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NSW Police Force

11 October 2023

Mr Enzo Camporeale
 Director, Legal
 Special Commission of Inquiry into LGBTIQ hate crimes
 GPO Box 5341
 SYDNEY NSW 2001

By email: [REDACTED]

Dear Mr Camporeale

Special Commission of Inquiry into LGBTIQ hate crimes – Supplementary written submissions of Counsel Assisting in the matter of Peter Karl Baumann

We refer to the Supplementary Written submissions of Counsel Assisting in the matter of Peter Karl Baumann dated 6 October 2023 (**Submissions**).

In particular, we refer to paragraph [21] of the Submissions, in which it was suggested that it may be appropriate to consider a recommendation that current procedures in relation to inquiries made with government bodies by people located overseas trying to locate a missing relative be reviewed to ensure interagency communication.

Our office is instructed that there are two main ways in which inquiries can be made of the Missing Persons Registry by people located overseas. Those include the individual contacting:

1. their local police station and making a missing persons report, which will then be disseminated through INTERPOL to the relevant Australian police jurisdiction;
2. the Australian Consulate.

We are also instructed that there are several publicly maintained Registries which provide information on missing persons located in Australia, including:

1. The National Missing Person's Co-Ordination Centre which provides information on foreign nationals missing in Australia: <https://www.missingpersons.gov.au/report/how-report-missing-person>. Those instructions state:

If you are overseas and want to report someone as missing in Australia, you need to attend your local police station and make a missing persons report.

Your local police will complete a missing person report and disseminate the report through INTERPOL channels to the relevant Australian police jurisdiction for further investigation.

The Australian local police station who takes carriage of the case will liaise with the Next of Kin (NOK) of the missing person, either by email or telephone in relation to ongoing investigation.

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Alternatively, if you know of any friends or family of your loved one who are in Australia, they may attend their local police station on your behalf to lodge a missing persons report as described above.

The website also provides further information to the NOK about what information to take to the police station;

2. the NSW Police Force Missing Persons Registry (**MPR**), which is a unit that co-ordinates the New South Wales Police Force's (**NSWPF**) response to missing persons investigations (https://www.police.nsw.gov.au/can_you_help_us/missing_persons).

It is also noted that the Standard Operating Procedure for Missing Persons, Unidentified Bodies and Human Remains dated January 2022, which is Exhibit 51, Tab 001X (NPL.0100.0003.0025) of the Investigative Practices Tender Bundle outlines the process to be followed when a missing persons report is made in NSW.

These matters are also addressed in the Australia New Zealand Policing Advisory Agency 'Australia and New Zealand Policy for Missing Persons Investigations' dated 2020. Section 2 of the Policy, titled 'Special Considerations' provides:

Foreign National Missing in Australia or New Zealand

Where a foreign national is missing in Australia or New Zealand, it is treated as a standard missing person investigation and will initially be investigated by the jurisdiction in which the report is taken. Where there is an identified and substantial link with another Australian jurisdiction, with agreement, the investigation may be transferred to that jurisdiction. All engagement with foreign law enforcement is to be facilitated through either INTERPOL Canberra, INTERPOL Wellington or the AFP International Network.

In light of the above, it is the position of the Commissioner that a recommendation regarding the procedures in place regarding attempts by persons overseas to locate a missing relative is not necessary.

Should Counsel Assisting nonetheless consider that a recommendation is necessary, we would be pleased to consider the terms of any such recommendation in due course and respond, including by way of evidence if necessary.

Otherwise, the Commissioner of Police repeats and relies on submissions made on 10 July 2023 in relation to the documentary tender hearing regarding Peter Baumann and does not wish to be heard further in response to Counsel Assisting's submissions of 6 October 2023.

Yours sincerely



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