



STATEMENT OF POLICE

In the matter of: Special Commission of Inquiry into LGBTIQ Hate Crimes
Exhibit Inquiries – Scott Miller – X0000542512
Forensic Case Number 4614100

Place: Sydney Crime Scene Section

Date: 20th September 2023

Name: Hayley Bennett
Rank: Sergeant
Station/Unit: Sydney Crime Scene Section

Tel. No: [REDACTED]

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 32 years of age

QUALIFICATIONS

3. I have been employed by the New South Wales Police Force for 11.5 years. I commenced duties with the Forensic Evidence and Technical Services Command (formerly Forensic Services Group) in 2015, performing duties as a Forensic Investigator. I am currently attached to Sydney Crime Scene Section where my daily duties include technical investigations of scenes of serious crime and incidents where physical evidence may be present as a result of the crime or incident. These investigations include both the examination and recording of the scene by taking notes, measurements and photographs, and collecting and examining items relating to these crimes or incidents.
4. I am authorised by the Commander of the Forensic Evidence and Technical Services Command to conduct Crime Scene examinations.

Witness: S. Murray-Swan
Shannon Murray-Swan
Acting Senior Sergeant
Sydney Crime Scene Section
20th September 2023

Signature: Hayley Bennett
Hayley Bennett
Sergeant
Sydney Crime Scene Section
20th September 2023

Statement of Sergeant Hayley Bennett
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5. I am accredited as an expert in the methodology of Crime Scene Investigation from the Australasian Forensic Science Assessment Body (AFSAB).
6. I have attained the following relevant qualifications for the investigation of the incident before the court. I hold certificates of achievement in relation to these programs.
- 6.1 Diploma of Police Practice from Charles Sturt University (2011)
- 6.2 Forensic Investigator I course, facilitated by the NSW Police Force, Forensic Services Group, March 2015
- 6.3 Forensic Investigator II course, facilitated by the NSW Police Force, Forensic Services Group, May 2015
- 6.4 Forensic Investigator III course, facilitated by the NSW Police Force, Forensic Services Group, November 2015
- 6.5 Advanced Diploma of Public Safety, Crime Scene Investigation from Canberra Institute of Technology (2017)
- 6.6 Fingerprint Recovery (Level III) course, facilitated by the NSW Police Force, Forensic Evidence and Technical Services Command, (2019)
- 6.7 Graduate Certificate in Crime Scene Investigation from Canberra Institute of Technology (2021)
7. Any opinions expressed in this statement are based wholly or in part upon the specialist knowledge that I have gained through my training, study, and experience.
8. I acknowledge that;
- i. I have read the Expert Witness Code of Conduct in Schedule 7 of the NSW Uniform Civil Procedures Rule 2005, and:
- ii. Agree to be bound by the code

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 Shannon Murray-Swan
 Acting Senior Sergeant
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 Hayley Bennett
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9. When preparing this statement, I have referred to notes and photographs from the New South Wales Police Force Forensic Case File Number 4614100 prepared in relation to this matter. During the course of my examination, I took a number of photographs, some of which have been presented, with captions, as part of this brief of evidence. The balance of all unused photographs and documents relating to this matter have been retained in the New South Wales Police Force Forensic Case File Number 4614100 and are available to be viewed or supplied if required.

BACKGROUND

10. On Monday, 31st July 2023, I was requested by Inspector Andrew Brady from Sydney Crime Scene Section, Crime Scene Services Branch, to examine exhibit X0000542512 in relation to the matter of Mr Scott Miller. About 11.45am on the same day, I examined exhibit X0000542512 in the Sydney Crime Scene Section Laboratory.

EXAMINATION

11. Exhibit X0000542512 was located within a brown exhibit bag and said to contain '1 x specimen jar (sealed) said to contain 'Debris R hand'. Within the bag was a small specimen jar containing a small 6x4mm irregular pentagonal shaped piece of debris, which I believed to be a rusted piece of metal.
12. I collected two trace DNA swabs, one from each side of the exhibit, which I labelled as side A (XF000536277) and side B (XF000536278). I later arranged for both trace DNA swabs to be conveyed to Forensic and Analytical Science Service (FASS) for analysis (AJ01412354).
13. In the process of collecting the trace DNA swabs, I located a very small fibre attached to the piece of debris which dislodged when turning the debris over. The fibre was dark in colour and measured approximately 1mm in length. I photographed and collected the fibre as an exhibit (XF000536279). This fibre remains in the custody of the NSWPF Unsolved Homicide Team.

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EXHIBIT I NOW PRODUCE FIVE COLOURED PHOTOGRAPHS

Case number – 4614100 – Photograph 1

Photograph showing side A of the debris

Case number – 4614100 – Photograph 2

Close photograph showing side A of the debris (fibre visible on bottom edge)

Case number – 4614100 – Photograph 3

Photograph showing side B of the debris

Case number – 4614100 – Photograph 4

Close photograph showing side B of the debris (fibre visible on bottom edge)

Case number – 4614100 – Photograph 5

Close photograph showing the fibre

14. I completed my examination at 12.30pm and continued with other duties.

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20th September 2023

OFFICIAL: Sensitive

**Statement of:
Sergeant Hayley Bennett
Sydney Crime Scene Section**

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NSW Police Force

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**Sydney Crime Scene Section
Forensic Case No: 4614100
COPS Reference: E1058394**

OFFICIAL: Sensitive



Photographs in
the matter of: Special Commission of Inquiry into LGBTIQ Hate Crimes -
Exhibit Inquiries - Scott Miller - X0000542512

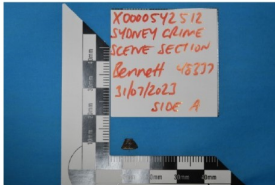
OFFICIAL: Sensitive

Date: 20 September 2023

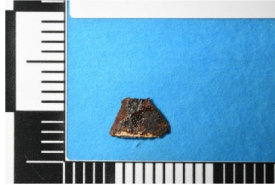
Forensic Case No: 4614100

IMAGERY INDEX

1



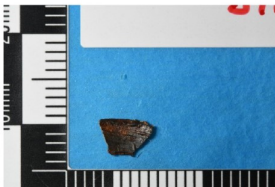
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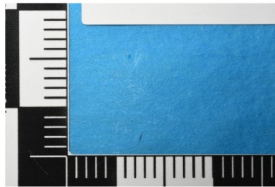
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4



5



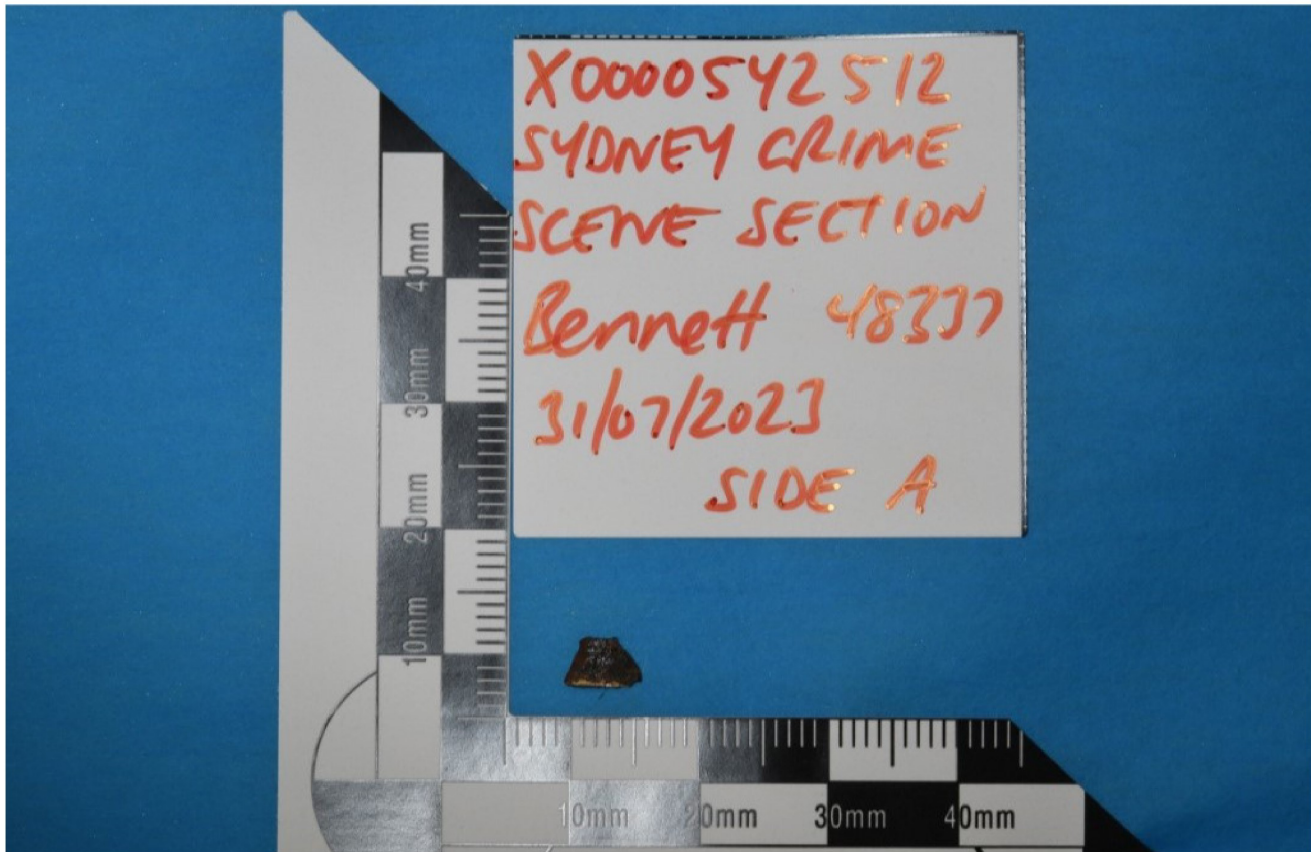


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PHOTOGRAPH: 1 Photograph showing side A of the debris

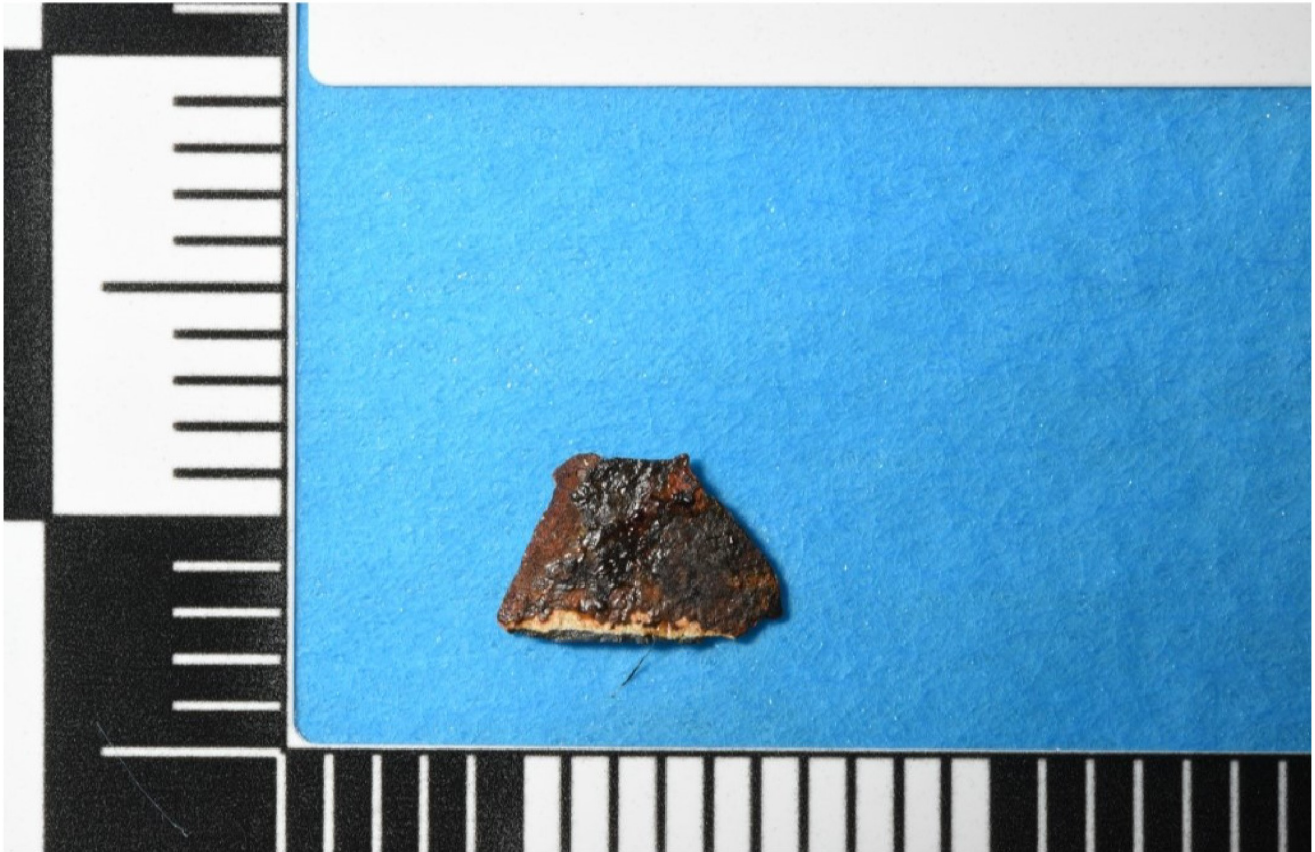


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PHOTOGRAPH: 2 Close photograph showing side A of the debris (fibre visible on bottom edge)



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PHOTOGRAPH: 3 Photograph showing side B of the debris

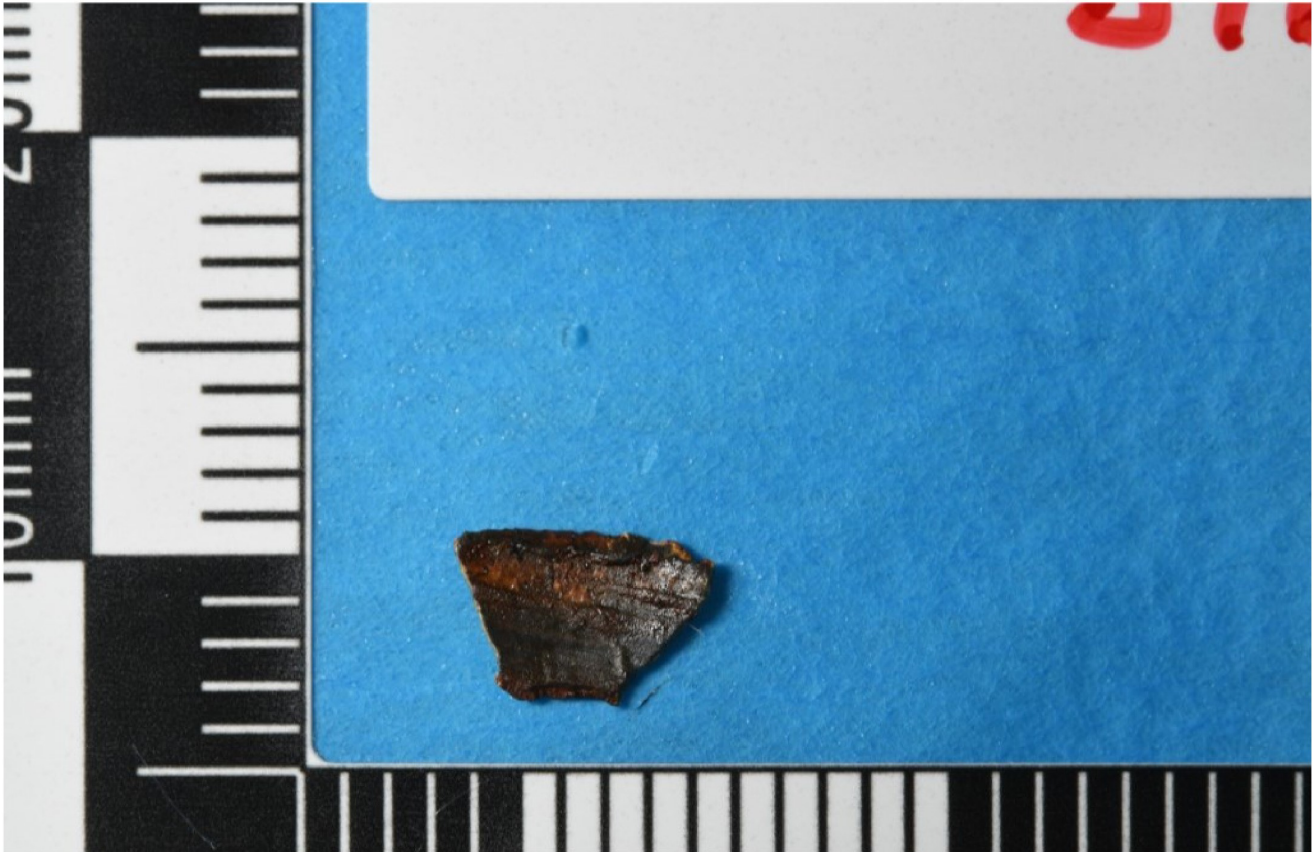


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PHOTOGRAPH: 4 Close photograph showing side B of the debris (fibre visible on bottom edge)

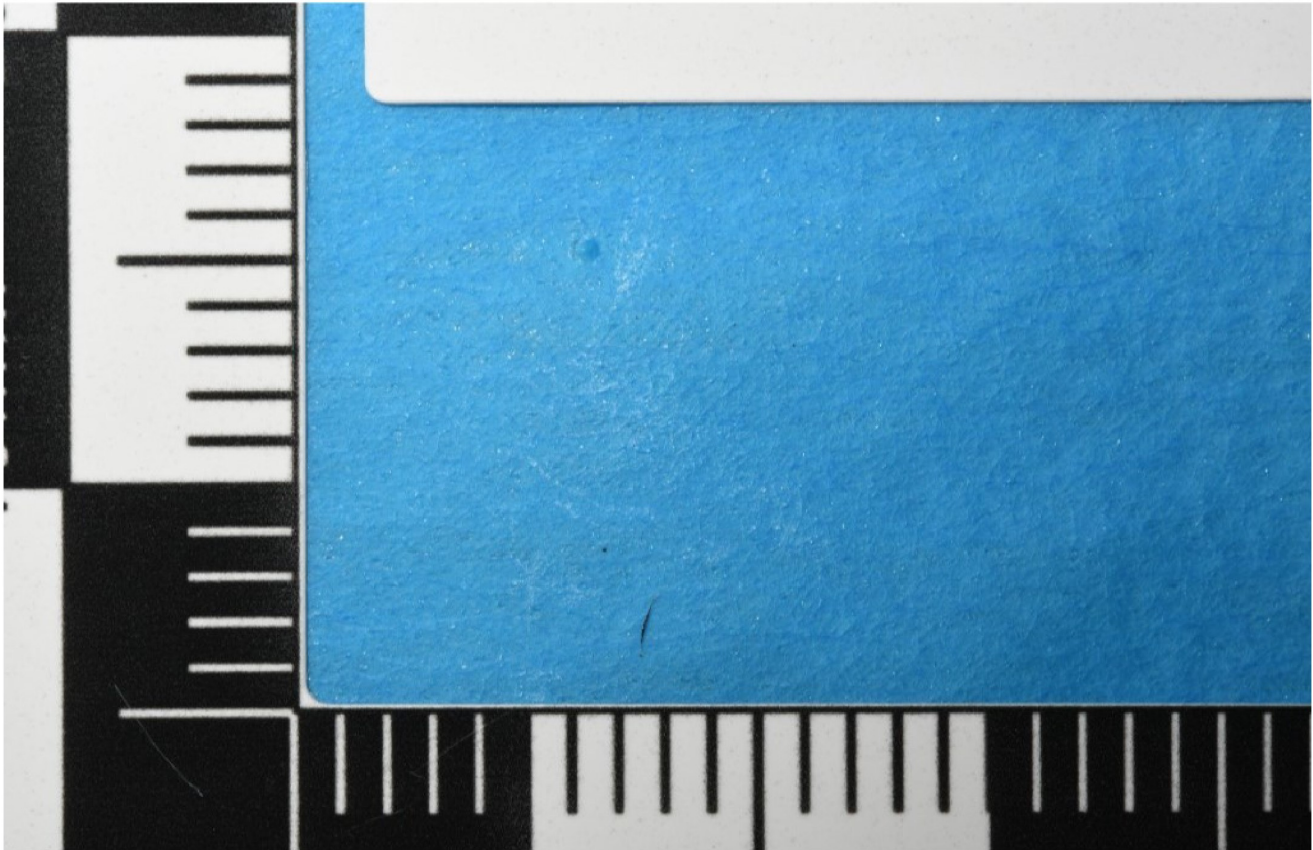


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PHOTOGRAPH: 5 Close photograph showing the fibre