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**NSW Police Force**

27 June 2023

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

By email: enzo.camporeale@specialcommission.nsw.gov.au

Dear Mr Camporeale

Special Commission of Inquiry into LGBTIQ hate crimes – John Russell

We refer to your letter dated 23 June 2023 requesting further information about certain exhibits in relation to the death of John Russell.

Request for Information

Your letter sought a response from the Commissioner of NSW Police (**Commissioner**) to the following three questions:

- a) Confirm what searches have been conducted to date to locate the outstanding exhibits;
- b) Confirm the status of each of the outstanding exhibits; and
- c) Conduct enquiries with Bondi police station in relation to whether they hold any of the outstanding exhibits, noting the evidence of Carlton Cameron to Coroner Milledge on 3 April 2003 that the hair would have been picked up by Constable Brooks on 20 February 1990 and conveyed, presumably, to Bondi Police Station.

We are instructed to respond as set out below.

Searches for outstanding exhibits

The following searches have been conducted to date to locate the outstanding exhibits:

- a) on 26 June 2023, a physical search of Bondi and Waverley Police Station was conducted;
- b) search of Exhibits Forensic Information and Miscellaneous Property System (**EFIMS**);
- c) search of E@gle-i Holdings (including Strike Force Neiwand and Strike Force Taradale);
- d) enquiries with Cold Case, DNA Management Unit in Forensic Service and Technical Services (**FETS**) Command;
- e) search of KODA;
- f) search of WebCOPS data; and
- g) search of PreCOPS data.

Status of outstanding exhibits

Your letter requested the status of the following exhibits recovered during the investigation of the death of Mr Russell:

- a) \$4.60 in coins;
- b) hair on Mr Russell's hand;

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- c) a Coca Cola bottle; and
- d) a cigarette packet.

\$4.60 in coins

The \$4.60 was banked on 04 August 2011 by Fiona Gruber attached to the Paddington Police Station.

Hair on John Russell's hand

The last known record in relation to this outstanding exhibit was the evidence of Crime Scene Officer, Senior Sergeant Carlton Cameron, at the 2003 inquest into the death of Mr Russell. Senior Sergeant Cameron stated the hair would have been picked up by Constable Brooks on 20 February 1990 and conveyed, presumably, to Bondi Police Station.

No other records can be located past this point to indicate the location/status of the hairs.

Coca Cola Bottle

The last known record in relation to this exhibit was the evidence of Plain Clothes Constable Sally Johnston on 2 April 2003 and the evidence of Crime Scene Officer, Senior Sergeant Cameron on 3 April 2003 at the 2003 Inquiry into the death of Mr Russell.

On 2 April 2003, Constable Johnston gave evidence on aspects of the initial investigation into the death of Mr John Russell. During her evidence, Constable Johnston was shown a crime scene photograph that contained a Coca Cola bottle. Constable Johnston was examined on any actions undertaken for the fingerprint examination of this material. Constable Johnston stated she did not believe any action had been undertaken.

On 3 April 2003, Senior Sergeant Cameron provided evidence that a cigarette lighter, cigarettes and a coke bottle would have been processed at the scene. When directly asked about the location of the exhibit Senior Sergeant Cameron stated – *"I don't know what happened to them..."*.

No other records can be located to indicate the location/status of the Coca Cola Bottle.

Cigarette Packet

As above, the last known record in relation to this exhibit was the evidence of Constable Johnston on 2 April 2003 and the evidence of Crime Scene Officer, Senior Sergeant Cameron on 3 April 2003 at the 2003 Inquest into the death of Mr Russell.

On 2 April 2003, Constable Johnston gave evidence on aspects of the initial investigation into the death of Mr Russell. During her evidence, Constable Johnston was shown a crime scene photograph that contained a cigarette packet. Constable Johnston could not recall the cigarette packet at the crime scene.

On 3 April 2003, Senior Sergeant Cameron provided evidence that a cigarette lighter, cigarettes and a coke bottle would have been processed at the scene. When directly asked about the location of the exhibit Senior Sergeant Cameron stated *"I don't know what happened to them..."*.

No other records can be located to indicate the location/status of the cigarette packet.

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Enquiries with Bondi Police Station

On 26 June 2023, a physical search of case file compendiums, equipment rooms and basement storage at Bondi Police Station was conducted with no items found. In addition to this, a physical search of long-term exhibits held at Waverley Police Station was conducted with no items found.

Further boxes of material

Your letter also sought the production of:

- a) a 'very original Murder File' referred to as Publication No.1990-05 (**Murder file**); and
- b) a box titled REPO/B/2004/2079 (**Archive Box**).

In relation to the Murder File, our Office is instructed that enquiries were made with the Corporate Records and Information Management Unit and they have confirmed that the file has not been located since 31 March 2017.

In relation to the Archive Box, our Office is instructed that enquiries were made with the Corporate Records and Information Management Unit and they confirmed that the Archive Box was never recorded on the Records Management System and therefore there is no record of it. The Corporate Records and Information Management Unit advised that the Archive Box was either recorded in error or the material was removed and placed in another archive box.

Yours sincerely



Katherine Garaty
Director – Crime Disruption and Special Inquiries Law
Office of the General Counsel
NSW Police Force