



STATEMENT OF POLICE

In the matter of:	Special Commission of Inquiry into LGBTIQ Hate Crimes - summons NSWPF10 and NSWPF46
Place:	Homicide Squad - State Crime Command
Date:	16 March 2023

Name:	Neil SHELDON	Tel. No:	[REDACTED]
Rank:	Detective Sergeant		
Station/Unit:	Homicide Squad		

STATES:

1. This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution if I have wilfully stated in it anything that I know to be false, or do not believe to be true.
2. I am 38 years of age.
3. I am a Detective Sergeant in the Homicide Squad of the New South Wales Police Force (**NSWPF**). I am currently a Team Leader within the Unsolved Homicide Team (**UHT**).
4. As part of my role, I am assisting the NSWPF in responding to requests issued by the Special Commission of Inquiry into LGBTIQ Hate Crimes (**Inquiry**).
5. I make this statement in respect of:
 - a) Summons NSWPF10 issued by the Inquiry to the Commissioner of the NSWPF (**Commissioner**) dated 24 August 2022 with a return date of 7 September 2022 (**Summons 10**);
 - b) Summons NSWPF46 issues by the Inquiry to the Commissioner dated 20 December 2022 with a return date of 17 January 2023 (**Summons 46**); and

3442-1076-5857v3

Witness:

Justin SAUNDERS
Detective Senior Constable
Homicide Squad
16 March 2023

Signature:

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- c) the letter from Enzo Camporeale, Solicitor Assisting the Inquiry dated 6 March 2023 (**Inquiry's Letter**).
6. I make this statement on the basis of information known to me and information provided to me by colleagues in the NSWPF and believe that information to be true at the time of making this statement.
7. The Inquiry's Letter requested that the NSWPF provide a statement in respect of the searches undertaken in response to Summons 10 to locate the exhibit book references and EFIMS records of the Exhibits and the searches undertaken in response to Summons 46. I deal with these separately below.

Summons 10

8. Summons 10 requested the production of exhibits associated with the death of Wendy Waine on 29 or 30 April 1985. Those exhibits being:
- a) strands of hair found in the left hand of the deceased;
 - b) six cigarette butts;
 - c) bed linen, including pillow, bed spread and sheeting; and
 - d) fired bullets.
- together referred to as **Exhibits**.
9. The NSWPF has conducted the following enquiries to locate the Exhibits:
- a) Searches of the NSWPF exhibit management system - Exhibits Forensic Information and Miscellaneous Property System (**EFIMS**) were conducted. The EFIMS system catalogues exhibits maintained by NSWPF. Only one exhibit was recorded (discussed in more detail at paragraph 10 and following below) (**Bedsheet**):

X0001676160 – 'Pink and Blue single sized flannelette flat sheet

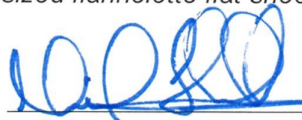
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- b) Searches of all NSWPF investigative holdings – WebCOPS, Historical COPS Data, Pre-COPS data, E@glei and KODA ('Google' Style Search Engine across NSWPF systems) were reviewed. No records of the Exhibits were located as a result of these searches.
- c) Enquiries were made with the Kings Cross Police Area Command (**PAC**) (which encompasses the Darlinghurst Police Station which I understand conducted the original investigation). The exhibits unit at Kings Cross PAC advised that all exhibits stored at Kings Cross PAC are recorded on EFIMS and all exhibit books have been archived. As no results were returned following a search of EFIMS apart from the Bedsheet (see paragraph 9a) above) I understand that the other Exhibits are not stored at Kings Cross PAC.
- d) Enquires were made with NSWPF Records and Information Management Unit (**Archives**) to locate exhibit books used at Darlinghurst Police Station. Exhibit books were issued with an individual number, similar to a serial number which is unique to that particular book. The NSWPF refers to these types of books as "accountable books". Due to the development of EFIMS, exhibit books are no longer used by the NSWPF. All accountable books are stored and maintained by Archives. Requests were made to locate the exhibit book for Darlinghurst Police Station for April 1985 which I understand would have recorded information relating to the Exhibits' movements and examination/analysis. Archives confirmed that no records to the exhibit book for the Darlinghurst Police Station for April 1985 exist.
- e) I understand at the time of the investigation, the Darlinghurst Police Station could also have stored exhibits at what was referred to as "Central Exhibits"; which was a storage location for all Police Stations within the Sydney Central Business District area to secure exhibits. My understanding is Central Exhibits was originally located at Central Police Station at 7-9 Central Street, Sydney but later moved to the Sydney Police Centre at 151-241 Goulburn St, Surry Hills. Exhibit books for the time period of April 1985 located at Central Exhibits were reviewed however, there were no records of the Exhibits.

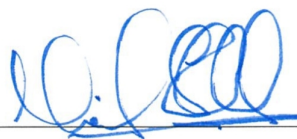
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- f) Enquiries were made with Forensic Evidence & Technical Services (**FETS**). FETS maintains the exhibit and exhibit records for cold cases and works closely with UHT on cold cases. Senior Sergeant Anne COADY, Coordinator - Cold Case, DNA Management Unit is the contact point for UHT within FETS for these types of requests and after conducting searches of FETS systems confirmed no Exhibits or records of the Exhibits could be located.
- g) Enquiries were made with Dr David BRUCE, Senior Forensic Biologist for the NSW Forensic and Analytical Science Service (**FASS**). FASS's role is to test exhibits during the conduct of investigations. In some instances, exhibits are not returned to NSWPF but are rather retained by FASS whether that be for further testing or other reasons. Dr BRUCE is the contact point for UHT within FASS for these types of requests and after conducting searches of FASS systems confirmed no record of samples similar to the Exhibits were located in the exhibit register.
10. In respect of the Bedsheet, a review of the crime scene photographs indicate that this is a fragment of a flannelette bedsheet which was over the bed at the crime scene. Photographs of the bedsheet and the crime scene photos indicating the location of the bedsheet are attached to this statement and marked "A".
11. Records indicate that the Bedsheet was stored with Ballistics Investigation Section (**Ballistics**) and was allocated a job number of "85/267". There is no information as to why the Bedsheet was stored at Ballistics. Typically, the only exhibits stored at Ballistics are firearms, ammunition or other weapons. Ballistics is not generally used for long-term storage of exhibits. Exhibits are generally only retained at Ballistics whilst being examined after which the exhibit is returned to the station who has carriage of the investigation. There is no record of what examination/s were conducted on the Bedsheet.
12. Records indicate the Bedsheet was identified when the Ballistics unit moved from Zetland to the Sydney Police Centre in 2016. The Bedsheet was subsequently entered into the EFIMS system and moved to long-term exhibit storage at the Metropolitan Exhibit and Property Centre

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(MEPC). A physical search of the MEPC was conducted however, no other Exhibits were located. The Bedsheet is currently stored at MEPC.

13. I consider the above searches and enquiries to be an exhaustive search for the Exhibits and no further avenues of enquiry are available to locate the Exhibits.

Summons 46

14. Summons 46 requested the production of specific categories of documents in respect of two individuals, those being:

1. *The following documents held by the NSW Police Force in relation to* NP177 *who was active in the NSW Police Force in or around Sydney as at 1985:*
 - a. *all personnel records;*
 - b. *any internal investigation and/or complaint file/s held by Professional Standards Command and/or any predecessor to that unit;*
 - c. *all records relating to firearms issued to and/or carried by* NP177 *and*
 - d. *all records held by the Firearms Registry (or equivalent division of the NSW Police Force) in relation to any firearms license, permit, or registration*
2. *The following documents held by the NSW Police Force in relation to* NP179 *(DOB* [REDACTED] */1963):*
 - a. *all records held by the Firearms Registry (or equivalent division of the NSW Police Force) in relation to any firearms license, permit, or registration.*

15. As noted by the Inquiry in its letter dated 6 March 2023, the Commissioner produced items responsive to categories 1c and 1d of Summons 46 on 18 January 2023.

16. In respect of the other categories of the summons:

- a) Category 1(a) – Personnel records: Enquiries were made with Inspector Naomi EARL, Human Resource Manager – State Crime Command who confirmed there is no

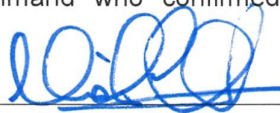
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electronic copy of Personnel File for Constable [NP177] – Registered Number [REDACTED]. Enquiries were subsequently made with Archives who confirmed that the Personnel File for Constable [NP177] – Registered Number [REDACTED] was destroyed in 2011.

- b) Category 1(b) - Professional Standards Command file: Enquiries were made with Detective Chief Inspector Neil SNOWDEN, Professional Standards Manager – State Crime Command who confirmed there is no records recorded against Constable [NP177] [NP177] – Registered Number [REDACTED] in the IPro - Complaint and Employee Management Information System (CEMIS). The CEMIS is the central records database for all NSWPF employees. Further searches were conducted on variations of the name [NP177] however there were no records located.
- c) Category 2(a) – Firearms registry records – [NP179] Enquiries were made with Colin Green, Manager, Compliance and Enforcement of the NSWPF Firearms registry. [NP179] [NP179] is not recorded on the Integrated Licensing System (ILS) which is a system used to record firearms licensing. However, a search on the Central Licencing Database (CLD) recorded that [NP179] applied for a one-year licence on 15 September 1989 which was subsequently issued on 26/09/1989 with an expiry date of 26 September 1990. There is no other information available as to the type of licence issued because only basic data is kept in relation to the CLD following its decommissioning and replacement by the ILS in 1985.

17. I consider the above searches and enquiries to be an exhaustive search for the items described in Categories 1(a), 1(b) and 2(a) of Summons 46 and that no further avenues of enquiry are available to locate these items.

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