



## Special Commission of Inquiry into LGBTIQ hate crimes

### Statement of Rhys Carvosso

1 November 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 Rhys Carvosso. 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 Wendy Waine (formerly Wayne Brennan), who died on 29 or 30 April 1985 in Darlinghurst.

#### Conference with Stephen McCann

4. On 8 May 2023, members of the Inquiry held conference with former Detective Sergeant Stephen McCann via Microsoft Teams in relation to the investigation into Ms Waine’s death. That conference was attended by Peter Gray SC and Kathleen Heath of counsel, and Enzo Camporeale (Solicitor Assisting the Inquiry) and me.
5. Mr McCann was unable to provide any information as to why investigative steps were taken or not taken in relation to Ms Waine’s death.
6. Mr McCann suggested that the Inquiry hold a conference with Brian Di Francesco, who might be able to recall these matters further.

#### Conference with Brian Di Francesco

7. On 17 May 2023, a summons (WIT055) was issued to Brian Di Francesco to attend to give evidence on 25 May 2023. I was advised by the process server that the summons was placed in a sealed envelope and left inside the mailbox at the residential address where Mr Di Francesco was understood to reside on 17 May 2023 at 5:30pm. The process server also advised that he had spoken with two occupants of the property at that time, who said that Mr Di Francesco was away for a week.

## Statement of Rhys Carvosso – 1 November 2023

8. Mr Di Francesco did not contact Inquiry staff, or the barrister whose details had been provided to him in the cover letter accompanying the summons, before 25 May 2023. He did not attend on that day.
9. On around 29 May 2023, Mr Di Francesco contacted an Inquiry staff member by telephone, advising that he had returned from overseas and found the summons in his letterbox. He advised that he would be available to attend the Inquiry for a conference to discuss the investigation into Ms Waine's death.
10. By subsequent text and email correspondence between Mr Di Francesco and me, a conference was arranged for 3:00pm on 1 June 2023. I provided Mr Di Francesco with a bundle of relevant documents for his review by email on 29 May 2023. That bundle included the statement of Detective Sergeant Stephen McCann dated 22 July 1986 (SCOI.00014.00008, tendered as Exhibit 30, Tab 47).
11. On 1 June 2023, Mr Di Francesco attended the Inquiry for a conference which was attended by Kathleen Heath of counsel and me.
12. Mr Di Francesco did not recall many of the aspects of the investigation into Ms Waine's death in which he was involved. He was unable to provide any information as to why investigative steps were taken or not taken in relation to Ms Waine's death.

**Signature:** *R Carvosso*

**Name:** Rhys Carvosso

**Date:** 1 November 2023