



Special Commission of Inquiry into LGBTIQ hate crimes

1 September 2023

Katherine Garaty
Director, Crime Disruption and Special Inquiries Law
Office of the General Counsel, NSW Police Force
Locked Bag 5102
PARRAMATTA NSW 2124

By email: [REDACTED]

Dear Ms Garaty,

Special Commission of Inquiry into LGBTIQ hate crimes

I refer to the above Inquiry, and to the matter of Peter Baumann which proceeded to a public hearing on 27 June 2023.

Relevant background

As you are aware, on 5 June 2023, a letter was sent to the Forensic and Analytical Science Service (**FASS**) seeking confirmation that it held the DNA profiles for Mr Baumann's mother and father, and requesting that, if so, the DNA profiles of Mr Baumann's parents be run against all unidentified bodies in New South Wales.

On 20 June 2023, Carole Field, Group Manager of the Database and Case Management Unit at FASS, provided the Inquiry with a statement detailing FASS' response to the Inquiry's queries. Ms Field stated that FASS did not hold a reference sample for either of Mr Baumann's parents but that the NSW Police Force (**NSWPF**) had received a mitochondrial DNA report in relation to Mr Baumann's mother and her mitochondrial DNA profile could be used to search against all mitochondrial DNA profiles from unidentified human remains on the national DNA database. However, Ms Field stated that mitochondrial DNA profile searching is not available in all Australian States and Territories, and to date, no mitochondrial DNA match has been identified.

At [10] of her statement, Ms Field indicated that an autosomal DNA profile could be used to search against DNA profiles from unidentified human remains on the national DNA database. Unlike mitochondrial searching, autosomal searching is available in all Australian States and Territories. However, as the Forensic Biology/DNA (**FBDNA**) laboratory does not presently hold a physical reference sample for the relatives of Mr Baumann, no such searching could be conducted at this juncture.

Additionally, the FBDNA has been unable to complete Y-chromosome testing as the saliva sample obtained from Mr Baumann's father was not tested and there is currently no other DNA reference sample from a male relative of Mr Baumann.

Special Commission of Inquiry into LGBTIQ hate crimes

Request for assistance

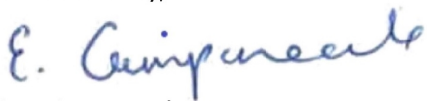
As noted at [163] of the written submissions of Counsel Assisting dated 26 June 2023, Mr Baumann's sister has volunteered to provide a physical reference sample for the purpose of autosomal DNA testing. Mr Baumann's male siblings have also indicated to the Inquiry that they would be willing to provide a sample for the purpose of Y-chromosome and autosomal testing. All of Mr Baumann's siblings reside in Germany.

I understand from FASS that the NSWPF, and in particular the NSWPF Database Management Unit, may have the ability to facilitate the obtaining of DNA samples from Mr Baumann's siblings in Germany and arrange for the testing outlined above to be conducted. I would be grateful if you could confirm by **5:00pm on 6 September 2023** that the NSWPF would be in a position to assist with this request.

Upon confirmation that this request can be facilitated, contact will be made with Mr Baumann's siblings and their personal details will be provided to the NSWPF for the purpose of arranging DNA samples.

Please do not hesitate to contact Aleksandra Jez, Senior Solicitor, on [REDACTED] if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale

Director – Legal

Solicitor Assisting the Inquiry