



Special Commission of Inquiry into LGBTIQ hate crimes

24 May 2023

Mr 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: Scott Miller

I refer to the above Inquiry.

I also refer to the death of Scott Miller (born 27 July 1975), who was found deceased on 2 March 1997 at Wharf 5, Hickson Road, Darling Harbour. Mr Miller's death was reviewed by Strike Force Parrabell and being considered by the Inquiry as the death may fall within Category A of the Inquiry's terms of reference.

Request for information: Unsolved Homicide Team Case Screening Form

Mr Miller's death is included on the NSW Police Force ("NSWPF") Unsolved Homicide Team ("UHT") Tracking File. The Tracking File records that review of Mr Miller's file was allocated to "BARWICK", with the review completed on 21 April 2004.

The Inquiry was provided with an undated "case screening form" in relation to Mr Miller's death (copy **enclosed**). The document is unsigned, the name of the author of the document does not appear on the form, and there is no certification by the reviewer or the co-ordinator.

We would be grateful if you could please advise the Inquiry:

- Whether this is the review document associated with the review completed on 21 April 2004;
- Whether the case screening form was subsequently signed, certified or subject to a quality assurance panel;
- Whether any other case screening form, triage document or review document has been prepared in association with Mr Miller's death; and
- Whether Mr Miller's case has been considered by the Unsolved Homicide Review Committee for a final determination as to whether the matter will be reinvestigated.

The Inquiry would be assisted by the provision of any completed and signed case screening, triage, review and quality assurance documents, as well as the minutes of any review committee meeting that may have

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been held. In the event that a summons is required for any documents caught by the above request, please advise by return email.

Request for statement: Debris found in Mr Miller's right hand

In the course of the investigation into Mr Miller's death, the NSW Police Force ("NSWPF") collected various exhibits, including debris found in Mr Miller's right hand.

In the undated "case screening form" in relation to Mr Miller's death, referred to above, it was noted that the debris had been retained by the Crime Scene Unit after the post-mortem examination and was located at the Sydney Police Centre Crime Scene Unit Archive Room in the "97 murders" box, but never entered as an exhibit or specimen.

The Inquiry would be assisted by a statement from a crime scene officer or another appropriate officer addressing the following:

1. The nature of the debris, including whether it appears to be organic/plant matter, or gravel from the site where Mr Miller was found; and
2. Any forensic testing that has been conducted on the debris.

It would also be of assistance to the Inquiry if the statement could attach photographs of the debris and annex any relevant records regarding the collection and storage of the debris.

In the event that this debris can no longer be located, please provide a statement setting out the searches undertaken for this exhibit.

Non-publication orders

It is anticipated that the Inquiry will tender the relevant UHT documents and the requested statement in evidence in the case specific documentary tender for the death of Scott Miller, and that these documents will be uploaded to the Inquiry's website.

In the event that the Commissioner of the NSWPF seeks any non-publication orders in relation to these documents, a schedule of the proposed orders sought should be provided to the Inquiry at the same time as the documents.

Timeframe for provision of the statement

Please provide the Inquiry with the requested documents, statement and any schedule of non-publication orders sought by **10:00am on Thursday, 1 June 2023**.

In the event that you anticipate any difficulty with the above timeframe for the provision of the statement, please forward a request for an extension of time in writing as soon as possible. To assist in considering the application for an extension, please provide a brief outline of the reasons an extension is sought and the date by which you anticipate being in a position to produce the material sought.

Thank you for your assistance.

Please do not hesitate to contact Kate Lockery on (02) [REDACTED] if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale
Director

Solicitor Assisting the Inquiry