



STATEMENT OF POLICE

In the matter of: Special Commission of Inquiry (SCOI) – LGBTIQ Hate Crimes
Response to Summons NSWPF53

Place: Homicide Squad - State Crime Command

Date: 21 February 2023

Name: Nigel WARREN Tel. No: [REDACTED]

Rank: Detective Inspector

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 57 years of age.
3. I am a Detective Inspector in the Homicide Squad of the New South Wales Police Force (NSWPF).
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 Summons NSWPF53 issued by the Inquiry to the Commissioner of the NSWPF on 2 February 2023 with a return date of 16 February 2023 (**Summons 53**). 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.
6. Summons 53 requested the production of various exhibits associated with the Investigation of the death of Barry JONES. Those exhibits being:

3458-8778-8576v2

Witness

[REDACTED]
 Kimberley Smith
 Detective Senior Constable
 Homicide Squad
 21 February 2023

Signature

[REDACTED]
 Nigel WARREN
 Detective Inspector
 Homicide Squad
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- a) Blood sample;
- b) Penile swab and smear;
- c) Anal swab and smear;
- d) Hair sample;
- e) Knife (murder weapon protruding from deceased);
- f) Fingernail cuttings;
- g) Underpants and fawn trousers of deceased;
- h) Shoes belonging to Carol Grant;
- i) Torch from car of Kenneth Grant;
- j) Seiko watch and wrist chain belonging to Kenneth Grant; and
- k) Bloodstained phonebook from phone booth in Walker St Haberfield.

together referred to as **Exhibits**.

7. Following the receipt of Summons 53, the NSWPF conducted the searches and enquiries detailed below in order to locate the Exhibits responsive to Summons 53:

- a) Searches of the Burwood Police Area Command (the command with carriage of the original investigation) consisting of both physical searches and audit checks. No Exhibits were located as a result of this search.
- b) Searches of the NSWPF exhibit management system the Exhibits Forensic Information and Miscellaneous Property System (**EFIMS**) were conducted. No Exhibits were located as a result of this search.
- c) Searches of all NSWPF investigative holdings including WebCOPS, Historical COPS Data, Pre-COPS data, E@glei were reviewed. Software known as 'KODA' was utilised to review electronic data (this is conducted via a 'Google' Style Search Engine across

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NSWPF systems). No records of the Exhibits were located as a result of these searches.

- d) 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.
- e) Enquiries were made with Michelle FRANCO, Group Manager, Evidence Recovery Unit, of 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. In response to enquiries, Ms FRANCO provided the written records associated with the Exhibits. A copy of those records is attached to this statement and marked "A". Ms FRANCO further confirmed that no records of the movements of the Exhibits following their examination in 1976 were located nor were the Exhibits themselves.
- f) Enquires were made with the Department of Forensic Medicine, formerly known as Lidcombe Coroners' Court. The Department of Forensic Medicine conducts autopsies in New South Wales and may have records of Exhibits. Investigators were provided access to the coronial file for Mr JONES however, no details or records of the Exhibits were located.
8. No Exhibits or documents relating to the Exhibits have been located as a result of the above searches and enquiries. I consider the above searches and enquiries to be an exhaustive search for the Exhibits and I am not aware of any further avenues of enquiry available to locate the Exhibits.

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[Redacted]

Kimberley Smith
 Detective Senior Constable
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[Redacted]

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