



Special Commission of Inquiry into LGBTIQ hate crimes

14 April 2023

Professor Robert Brander
School of Biological, Earth and Environmental Sciences
University of NSW
SYDNEY NSW 2052

By email: [REDACTED]

Dear Professor Brander,

Special Commission of Inquiry into LGBTIQ hate crimes: Supplementary expert report regarding Ross Warren

I refer to the above matter and confirm that I am now the solicitor with carriage.

I also refer to your previous correspondence with my colleague, Caitlin Healey-Nash, in relation to the disappearance and presumed death of Ross Warren, including the letter dated 25 January 2023 and preliminary conference on 30 January 2023.

Thank you for agreeing to provide a supplementary expert report in this matter.

Request for expert opinion

By this letter, you are briefed to prepare a supplementary expert report in relation to Mr Warren's disappearance to assist the Inquiry. It is requested that you provide your report by no later than **11 May 2023**. In the event that you require further time to prepare your report, please advise Ms Blomfield as soon as possible.

In preparation for your supplementary expert report, you are briefed with the documents in the **enclosed** index, including your previous statements and reports, a spreadsheet of Sea Level Observations at Fort Denison for 1989, synoptic charts for the weeks prior to and after 22 July 1989, and a topographical map of the coastline.

In addition, I confirm I am currently undertaking enquiries with the relevant authorities in relation to drone footage of Marks Park and will provide you with an update as to its availability in due course.

I would be grateful if you could consider the spreadsheet and charts in addition to your previous statements and reports when addressing the questions below.

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Matters to be addressed

I would be grateful if you could address the following matters in your report, having regard to the material with which you are briefed and to the extent that they are matters that fall within your expertise:

1. Please set out your observations in relation to this new data; and
2. Whether this new data affects any opinion you expressed in your previous reports in relation to Mr Warren's disappearance, and, if so, what your changed opinion is and the basis for that changed opinion.

In answering the above questions, please explain your reasoning process and identify the information that you have relied upon. Please also provide any further related information or materials that you consider will be of assistance to the Commissioner.

Expert Code of Conduct

I **enclose** a copy of the Expert Code of Conduct and ask that you read it carefully. In the report you should acknowledge that you have read the Code and agree to be bound by it. I suggest the following form of words be included in the body of your report:

"I, Professor Robert Brander, acknowledge for the purpose of Rule 31.23 of the Uniform Civil Procedure Rules 2005 that I have read the Expert Witness Code of Conduct in Schedule 7 to the said rules and agree to be bound by it."

Thank you for your consideration and assistance. Please do not hesitate to contact Elizabeth Blomfield on [REDACTED] if you have any further queries in relation to this matter.

Yours faithfully

E. Blomfield

Elizabeth Blomfield
Senior Solicitor
Solicitor Assisting the Inquiry

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Inquiry into the death of Ross WARREN
INDEX TO SUPPLEMENTARY BRIEF FOR PROFESSOR BRANDER
 (as at 14 April 2023)

Tab	Document	Date
Previous evidence		
1.	Statement of Dr Robert Brander	1 August 2001
2.	Report of Dr Robert Brander	5 April 2002
3.	Statement of Dr Robert Brander	11 April 2002
4.	Oral evidence of Dr Robert Brander re: Inquests into the suspected deaths of Ross Warren and Giles Mattaini and death of John Russell	3 April 2003
5.	Statement of Dr Robert Brander	31 January 2017
Supplementary material		
Bureau of Meteorology		
6.	Weather, Synoptic and Rainfall Observations for Tamarama	1989
7.	Spreadsheet of Sea Level Observations at Fort Denison for 1989	1989
Port Authority of NSW		
8.	Spreadsheet of Sydney Offshore Wave Data for 1989	1989
Sydney Morning Herald		
9.	Synoptic charts	17 – 29 July 1989
10.	Topographic map of Marks Park	N/A