



NSW POLICE FORCE

P190B

STATEMENT OF POLICE

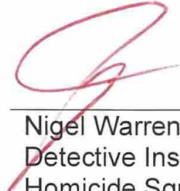
In the matter of:	Special Commission of Inquiry into LGBTIQ Hate Crimes - Exhibit Inquiries – Summons 100
Place:	Homicide Squad - State Crime Command
Date:	26 May 2023

Name:	Andrew Hamill	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 45 years of age.
3. In this statement, where I refer to documents I also include their document ID number for identification purposes, in the form **NPL.XXXX.XXXX.XXXX**.
4. I am a Detective Sergeant in the Homicide Squad of the New South Wales Police Force (**NSWPF**). I have been a detective for 20 years, including 4 years as a homicide detective. I am currently a Team Leader within the Unsolved Homicide Team (**UHT**).
5. On 3 May 2023 the Special Commission of Inquiry into LGBTIQ Hate Crimes (**Inquiry**) issued summons No. NSWPF100 (**Summons 100**) to the Commissioner of NSW Police.
6. Summons 100 requested the provision of various exhibits associated with the investigation of the death of James Meek. Those exhibits were described in Summons 100 as:

Witness:


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In the matter of *Special Commission of Inquiry into
 LGBTIQ Hate Crimes – Summons 100*

- (a) Blood – MEEK;
- (b) Fingernail scrapings – L. hand;
- (c) Fingernail scrapings – R. hand;
- (d) Swab collected from the kitchen floor;
- (e) T-shirt;
- (f) Pair of shorts;
- (g) Pair of blue underpants;
- (h) Black wallet and contents;
- (i) Broken brown ceramic bowl (Exhibit Book Receipt No C238922);
- (j) Plastic water ampule (Exhibit Book Receipt No C238922); and
- (k) Newspaper (Exhibit Book Receipt No C238922).

I will refer to these throughout this statement as the **Summons Exhibits**.

7. In the event the Summons Exhibits could not be located, by letter also dated 3 May 2023 the Inquiry requested a statement from NSWPF detailing the searches conducted in respect of the Summons Exhibits and annexing any relevant documentation (**Letter of Request**).
8. Unless otherwise stated, I make this statement based on:
 - (a) my review of relevant records held by NSWPF;
 - (b) information known to me or provided to me by colleagues in the NSWPF (such as in the course of inquiries made as to the location of the exhibits in the Meek matter); and
 - (c) my experience as a homicide detective.
9. I did not have any personal involvement in the original investigation into Mr Meek's death, which commenced on or around 14 March 1995.

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Steps taken to locate the exhibits in the Meek matter

10. I have caused the searches and enquiries set out below to be undertaken in order to locate the exhibits in connection with the Meek matter. I note that for completeness, where a search or enquiry identified an exhibit in the Meek matter not listed by the Inquiry in Summons 100 or its Letter of Request, I have included the relevant details to assist the Inquiry. The results of those searches and enquiries are as follows:

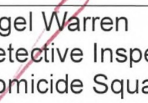
Searches of electronic records

- (a) Searches of the NSWPF exhibit management system – Exhibits Forensic Information and Miscellaneous Property System (**EFIMS**) – were conducted by me on 5 May 2023. EFIMS is the electronic exhibit management system used by the NSWPF.
- (i) No results were returned for the Summons Exhibits or any other exhibits connected to the death of Mr Meek.
- (b) Searches conducted 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 by me on 5 May 2023.
- (i) No results were returned for the Summons Exhibits or any other exhibits connected to the death of Mr Meek.

Searches associated with Sydney Crime Scene

- (c) Enquiries were made with Sydney Crime Scene (part of the Forensic Evidence and Technical Services (**FETS**) Command). Such enquiries were made because the crime scene officer who attended the crime scene in relation to Mr Meek's death at Surry Hills was from East Sydney Crime Scene, now known as Sydney Crime Scene. Therefore, I considered Sydney Crime Scene may have held information about the Summons Exhibits. Senior Sergeant Neil Welschinger (Operations Co-ordinator, Sydney Crime Scene Section) advised that the results of a search of all Sydney Crime Scene Exhibit Books (also known as Physical Specimen Registers) relating to Mr Meek were as follows:

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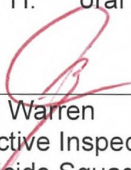


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- (i) No physical Summons Exhibits or any other exhibits connected to the death of Mr Meek were located at Sydney Crime Scene.
- (ii) Sydney Crime Scene Exhibit Book 24/A12597 recorded a sample related to the death of Mr Meek not listed in the Letter of Request, being a blood sample of a person with the last name Heatley. A copy of this document is at **NPL.9000.0012.0001** starting at **0001**. The blood sample was transported to the Forensic & Analytical Science Service (**FASS**) on 4 October 1995. A copy of this reporting noting this receipt by FASS is at **NPL.9000.0012.0124**. On 26 May 2023, Dr Bruce, Senior Forensic Biologist and Historical DNA Casework Coordinator at FASS, confirmed that the blood sample has been retained by FASS. A copy of this confirmation email is at **NPL.9000.0012.0125**.
- (iii) Sydney Crime Scene Exhibit Book 21/A10774 recorded that several items connected with the death of Mr Meek as outlined below were logged into that exhibit book by Senior Sergeant Lyle Van Leeuwen, who at that time was attached to Sydney Crime Scene. A copy of the exhibit book page listing these exhibits is at **NPL.9000.0012.0001** starting at **0003**. These items were likely taken during the Post-mortem examination of Mr Meek at the Department of Forensic Medicine at Glebe on 11 March 1995.:
- A. t-Shirt;
 - B. pair of shorts;
 - C. blood sample – Meek;
 - D. head Hair – Meek;
 - E. fingernail Scraping L;
 - F. fingernail Scraping R;
 - G. oral and anal swabs;
 - H. oral and anal swabs;

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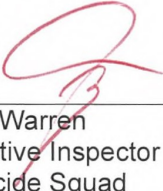


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- I. black wallet containing various items; and
- J. pair of underpants.
- (iv) There is a further note in the Exhibit Book which records the item "D" above, "head hair – Meek", as being disposed of. This was approved by Detective Sergeant Tanos (the Officer in Charge (OIC) of the investigation) on 23 December 1999 by way of email. A copy of that email is at **NPL.9000.0012.0001** starting at **0008**.
- (v) There is a further note that the following items were handed to Detective Sergeant Tanos on 20 November 1998:
- A. t-Shirt;
- B. pair of shorts;
- C. fingernail Scraping L;
- D. fingernail Scraping R;
- E. oral and anal swabs; and
- F. pair of underpants
- (vi) A copy of the exhibit book page listing these exhibits is at **NPL.9000.0012.0001** starting at **0003**. I understand from the statement of Christine Gill dated 28 March 1995 (who I understand was a forensic biologist of the Division of Analytical Laboratories (DAL)) (**Gill Statement**), which was attached to the statement of attending officer Constable Suzana Whybro dated 2 April 1995, that the following exhibits referred to in paragraph 9(c)(iii) above were retained by DAL:
- A. blood sample – MEEK;
- B. fingernail Scraping L; and
- C. fingernail Scraping R.

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A copy of the Gill Statement is at **NPL.9000.0012.0024** starting at **0031**. I infer that FASS must have returned the fingernail scrapings to NSWPF at some point between 28 March 1995 and when the fingernail scrapings were handed to Detective Sergeant Tanos on 20 November 1998. The enquiries I have made in respect of the Summons Exhibits have not located any NSWPF documents which record this transfer, however.

- (vii) On 23 May 2023, I made enquiries with Michelle Franco, Group Manager Evidence Recovery Unit Forensic Biology at FASS to determine the current location of the exhibits recorded in the Gill Statement as having been retained by DAL. Ms Franco confirmed that the blood sample of Mr Meek was retained by FASS and is currently in their cold storage units. Ms Franco further confirmed the fingernail scrapings were no longer retained once it was deemed there was no DNA extract remaining from these exhibits.
- (viii) Sydney Crime Scene Exhibit Book 21/A10775 recorded that additional exhibits connected to Mr Meek's death not referred to in Summons 100 or the Letter of Request were received on 11 March 1995 and handed to Detective Sergeant Tanos on 20 November 1998, being:
- A. one swab from the floor of the kitchen of unit 24;
 - B. yellow thongs collected from unit 24;
 - C. sample of carpet from hallway of unit 24;
 - D. floor mat from hallway of unit 24; and
 - E. three separate bags of cigarette butts collected from ashtrays in the kitchen and dining room (I assume of unit 24, although this is not expressly stated).


A copy of the exhibit book page listing these exhibits is at **NPL.9000.0012.0001** starting at **0005**.

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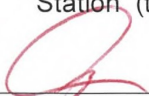
Statement of Andrew Hamill
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 LGBTIQ Hate Crimes – Summons 100*

- (ix) I further understand from the Gill Statement that the swab from the floor of the kitchen of unit 24 was retained by FASS. It was confirmed by Ms Franco on 23 May 2023 that FASS still holds this exhibit.
- (x) While not requested by Summons 100, I note for completeness that Sydney Crime Scene Exhibit Book 21/A10776 recorded a pair of glasses related to the death of Mr Meek were also handed to Detective Sergeant Tanos on 20 November 1998. No further records in respect of these glasses could be located. A copy of the exhibit book page listing these exhibits is at **NPL.9000.0012.0001** starting at **0006**.
- (xi) In addition to the Sydney Crime Scene Exhibit Books discussed above, a Miscellaneous Property receipt was located during the search of Sydney Crime Scene records which indicated that a black wallet containing various items was being transported to the Surry Hills Police Station on 11 March 1995. A copy of this document is at **NPL.9000.0012.0007** starting at **0008**. As set out below in the context of the enquiries and searches made of Surry Hills Police Station, the wallet could not be located at Surry Hills Police Station and no further records regarding its current whereabouts could be located.

Searches associated with Surry Hills Police Station

- (d) Enquiries were made and physical searches conducted at the Surry Hills Police Station (being the Police station with carriage of the original investigation) by Senior Sergeant Eryn Waters on 10 May 2023. I understand the following searches to have been conducted at the Surry Hills Police Station and on Surry Hills' internal record keeping systems, although I do not know the precise systems reviewed. Those searches included:
- (i) A search of the physical exhibits held by Surry Hills Police Station. No Summons Exhibits or any other exhibits connected to the death of Mr Meek were identified as a result of this search.
- (ii) Confirmation that all miscellaneous property books held by the Surry Hills Police Station (these books do not generally contain information about exhibits but

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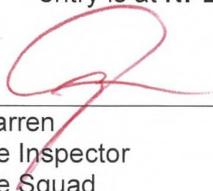
Statement of Andrew Hamill
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contain records of miscellaneous property held or received by the relevant police station – for example, keys found on the street – but out of an abundance of caution we sought to review these miscellaneous property books) for 1995-1998 inclusive had been destroyed.

- (iii) Searches of Surry Hills Exhibit books for the period from 18 November 1998 to 1 January 1999 were conducted. These date ranges were selected noting many of the Summons Exhibits were handed to Detective Sergeant Tanos on 20 November 1998 who at that time was attached to the Surry Hills Police Station. No Summons Exhibits or any other exhibits connected to the death of Mr Meek were identified as a result of this search.
- (iv) Searches of Surry Hills Special Event Books (which were used for exhibits in respect of significant matters and which were reviewed out of an abundance of caution for any entries associated with Mr Meek’s death) for the period from 29 October 1998 to 27 June 2000 were conducted and no relevant entry to the Summons Exhibits or any other exhibits connected to the death of Mr Meek were identified. This date range pertained to a review of all entries in the Special Event Book covering the date of death of Mr Meek.
- (v) Searches of Surry Hills Exhibit Index books (which are used as reference indexes for exhibit books). Searches in this index for the names “Meek”, “Tanos” and “Unknown” were conducted and no relevant entries in respect of the Summons Exhibits were identified.
- (vi) Two additional references to an exhibit in respect of the death of Mr Meek not listed in Summons 100 or the Letter of Request were identified as a result of the search of Surry Hills exhibit books. Those references were to a grey-coloured ring box containing one gold-coloured men’s ring with a tiger’s eye stone:


A. recorded in Surry Hills Exhibit Entry 149/C244336 dated 02/10/1995 as having been received by the Surry Hills Police Station. A copy of this exhibit entry is at **NPL.9000.0012.0010**; and

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- B. marked as returned to the owner on 10 March 1999 in the exhibit book. A copy of that receipt is recorded at **NPL.9000.0012.0011**.

Searches of archives

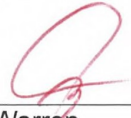
- (e) I made enquiries with NSWPF Records and Information Management Unit (**Archives**). Archives has advised that:

- (i) Crime Scene File 95/240 in respect of the death of Mr James Meek was provided to the Inquiry on or around 2 June 2022;
- (ii) Operation 'Fireweed' (which I understand was the operational name provided to the criminal investigation into the circumstances surrounding the death of Mr Meek) case file boxes were provided to the Inquiry on or around 2 June 2022;
- (iii) Surry Hills Miscellaneous Property Books covering March 1995 (being the month of death of Mr Meek and when investigation began and Summons Exhibits were likely to have been collected) are no longer retained by Archives;
- (iv) A copy of Exhibit book C238922, a Parramatta Latent Fingerprint Exhibit Book, was located, and it records the following exhibits having been received and then returned to Surry Hills Police Station on or around 23 March 1995:
 - A. one brown ceramic bowl;
 - B. one plastic ampule; and
 - C. several pieces of newspaper dated 22 January 1995.

A copy of this exhibit book entry is at **NPL.9000.0012.0021**.

- (v) A copy of the duty book of Detective Sergeant Tanos was located. I infer from the duty books that it is possible that Detective Sergeant Tanos took possession of the Summons Exhibits referred to at paragraph 9(c)(v) and 9(c)(viii) in preparation for the trial of Mr Heatley, which I understand Detective Sergeant Tanos attended based on his duty book entries for 16 November 1998 (at **NPL.9000.0012.0034**),

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20 November 1998 (**NPL.9000.0012.0035**) and 25 November 1998 (at **NPL.9000.0012.0036**) when the jury returned a verdict of not guilty.

- (vi) No exhibit entry reference number is recorded in Detective Sergeant Tanos' duty book indicating where the exhibits were booked up or taken to after being received on 20 November 1998. No other relevant entries or duty books after the date 2 December 1998 could be located.
11. I consider the above searches and enquiries to be exhaustive. In my opinion, there are no further avenues of enquiry that are available to locate the remaining Summons Exhibits.

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