DNA.

Alternatively, in the event that no further physical examinations of this exhibit are required, please inform the Inquiry so that arrangements can be made to provide the exhibit to FASS for DNA testing.

### **Timeframes**

I would be grateful if you could please provide the results of the requested fingerprint examinations in writing by close of business on **18 January 2023**. The results should be provided in the form of an evidentiary certificate capable of being tendered in evidence.

Thank you for your assistance.

Please do not hesitate to contact Emily Burston at [emily.burston@specialcommission.nsw.gov.au](mailto:emily.burston@specialcommission.nsw.gov.au) if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale  
 Director, Legal  
**for Crown Solicitor**

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