



STATEMENT OF POLICE

In the matter of: Special Commission of Inquiry into LGBTIQ Hate Crimes
Place: Homicide Squad - State Crime Command
Date: 13 June 2023

Name: David LAIDLAW Tel. No: [REDACTED]
Rank: Detective Chief 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 68 years of age.
3. I make this statement in respect of the Request for Statement issued by the Special Commission of Inquiry into LGBTIQ Hate Crimes (**Inquiry**) on 30 May 2023, specifically requesting information concerning a variety of matters regarding the New South Wales Police Force (**NSWPF**) Homicide Squad, Unsolved Homicide Team (**UHT**) (**Request for Statement**). A copy of the Request for Statement is attached as '**Annexure 1**'.
4. The Request for Statement requests information covering an approximately 20-year period between 2004 to present day. Neither I, nor anyone else in the NSWPF is able to comprehensively address the relevant matters for the whole period from their own knowledge. Nevertheless, unless otherwise stated, I have attempted to provide the information requested by reference to my experience and relevant records held by the NSWPF.

Witness: [REDACTED]
 Matthew GRIFFITHS
 Senior Constable
 Wollongong Police District
 13/6/2023

Signature: [REDACTED]
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5. In this statement, where I refer to documents, I also include a document ID number for identification purposes, in the form of **NPL.XXXX.XXXX.XXXX**.
6. At the time of signing this statement, I have also reviewed the following evidence and statements provided to the Inquiry:
- a. the statement of Detective Superintendent Daniel Doherty, Commander of the Homicide Squad, to the Inquiry, dated 18 April 2023;
 - b. the statement of Detective Superintendent Daniel Doherty to the Inquiry, dated 5 May 2023;
 - c. the statement of Detective Sergeant Neil Sheldon to the Inquiry in the context of the Swaczak matter, dated 20 April 2023;
 - d. the statement of Detective Sergeant Neil Sheldon to the Inquiry in the context of the Olsen matter, dated 5 May 2023;
 - e. the transcript of the oral evidence of Detective Sergeant Neil Sheldon in a private hearing of the Inquiry on 16 May 2023; and
 - f. the transcript of the oral evidence of Detective Chief Inspector Leggat in a private hearing of the Inquiry on 6-7 June 2022.
7. I respond to each of the Inquiry's questions in the Request for Statement in the following sections of my statement:
- a. **Section A:** responds to question 1 concerning the history, formation and aims of the UHT and my understanding of how unsolved homicides were managed by the NSWPF prior to the introduction of the UHT;
 - b. **Section B:** responds to question 2 concerning the organisational structure of the UHT and the training provided to its officers; and
 - c. **Section C:** responds to question 3 concerning the nature of the triage and review process undertaken by the UHT.

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8. Before responding to those questions, I provide information regarding my current role, policing experience and my personal qualifications and training.

ROLE AND POLICING EXPERIENCE

9. I am a Detective Chief Inspector within the Homicide Squad of NSWPF. I have been a detective for 38 years, including 22 years as a Homicide Detective. I have been a member of the UHT since 2017. Since this time, I have been the Investigation Coordinator of the Review Team within the UHT and the Coronial Support Team within the Homicide Squad.
10. As the Investigation Coordinator for the Review Team within the UHT, I am responsible for the leadership and management of the operational functions of the Review Team, being the collection, triage and review of all unsolved suspicious deaths and missing persons cases assigned to the UHT.
11. In my role within the Coronial Support Team, I am:
- a. the NSWPF liaison officer for all Coronial-related matters; and
 - b. responsible for the management of the NSWPF staff located at the Forensic Medicine and Coroners Court Complex, Lidcombe.
12. The Coronial Support Team does not have an investigative function directly associated with the UHT, however they assist the UHT Review and Investigative Teams in the context of the triages and reviews of unsolved homicide or suspicious missing persons cases performed by those teams, by liaising with the Coronial jurisdiction to obtain documents and information which may be held by the NSW State Coroners Court in relation to those unsolved cases.
13. I report directly to the Commander, Homicide Squad, State Crime Command, currently Detective Superintendent Daniel Doherty.
14. In my current roles, I liaise with government agencies (such as Justice and Health) and external stakeholders and represent the NSWPF on several joint-agency committees. I provide consultancy advice to such external agencies, mostly through the Coronial jurisdiction to

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Coroners, forensic pathologists and other department personnel within the NSW State Coroners Court. I also provide:

- a. consultancy advice to and attend meetings with the NSW Coronial Services Committee, the Suicide Monitoring Work Group and the Missing Persons, Unidentified Remains, Destitute Committee;
- b. cross-agency advice in relation to sudden unexpected deaths in infancy; and
- c. consultancy advice to other Police Area Commands (**PACs**) and police departments internally within the NSWPF, in relation to both of my roles.

15. I have been a sworn officer of the NSWPF since attesting from the Police Academy in 1977.

16. Throughout my career I have held the following positions in the NSWPF:

- 1977-1985 – General Duties at Sutherland, Wollongong and Port Kembla;
- 1985-1994 – Criminal Investigation Duties at Warilla and Port Kembla;
- 1994-1995 – Criminal Investigation Duties at Mascot (Detective Sergeant);
- 1995-2001 – Criminal Investigation Duties at Major Crime Squad South Region and Crime Agencies (Homicide Squad & Drug Squad);
- 2001-2007 – Criminal Investigation Duties (Investigation Coordinator – Detective Inspector) at Drug Squad, Crime Agencies and State Crime Command;
- 2007-2009 – Manager, Coronial Investigation Team, Homicide Squad, State Crime Command;
- 2009-2017 – Homicide Squad, State Crime Command (Investigation Coordinator); and
- 2017-present – Unsolved Homicide Team, Homicide Squad, State Crime Command (Investigation Coordinator).

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QUALIFICATIONS AND TRAINING

17. Since joining the NSWPF in 1977, I have obtained the following qualifications, training and awards:

- Detectives Training Course – 1988
- Supervision Development Program – 1993
- Homicide Investigators Course (Pilot) – 1996
- Senior Investigators Course – 1997
- Command Development Program – 1998
- Police Complaints Management Course – 2000
- Internal Investigators Course – 2004
- External education undertaken:
 - i. Advanced Certificate Management – 1995
 - ii. Graduate Diploma Police Management – 1997

A. HISTORY AND FORMATION OF UHT

18. In this section of my statement, I address question 1 of the Request for Statement which asks for the following information:

'The history of the formation the UHT, including:

(a) the reasons for the UHT's establishment;

(b) the UHT's aims; and

(c) an overview of how unsolved homicides were managed within the NSWPF prior to the UHT's establishment'

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(a) History of the UHT and reasons for establishment

19. The UHT (originally the Unsolved Homicide Unit) was first established as a team within the Homicide Squad in 2004. I understand the UHT was established in response to coronial recommendations.
20. In the context of preparing this statement, I have read the statements of Detective Superintendent Daniel Doherty, Commander of the Homicide Squad, dated 18 April 2023 and 5 May 2023, in particular paragraphs 70 to 88 of his statement dated 18 April 2023, which discuss the history of the UHT. I agree that, to the best of my understanding, those paragraphs accurately explain the history of the UHT and the reasons for its establishment, and I adopt them for the purpose of this statement.

(b) UHT aims

21. The aim of the UHT, as detailed in the UHT's current Standard Operating Procedures (NPL.0100.0003.0793), is to monitor the status of, review, prioritise, and reinvestigate historical unsolved homicides and suspicious missing persons cases (where homicide is presumed) in NSW. All members of the UHT have access to the current UHT Standard Operating Procedures.
22. Achieving this aim involves:
- a. assessing the information and evidence available from previous investigations into unsolved murders, suspicious deaths and suspicious missing persons cases, including the availability of the original evidence, exhibits, witnesses and the impact the passage of time has had on the investigation;
 - b. identifying any new investigative strategies which may be available to progress the investigation, either by way of advancement in forensic technology or the availability of new or additional information (such as information provided by legitimate witnesses) that could be utilised in any reinvestigation; and

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- c. where new evidence or information comes to light and / or new investigative strategies are available, reinvestigating those matters in the hope that those matters will be solved.

23. At its inception, I understand the UHT did not have an investigative function or capacity. That capacity was introduced in around 2008 and represents a significant change to the function and operations of the UHT.

(c) How unsolved homicides were managed prior to introduction of UHT

24. When I commenced criminal investigations in 1985, I was stationed at a Patrol where I was engaged in several homicide investigations.

25. In my experience, at that time many Detectives' Offices within Patrols possessed highly skilled investigators that could adequately manage homicide investigations given their experience and vast knowledge of criminal investigations. However, investigators involved on those investigations would also generally make contact with the Homicide Squad (which at that time sat within the Criminal Investigation Branch) throughout the investigation to seek assistance on the investigation by way of their expertise. I have read the statement of Detective Superintendent Daniel Doherty dated 18 April 2023 in the context of preparing this statement, in particular paragraphs 25 to 31 and 42. I believe, to the best of my understanding, that those paragraphs accurately describe the role, function and responsibilities of the Homicide Squad during the period from around 1985 to 1997. I adopt those paragraphs for the purpose of this statement.

26. Based on my experience at Patrols between 1985 and 1994, if a homicide investigation was unable to be solved, such as if a suspect could not be identified, the investigation would remain with the Patrol in which the incident occurred until new information became available.

27. There were occasions when these matters were informally reviewed (referred to as a 'fresh eye approach'), by new investigators at the Detectives' Office on the basis that such new investigators may provide a different view or perspective on the investigation which may result in further lines of inquiry being explored. However, there was not a systematic process or procedure in place for the management or review of unsolved homicide cases at this time.

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28. In around 1997, the Regional Crime Squads were disbanded upon the formation of Crime Agencies. The Homicide & Serial Crime Agency was formed to undertake homicide investigations throughout NSW. I have read the statement of Detective Superintendent Daniel Doherty dated 18 April 2023 in the context of preparing this statement, in particular paragraphs 31 and 32, concerning the re-centralisation of the Regional Crime Squads to the Homicide & Serial Crime Agency at this time. I consider the content of those paragraphs to be accurate to the best of my understanding and adopt them for the purpose of this statement.
29. From my experience within the Major Crime Squad (South Region) and subsequently the Homicide and Serial Crime Agency between 1997 to 2001, if an unsolved homicide or suspicious death investigation failed to identify a suspect or if a suspect was identified but there was insufficient evidence to charge, again the investigation would remain with the original investigative team at the Detectives' Office in the patrol in which the incident occurred, unless the Major Crime Squad (subsequently Homicide and Serial Crime Agency) was leading the investigation, in which case the investigation would remain with that Squad / Crime Agency.
30. I am unaware of any unsolved homicides or suspicious deaths that were reviewed or reinvestigated by the Homicide Squad. In my experience during 1997 - 2001, the Homicide Squad was reactive to current homicide investigations only. In my view, this was due to the resources available at that time, which prohibited the Homicide Squad undertaking any reviews or reinvestigations of matters which were not solved in the context of the initial investigation. If matters were reviewed, this would have been an informal process undertaken by the Patrol or command with responsibility for the original investigation.
31. It is my understanding that the establishment of the UHT in 2004, which created a dedicated team with its own resources to focus on reviewing unsolved homicide and suspicious death cases, was intended to address those resourcing concerns which had also been reflected in coronial recommendations at that time (referred to at paragraph 70 of Detective Superintendent Daniel Doherty's statement dated 18 April 2023) and to allow more systematic reviews of unsolved homicides to be conducted.

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B. ORGANISATIONAL STRUCTURE OF THE UHT

32. In this section of my statement, I address question 2 of the Request for Statement which asks for the following information:

'The present organisational structure of the UHT, including:

- (a) details of the senior management team;*
- (b) the structure of the UHT, including details of any sub-teams or specialist units that operate within the UHT;*
- (c) the total number of NSWPF personnel allocated to the UHT; and*
- (d) whether NSWPF officers require any specific education or other relevant training prior to joining the UHT.'*

(a) Structure of UHT and senior management team

33. The UHT sits within the Homicide Squad, State Crime Command. The Homicide Squad is comprised of 12 teams, being:

- a. six investigative teams (Teams 1 – 6), required to respond to recent homicides and missing persons reports which are considered suspicious; and
- b. six teams which operate as the UHT Investigative Teams (Teams 7 – 11) and the Review Team (for which I am responsible). The UHT Investigative Teams and the Review Team together form the UHT.

34. As noted above, the Review Team conducts triages of the unsolved investigations which are assigned to the UHT, and also review a number of these investigations. This is explained in more detail in Section C below. There is no team number associated with the Review Team.

35. The current organisational structure of the UHT is at **NPL.0100.0018.0007**. I note the structure diagram refers to 'Team 11'. There is a current proposal under consideration by the UHT senior management team (including the Commander, Homicide Squad) that the Team Leader

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(Detective Sergeant) of Team 11 be moved into a new role within the UHT focused on coordinating the UHT's response to ministerial requests, Government Information Public Access requests and the like. Under this proposal, the investigators (Detective Senior Constable rank) sitting under Team 11 in the structure diagram will move to fill positions within Teams 9 and 10, such that there will no longer be a 'Team 11' within the structure.

36. As set out in that organisational structure, the senior management team comprises three Investigation Coordinators, at the rank of Detective Inspector:

- a. Detective Inspector Nigel Warren, who is responsible for co-ordinating Investigative Teams 7 and 8. Under Detective Inspector Warren sit two team leaders, at the rank of Detective Sergeant;
- b. Detective Inspector Richard Howe, who is responsible for co-ordinating Investigative Teams 9, 10 and 11. Under Detective Inspector Howe sit three team leaders, at the rank of Detective Sergeant; and
- c. Myself. As stated above, I am responsible for the Review Team and the Coronial Support Team (which does not sit within the UHT, but within the Homicide Squad). Under me sit:
 - i. two team leaders in the Review Team, at the rank of Detective Sergeant; and
 - ii. one team leader of the Coronial Support Team, at the rank of Sergeant.

37. Each of the Investigation Coordinators (including myself) report directly to the Commander of the Homicide Squad.

(b) Number of NSWPF personnel allocated to UHT

38. Currently, there are 38 investigators assigned to the UHT, comprising:

- a. as above, three Investigation Coordinators (Detective Inspector rank);
- b. as above, seven Team Leaders (Detective Sergeant rank); and

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- c. 28 Investigators (Detective Senior Constable rank).

39. The Homicide Squad is also presently assigned:

- a. thirteen intelligence officers, two of which are assigned to and provide assistance to the UHT specifically in relation to all unsolved homicide and suspicious missing persons investigations being monitored, reviewed and investigated by the UHT. In particular, those two intelligence officers assist the Review Team within UHT to review the daily intelligence reports received by the NSWPF for any reports which may be relevant to the unsolved cases within the UHT Tracking File and link those reports to the unsolved cases. Those intelligence officers are presently sworn officers of the NSWPF, but could be unsworn officers; and
- b. one support staff that is assigned to the Homicide Squad to address administrative and clerical tasks, including for the UHT.

40. From time to time since the inception of the UHT, there have also been secondees from other Commands within the NSWPF placed within the UHT, although there is no fixed program or schedule by which this occurs. Rather, secondees can make an application to be placed within the UHT in order to develop their skill set in relation to major crimes investigations. Those applications are considered by the Investigation Coordinators within the UHT (including myself) and the Commander of the relevant Command in which the secondee works. These secondments are generally for a period of three to six months duration, dependent upon the applicant's Command's ability to release them from their present duties. Such time seconded within the UHT may enable the secondee to then make an application to transfer to the Homicide Squad, which will be assessed based on their performance during the secondment, as well as their other experience on major crime investigations within their own Command.


(c) Specific education or training provided to UHT detectives

41. As above, I have read Detective Superintendent Doherty's statement dated 18 April 2023 in the context of preparing this statement, in particular paragraphs 114 to 146 of that statement which address the qualifications of, and training provided to, officers within the Homicide Squad, of

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which members of the UHT form part. I agree with and adopt those paragraphs for the purpose of this statement and provide further information below in relation to the UHT specifically.

42. An investigator can apply to join the UHT without having first served as a member of an investigative team within the Homicide Squad which investigate current / active homicides (Teams 1 – 6). However, before a prospective investigator is able to apply to join the UHT, as with all applicants to the Homicide Squad, they must have successfully completed training to be designated as a Detective within the NSWPF.
43. As a first step, all prospective detectives have to undertake criminal investigation training within the police stations to which they are assigned. Officers who enter into the criminal investigation realm of the NSWPF are initially assigned to a plain clothes position.
44. Generally, officers would undergo a minimum of three years' education and training at a police station. This training process would usually involve those officers' participation in active or unsolved homicide investigations. During homicide investigations, where investigators from the Homicide Squad form part of the investigation team, the member of the Homicide Squad on those investigations will assess the investigator as to whether they have the requisite knowledge, capability and experience to make an application to the Homicide Squad (as either a member of one of the investigation teams or the UHT).
45. Following completion of this training, those officers would undertake the Detectives Course. This course provides those officers with a sound knowledge base across a vast number of criminal investigation types (for example, homicides, sexual assaults, robberies, fraud, etc), under the mentorship of experienced detectives in such investigations.
46. Once assigned to the UHT, it is a requirement for all staff to undertake the Homicide Investigators Course (referred to at paragraphs 124 to 131 of Detective Superintendent Doherty's statement dated 18 April 2023). In my experience, most officers assigned to the Homicide Squad, including to the UHT, have already undertaken that course prior to joining the Homicide Squad, or undertake the course shortly thereafter.

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47. Based on my experience as an officer within the Homicide Squad, there is no specific training provided to investigators within the UHT, outside the training and major criminal investigations experience required of any officer to enable them to join the Homicide Squad. Based on my experience working as an officer within the Homicide Squad and the UHT, I believe that the experience and training required of all officers prior to joining the Homicide Squad makes them well equipped to perform the roles and responsibilities of an officer serving within the UHT.
48. In terms of recruitment, the recruitment process commences with investigators making an application by way of submitting an expression of interest to be transferred into the UHT. The Homicide Squad generally, and in turn the UHT, is a highly sought after squad within the NSWPF, such that it receives many expressions of interest from detectives wishing to join. In my experience, to the extent there are vacancies, those positions are filled by the best available detectives within the NSWPF, many of which possess a broad range of qualifications (including tertiary degrees) and experience.
49. The application process is generally commenced by the applicant contacting the UHT directly or by other Homicide Squad investigators identifying potential candidates through their work with those investigators on homicide investigations as described above.
50. Prospective applicant's applying to join the Homicide Squad will state their preference as to whether they wish to join either the Homicide Squad Investigation Teams or the UHT. The UHT also receives applications from investigators who currently sit within the Homicide Squad Investigation Teams to transfer to the UHT. However, as noted above, it is not a prerequisite for an officer to have served on the Homicide Squad to enable them to apply to join the UHT.
51. The candidates are then interviewed by a panel of Investigation Coordinators to assess their suitability. Those that are not selected are provided information and advice as to how they may further develop their skill set should they wish to make an application in the future, such as recommending their participation in the Homicide Investigators Course.

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C. TRIAGE AND REVIEW PROCESS UNDERTAKEN BY THE UHT

52. In this section of my statement I address question 3 of the Request for Statement which asks for the following information:

'With reference to the current and previous versions of the UHT Standard Operating Procedures, please outline the nature of the triage and review process undertaken by the UHT, including:

- (a) the creation and management of all unsolved homicides, including where applicable on the tracking file of all unsolved homicides ("the UHT Tracking File");*
- (b) the screening or triage process for cases listed in the UHT Tracking File, including the existence or non-existence of any system that has been used to ensure that all unsolved homicides are the subject of a screening, triage and/or review procedure, at regular intervals or at all;*
- (c) the factors which trigger the screening or triage of a case listed in the UHT Tracking File;*
- (d) the process by which exhibits are identified, recorded and stored in cases listed on the UHT Tracking File;*
- (e) the factors which trigger an initial and any subsequent review of a case listed in the UHT Tracking File;*
- (f) the development of investigative plans, including the investigative capabilities of the UHT; and*
- (g) the process for ongoing audits of cases listed in the UHT Tracking File, including details of how the UHT Tracking File is monitored.'*

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53. At the outset I note that as I only joined the UHT in 2017, I am unable to speak from personal experience as to the processes and procedures undertaken by the UHT during the period between 2004 to 2017.
54. I have, however, been shown the following historic Standard Operating Procedures for the UHT, which I understand applied during that period and have been produced to the Inquiry in the context of Detective Superintendent Doherty's statement dated 18 April 2023, being:
- a. 'Standard Operating Procedures for the Unsolved Homicide Unit' dated 17 March 2006 and prepared by Detective Inspector Jarret (the leader and co-ordinator of the 2004 UHT Review Team) (**2006 UHT SOPS**), which to the best of my knowledge were in force between March 2006 and June 2009. A copy of that document is at **NPL.0100.0003.0771**; and
 - b. 'Unsolved Homicide Team, Metropolitan, Country Regions, Standard Operating Procedures' dated June 2009 and prepared by Detective Chief Inspector Bray (the Investigations Co-Ordinator for the UHT from July 2009 to June 2011) (**2009 UHT SOPS**), which to the best of my knowledge were in force between June 2009 to around 2018. A copy of that document is at **NPL.0100.0003.0808**.
55. I have read those documents and believe they detail the processes and procedures in place throughout the period between 2004 to 2018 concerning the review of cases listed on the UHT Tracking File.
56. A copy of the current Standard Operating Procedures for the UHT dated 2022 (**2022 UHT SOPS**) is at **NPL.0100.0003.0793**, which details the current role and function of the UHT and its current processes and procedures in relation to cases listed on the UHT Tracking File (which I similarly understand has been produced to the Inquiry in the context of Detective Superintendent Doherty's statement dated 18 April 2023). Although dated 2022, from my experience working in the UHT, the processes detailed in the 2022 UHT SOPS have been in place within the UHT since around 2018.

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(a) Creation and management of unsolved homicides and UHT Tracking File

Creation of the UHT Tracking File and cases on the UHT Tracking File

57. From my review of the 2006 UHT SOPS and 2009 UHT SOPS, I understand the UHT Tracking File, being the file used by the UHT to track and monitor unsolved homicide cases, was first created with the establishment of the UHT in 2004.
58. I understand that in 2004, when the UHT was first established, searches and inquiries were undertaken to identify any potential unsolved homicide or suspicious death investigations within NSW for the period between 1970 to 2000, including:
- a. within the Regional Major Crime Squads (which existed prior to 1997) for any unsolved homicide or suspicious death cases;
 - b. on the NSWPF Computerised Operational Policing System (**COPS**) (which was created in 1994) for any unsolved homicides or suspicious deaths recorded on that system;
 - c. with the State Coroner's office to identify any investigation that had been to inquest where there were open findings recorded; and
 - d. with NSW State Archives in order to obtain any records maintained at that location concerning unsolved homicides or suspicious deaths.
59. Further, and upon the announcement of the UHT's formation, I understand investigators from various Commands with the NSWPF would contact the UHT on an ad hoc basis to advise them of their unsolved homicide investigations, which would then be added to the Tracking File.
60. Following those searches and inquires, there were over 400 potential unsolved homicide and suspicious death cases identified by the UHT. It is my understanding that all those cases were added to the UHT Tracking File.
61. Each case was then reviewed to determine which cases should be prioritised for reinvestigation. I understand, from my review of the 2009 UHT SOPS, that in 2004, there was limited information

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available in the UHT Tracking File about the precise nature and status of each of these cases (in terms of what documentation was available, the status of witnesses, what exhibits existed, etc) to prioritise the review of those 400 cases. Accordingly, the UHT worked backwards, by conducting searches for records and reviewing the available records for all cases but starting with the most recent cases (on that basis that more recent investigations may have presented a greater opportunity for reinvestigation). The following factors were considered in the context of that review process:

- a. the availability of documents, physical evidence and witnesses;
- b. whether there was a viable or available suspect;
- c. whether the existence of new technologies could be utilised to further the investigation (such as the testing of physical exhibits for DNA evidence);
- d. the passage of time and associated impacts on the investigation; and
- e. whether there were any other leads or lines of inquiry available.

62. I understand it took approximately four years for the initial review process to be completed and that by 2008, 201 of the approximate 400 cases were identified by the UHT as warranting reinvestigation. Nine of those cases were immediately referred out to PACs for reinvestigation, as based on the information available to the UHT, those cases represented the best opportunity for reinvestigation.


63. At that time, the role and function of the UHT was to review unsolved homicide and suspicious death cases. It did not have an investigative capacity and it was for this reason that the cases were referred out to PACs for reinvestigation.

64. However, I understand that at that time there was also insufficient investigative capacity elsewhere within the NSWPF (including within the Homicide Squad) to reinvestigate the remaining 192 cases which had been identified as warranting further investigation. Accordingly, in around 2009, Investigative Teams within the UHT (as they now exist) were established. I do

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- not have any personal knowledge of how those 192 cases were allocated within the UHT Investigative Teams, or how such reinvestigations were conducted.
65. Since the initial searches and inquiries conducted in 2004 and the review process which was completed in 2008, the UHT Tracking File has grown to include additional cases.
66. For example, I understand from the current 2022 UHT SOPS that in around 2012, the UHT broadened its parameters to include pre-1970 and post-2001 homicide cases, including suspicious missing persons cases. To the best of my knowledge, searches and inquiries were made to identify such cases (such as the searches referred to in paragraph 58 above), which were then added to the UHT Tracking File.
67. The addition of new cases to the UHT Tracking File now primarily occurs in the context of Coronial Recommendations, when a matter has been before a Coronial Inquest and the Coroner has made a recommendation to the Commissioner of NSWPF that the investigation be referred to the UHT for monitoring or further investigation in accordance with the protocols of the UHT.
68. The Coroner will also refer suspicious missing persons cases to the UHT, where there is a suspicion of a criminal offence having occurred in connection with the missing person.
69. In addition, the UHT will be referred unsolved matters for consideration or conducting reviews where those case have been retained by police stations and are yet to be placed before the Coronial jurisdiction.
70. The latest matter recorded in the UHT Tracking File is an incident which occurred on 17 August 2016. This reflects the time it can take for the initial investigation to be completed and the duration of the Coronial inquest process. Accordingly, while there is no prescribed period, it can take several years for a matter to be referred to the UHT.

Management of unsolved homicides and the UHT Tracking File

71. In terms of the management of the UHT Tracking File, the file itself has restricted access. Only investigators attached to the Review Team, the three Investigation Coordinators (including me)

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and Intelligence Officers assigned to the Homicide Squad can input data into the file. All other UHT officers can access the UHT Tracking File, but with 'read only' access.

72. The UHT Tracking File is only a record management system used to identify the status of each matter. It is not an investigation management system, like [e@gle.i](#).
73. From my experience as a member of the senior management team in the UHT, I understand that since the inception of the UHT and the creation of the original UHT Tracking File, there have been improvements to the Tracking File in terms of the amount of detail it captures regarding the status of each investigation.
74. For example, the UHT Tracking File now records data such as date of death, victim's details, COPS event and case numbers, crime scene details, inquest details, review status, investigation status, details of the officer in charge of any investigation, Strike Force name, arrest details, exhibit references, next of kin details and reward status.
75. To assist in the management of cases on the UHT Tracking File, UHT have created two [e@gle.i](#) investigations: Strike Force Palace (comprising historical investigations dating back from 1880 to 2000) and Strike Force Palace II (comprising investigations from 2000 to present).
76. Strike Force Palace and Strike Force Palace II do not involve any reinvestigation of the unsolved matters; rather, they allow the creation of the associated investigation files on [e@gle.i](#) to enable the electronic recording of any information pertaining to the investigation and any documentation associated with any triage or review. As explained below, in the context of performing the triage process, the Review Team will identify any available documentation, exhibits or evidence in connection with an investigation and input that data into [e@gle.i](#) so it is available for the ultimate reviewer of the file. This is particularly necessary where documentation and exhibits pertaining to older investigations have not been captured or input into the current systems because those investigations pre-date the electronic investigation management systems used by the NSWPF, (formerly Taskforce Information Management System (TIMS) and now [e@gle.i](#)).

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77. At present, for the period between 1970 – 2010, there are 829 matters listed in the UHT Tracking File, divided into four different categories as follows (with each case only being assigned to one category):

- a. 442 matters categorised as 'Undetected', meaning the matter is a homicide, suspicious death or suspicious missing person case where the perpetrator is unknown and / or the matter has not resulted in charges being brought;
- b. 139 matters categorised as 'Undetermined', meaning the Coroner was unable to determine that the deceased was the victim of homicide, and returned an open finding at any inquest;
- c. 132 matters categorised as 'Unresolved', meaning a person was charged but acquitted or there is an arrest warrant in existence but the matter is yet to be brought before the Courts;
- d. 92 matters characterised as 'Solved', comprising matters that were previously referred to the UHT, where a suspect has been detected and charged resulting in a successful prosecution. Such matters are still recorded in the UHT Tracking File for record management purposes only; and
- e. 24 matters categorised as 'Not Homicide', being matters which were originally referred to the UHT but have since been determined to not be homicides or suspicious deaths. For example, this categorisation is used for cases where the matter has been referred to the UHT, but the Coroner has determined the matter was a misadventure (such as self-administered multi-drug toxicity or drowning), medical incident (such as a heart attack), or a suicide, or has been unable to determine the missing person is deceased. It is also used for missing persons cases which were referred to the UHT but where the person has subsequently been located.

78. In around 2018, after I joined the Review Team, the categories 'undetected' and 'undetermined' were created. Previously those matters had been categorised in the UHT Tracking File as 'Unsolved'. The purpose of that change was to ensure cases which fell within the 'undetected'

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category would be prioritised for triage and review, as they present a greater opportunity for reinvestigation than 'undetermined' matters.

79. The categories assigned to matters within the UHT Tracking File are not fixed. For example, if further evidence or information were to come to light which suggests a previously 'undetermined' matter was more likely to be a homicide (for example, due to a potential perpetrator being identified), then that matter would be re-categorised as 'undetected' (or even 'solved', depending on the nature of the information and if it points to a suspect who is subsequently charged).

80. The triage and review process for unsolved matters on the UHT Tracking File is detailed below at paragraphs 81 to 101 and 111 to 128. However, in terms of management of matters after a review has been completed:

- a. If a matter is reinvestigated following a review, then management of that reinvestigation becomes the responsibility of the officer in charge.
- b. If reinvestigation of a matter is identified as not possible at the time of triage or review (for example, because there are no investigative strategies or opportunities identified which could be used to progress the investigation beyond the original investigation), then the matter will remain with the UHT Review Team for monitoring should new information or investigative opportunities arise, and is subject to the monitoring processes described at paragraphs 138 to 143 below.

(b) Screening and triage process for cases listed in the UHT Tracking File

81. It is my understanding from my review of the 2009 UHT SOPS, and my experience in the UHT Review Team between 2017 to 2023, that prior to the introduction of the current triage process in around 2018, the following process was followed for cases on the UHT Tracking File:

- a. cases were screened by a reviewing officer (with such screening involving consideration of the factors detailed in paragraph 61 above);
- b. the reviewing officer would complete a case screening form, which would be subject to quality assurance by the UHT Investigation Coordinators;

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- c. each case was given a priority rating (of nil, low, medium or high); and
- d. for those cases given a priority rating of low, medium or high, they were referred to Investigation Support within the State Crime Command, which would allocate the matters for reinvestigation.
82. The triage process was introduced in around 2018 shortly after I joined the UHT. It is the first stage of the review process now undertaken by the UHT of matters in the UHT Tracking File. Generally, officers within the Review Team perform the triage process. It is a paper / desktop review. At any one given time, a member of the UHT Review Team will be allocated approximately five triages.
83. I understand the triage process was implemented in response to a restructure of how reviews of unsolved homicides and suspicious missing persons cases were managed within the NSWPF. What was originally only a one stage review process was split into two stages. The first stage is a triaging process performed and managed by the UHT Review Team. The second stage is a review, which I explain in more detail below at paragraphs 111 to 128.
84. Where a case has been referred to the UHT by the Coroner, that matter will not be triaged or reviewed by the UHT for five years in most cases, unless new evidence or information is uncovered which would justify an immediate triage process. The justification for this five-year period is that all available evidence would have been reviewed and considered by the Coroner at the time of the Inquest. The five-year period allows for the passage of time to take effect, which allows for new or fresh information to be identified or new evidence to be obtained through improved forensic technologies or investigative methodologies, which may be used to progress the investigation.
85. All other matters will be triaged by the Review Team as soon as possible, and I discuss the factors which may trigger the triage of a particular case at paragraphs 92 to 101 below.
86. The triage process is essentially an initial review of the file, whereby an officer on the Review Team will review the available records for the file and complete a Triage Form. A

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template Triage Form is annexed to my statement as **NPL.0100.0018.0008**. The Triage Form sets out:

- a. the details of the deceased (including their date of birth and next of kin);
- b. a detailed description of the facts relating to the homicide (for example, the deceased's last known movements, who discovered the deceased's body, when and where, as well as details concerning the time and likely cause of death);
- c. the time, date and location of the incident;
- d. any COPS event or case numbers associated with the matter;
- e. details of any previous Strike Forces;
- f. the command in charge of the original investigation;
- g. the availability and location of the brief of evidence;
- h. the location, availability and reference numbers of any other investigation records (for example, [e@gle.i](#) records, records in archives, coronial transcripts, forensic records, photographs, audio visual records and any covert surveillance records);
- i. a detailed description of the cause of death from the findings of the forensic pathologist and / or the Coroner;
- j. details concerning any coronial inquest, including any findings;
- k. details of the original case officer in charge of the investigation and any other police officers involved on the original investigation, their current status within the NSWPF and any commentary regarding their observations in the context of the original investigation;
- l. details concerning any suspects, including their current location (if known), their criminal history and any comments concerning evidence obtained from those suspects in the context of the original investigation;

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- m. details of all information reports received or other developments subsequent to the original investigation;
 - n. any government rewards offered;
 - o. details of any fingerprints, weapons and other exhibits and any examination which has been conducted of those exhibits;
 - p. details of any other witnesses, noting that no witnesses are to be contacted in the context of the triage process to ensure any potential reinvestigation is not jeopardised (as in some circumstances these witnesses may be connected to the perpetrator); and
 - q. the assessment of the officer responsible for the triage as to whether the matter should proceed to review.
87. The process of identifying and collecting any available exhibits also occurs during the triage process, whereby the Review Team will consider and assess the availability or viability of any exhibits (for instance, if the records demonstrate those exhibits may have been degraded or destroyed). If those records have not already been located or collected, the Review Team will arrange for their collection at this time. As above, the Review Team will input the details and status of any available evidence or exhibits into the electronic records management systems (EFIMS and [e@gle.i](#)) and will further record the status of those exhibits in the tracking file and in the Triage Form.
88. The triage process can take weeks or months to complete, depending on the status of the file, the time required to identify and locate any available exhibits and other information, and the amount of information requiring input into the electronic systems (which is particularly the case in historic investigations).
89. Once the officer of the Review Team has completed the Triage Form, that form will be sent to me for review. I will review the information included in the form and the assessment of the officer as to whether the matter should proceed to review.

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90. In cases where the triage process has identified that, at that time, there is no realistic prospect of any further investigation progressing the matter (for example because there are no available records or witnesses or potential suspects have subsequently died), those matters would not proceed to review at that time. Such cases would remain on the UHT Tracking File for monitoring by the Review Team, in the event further evidence, information or new investigative strategies become available (for example, because of intelligence reports, prison or other informants, or information provided in response to rewards which remain on foot) which would warrant a reinvestigation. Those cases are subject to the monitoring process described at paragraph 138 to 143 below.
91. If the triage process identifies that a matter should proceed to review, then I will liaise with the Investigation Coordinators for the UHT Investigative Teams to determine an allocation of the review of that investigation to one of the Investigative Teams within the UHT.

(c) Factors which trigger the screening or triage of a case on the UHT Tracking List

92. As stated above, the triage process was introduced in around 2018. Based on my review of the 2009 UHT SOPS, it is my understanding that following the review of the initial 400 cases which took place between 2004 to 2008, between around 2009 and around 2018, all cases on the UHT tracking file which had not been reviewed and given a priority rating as part of the initial review were screened (in accordance with the processes and procedures detailed in the 2009 UHT SOPS).
93. I do not have any personal knowledge, outside the information contained in the 2009 UHT SOPS, concerning the factors which would have triggered the screening of a matter within the UHT Tracking File for the period between 2009 and 2017 (when I joined the Review Team).

Process in 2018

94. As noted above, in around 2018, the triage process was introduced. It is the intention of the UHT senior management team that all cases on the UHT Tracking file will be subject to the triage process.

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95. It is my understanding, based on my experience as a member of the senior management team of the UHT, that in around 2018, in an effort to clear more recent cases in the UHT Tracking File which, due to the passage of time may have presented better opportunities for reinvestigation due to the availability of records and witnesses, cases from 2014 onwards in the Tracking File were prioritised for triaging by the Review Team.
96. Cases from 2014 onwards were also selected as it was more likely relevant information and documentation connected to those cases would already be captured and recorded on e@gle.i and accordingly, the triage process would likely be more efficient and the information would be easily accessible by the officer conducting the triage, and therefore, the officer conducting the subsequent review. Therefore, at this time, matters listed on the Tracking File with an incident date of 2014 or later were triaged as a priority.

Current process

97. In terms of the current factors which will trigger the triage of a case on the UHT Tracking File, as set out above, for any matters which are referred to the UHT by the Coroner, those matters would not be triaged by the Review Team for a period of [REDACTED] years in most cases, unless new information or evidence is received which would warrant that matter being prioritised (for example, if information or intelligence is obtained about a potential suspect which warrants further investigation).
98. Otherwise, the prioritisation of matters for triage commences with the officers in the Review Team identifying those matters in the Tracking File which have been categorised as 'undetected' homicides or suspicious missing persons cases. 'Undetected' matters are triaged as a priority because those cases (compared to 'undetermined' cases') represent a more significant opportunity for reinvestigation based on the finding that the matter was in fact a homicide although the perpetrator is unknown.
99. As a general rule, due to the large number of cases on the UHT Tracking File, the oldest cases that have been categorised as "undetected" are generally selected as a priority for triage, as cases older than 20 years more often than not represent the most difficult and challenging cases with the lowest chances of solvability. On that basis, they are reviewed as soon as possible.

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This represents a change from the position in around 2018, whereby the more recent cases on the tracking file were prioritised for triaging. While it is still the case that more recent matters on the UHT Tracking File may present a greater opportunity for investigation (given the availability of records and witnesses), given the limited resources available within the UHT Review Team to conduct this triage process and the time each triage takes to complete, this change in process was seen as necessary by the UHT senior management team to ensure the oldest cases on the tracking file were triaged before, for example, witnesses passed away or investigative opportunities for some reason became unavailable due to the passage of time.

100. That said, there are circumstances where new information or intelligence may come to light which warrants another case on the UHT Tracking File taking priority, as it represents a better opportunity for reinvestigation based on that new information. The process of prioritising another matter on the Tracking File to ensure it is triaged ahead of other cases in these circumstances is managed by me in consultation with the Review Team and the other Investigation Coordinators in the UHT. I would assess the new information or intelligence relevant to the matter and would allocate it to one of the Review Team members for triage.

101. While it is the intention that all cases on the UHT Tracking File (including 'undetermined' cases) will be triaged by the UHT Review Team, the prioritisation and triaging of those cases is necessarily dependent on the resources available to the Review Team and the UHT more generally, and the availability of qualified officers to undertake those triages.

(d) Process by which exhibits are identified, recorded and stored in cases listed on the UHT Tracking File

102. I understand the Inquiry has received a number of statements from Assistant Commissioner Conroy, Commander of the Forensic and Technical Services Command (**FETS**) concerning the current and historical exhibit management practices of the NSWPF. I have never served as an officer with the FETS Command and am not in a position to address, in detail, how exhibits have been and continue to be managed by the NSWPF both historically and today. However, I set out below my understanding of how exhibits are identified, recorded and stored for cases listed on the UHT Tracking File.

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103. I understand the process of identifying and recording any available exhibits for matters entered onto the UHT Tracking File at its inception in 2004 occurred during the initial review process that was completed between 2004 and 2008. As set out above, the current process involves identifying and recording any available exhibits (where that process has not yet been completed) during the triage process, and also includes the Review Team considering and assessing the availability or viability of any exhibits (for instance, if the records demonstrate those exhibits may have degraded or been destroyed).
104. As above, the Review Team will input the details and status of any available evidence or exhibits into the electronic records management systems (EFIMS and e@gle.i) and will further record the status of those exhibits in the UHT Tracking File and in the Triage Form.
105. In relation to the storage of exhibits of cases on the UHT Tracking File, it is my understanding that, prior to around 2016, any exhibits in relation to cases listed on the UHT Tracking File would have been retained by the relevant Command in which the incident took place, stored within that Command's Exhibit Room and managed in accordance with the processes in place at that time regarding the storage, management and auditing of exhibits, as set out in the statements of Assistant Commissioner Conroy.
106. In around August 2016, a project was commenced whereby all exhibits pertaining to unsolved homicide investigations were to be located, identified, recorded within EFIMS and on e@gle.i and then stored at the central Miscellaneous Property and Exhibit Centre (MPEC), which is a central repository for exhibits.
107. The project was commenced as a result of a recommendation made by Detective Chief Inspector John Lehmann (who was at that time an Investigations Coordinator within the UHT). A copy of the report prepared by Detective Chief Inspector Lehmann, and endorsed by Detective Superintendent Michael Willing (Commander, Homicide Squad), Detective Superintendent John Kerlatec and the Commander of the State Crime Command is at **NPL.0100.0018.0001**.
108. Since that time, all exhibits pertaining to unsolved homicides are now stored at the MPEC, should they be required for any further examination or judicial proceedings.

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109. The Command who was responsible for the initial investigation will arrange for the transfer of those exhibits to the MPEC for any cases listed on the UHT Tracking File, in accordance with the direction given to all Commands in around 2016 (referred to in paragraphs 106 and 107 above).

110. During the triage process, the officer in the Review Team will check to ensure those exhibits have been collected and are now stored at the MPEC. If, for some reason, the officer responsible for the triage identifies the exhibits are still held by the original Command, a direct request would be sent from the UHT to that Command requiring those exhibits to be collected and transferred to the MPEC.

(e) Factors which trigger initial or subsequent review of a case listed in the UHT Tracking File

The review process generally

111. The review process is a more detailed paper / desktop review of the investigation file. There is no reinvestigation of the matter at this stage. To the extent further investigative opportunities or new forensic technologies are identified, then those would be noted in the Review Report completed by the reviewing officer (and implemented during any reinvestigation).

112. The Review Report is a detailed report which sets out the reviewing officer's review of all the evidence, exhibits and documentation available on the investigation file and coronial file, the availability of witnesses or suspects, whether any new investigative opportunities exist (and what those opportunities are), and an overall assessment of the likely solvability of the investigation (determined by the officer's assessment of all of those matters combined).

113. As discussed above, in 2018 what was an initial one stage review process was split into two stages, the first being a triaging process conducted by the UHT and the second stage being a review. This occurred in the context of a significant organisational restructure, where a number of Local Area Commands were merged together, forming PACs (metropolitan) and Police Districts (regional).

114. At that time there was a backlog of investigations on the UHT Tracking File which had yet to be reviewed. A decision was made by senior management within the NSWPF that, in addition to

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reviews being assigned to the UHT Investigative Teams where possible, reviews would also be disseminated outside of the UHT to other squads within State Crime Command, together with Detectives Offices within PACs and Patrols, and also the Detective Training Unit. This was because as a result of those organisational changes, there were a number of investigators within these new commands that were understood to have the expertise and capacity to undertake the reviews of the unsolved homicide and suspicious death cases.

115. By 2021, it was identified that there were a large number of reviews that had not been completed or returned by the officers who were allocated those reviews outside the UHT. It is my understanding that this was primarily due to the competing workloads of the reviewers at their respective Commands.

116. At that time, the UHT requested the return of all uncompleted reviews to the UHT, who resumed control of the management of the allocation of reviews to the Investigative Teams within the UHT.

117. At the time reviews were being conducted outside the UHT (between around 2018 to 2021), external reviewing officers were not permitted to contact witnesses and potential suspects during the review process. This rule was implemented on the basis that those officers did not have ultimate responsibility for or ownership of the investigation of those cases. Responsibility and ownership of those cases remained with the UHT. Accordingly, it was the view of senior management within the UHT that those officers should not be taking steps to investigate those matters without consultation with UHT, due to the potential that the conduct of such steps could prejudice the investigation.

118. Now that reviews are again managed internally within the UHT by the UHT Investigative Teams, in appropriate cases (for example, due to the identification of important evidence from a witness or a suspect confessing), witnesses or suspects may be contacted during the review process by the Investigation Teams. Prior to contacting a witness or suspect, the reviewing officer will consult with their superior officer who will consider and confirm whether this is an appropriate investigation strategy in the particular case.

119. All Review Reports are subject to a quality assurance process, which involves each report being reviewed and discussed by the UHT Review Committee, together with the officer responsible for

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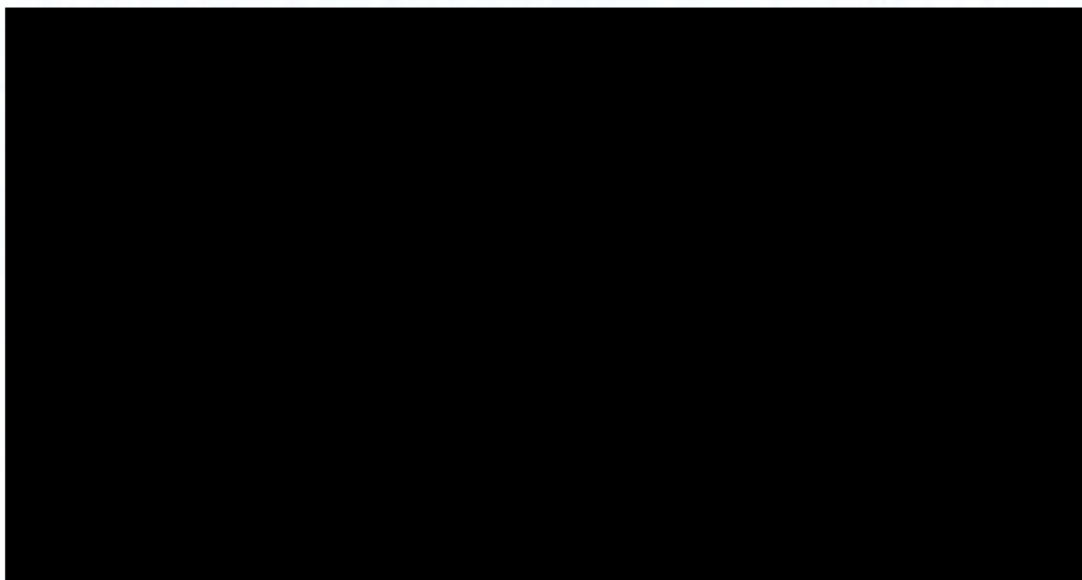
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performing the review. I sit on that committee together with the two Investigation Coordinators of the UHT Investigation Teams (Detective Inspector Warren and Detective Inspector Howe), the Detective Sergeants within the Review Team, the Intelligence Manager and the Commander of the Homicide Squad.

120. The UHT Review Committee will be convened to consider the recommendations and solvability assessment given to the investigation by the reviewing officer. If in the opinion of the committee something has been missed by that officer, which has not been captured in the Review Report (for example, if there was an exhibit identified which could be sent for further testing, but that had not been identified as an investigative opportunity in the Review Report), or further information is required, then that will be discussed at that time. The UHT Review Committee has access to the Triage Form, the Review Report and the e@gle.i investigation file in the context of these assessments.

121. The UHT Review Committee will assign each case what is referred to as a priority rating, which is dependent on the following factors (which are set out in the current 2022 UHT SOPS):



122. Cases in which further investigative opportunities are identified are then allocated to the UHT Investigation Teams for reinvestigation. The priority of those investigations is determined by the

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priority rating given by the UHT Review Committee. Cases with higher ratings are given higher priority, on the basis those cases present the best available opportunities for resolution. At any given time, each investigator at the UHT will be assigned one review, on top of their current investigation workload. The time it takes to complete the review will vary significantly depending on the size of the investigation and what is involved in the review of that matter.

123. Cases which are given a priority rating of zero will not be recommended for reinvestigation. This is because those cases would have been identified as having no documents or evidence available for further testing or review, no available witnesses or suspects, and no further investigative opportunities.
124. Those cases will remain on the UHT Tracking File for monitoring by the Review Team, in the event further evidence, information or new investigative strategies become available which would warrant a review or reinvestigation. New information or intelligence (which may come to light even in cases that are, on the basis of what was known prior to the new information, assessed with a zero solvability rating, for example via previously unknown informants, a DNA or fingerprint match, or information provided in response to reward offers) will be assessed as soon as notification is received from the Intelligence Officers assigned to the UHT, following which the priority rating of that matter will be assessed by the Investigation Coordinators. If the priority rating is to change, that would occur in consultation with UHT Review Committee. If new forensic technology comes into existence (for example, advancements in forensic DNA technology), the UHT Review Team would assess the status of exhibits of all matters assigned to the UHT in the UHT Tracking File that might be able to be re-analysed for evidentiary results, including those assigned a zero rating.
125. The UHT Review Committee is generally convened every three to six months and will consider all Review Reports completed at that time, which is usually between 5 to 10 Review Reports. That said, if there was a matter requiring the committee's urgent attention, the committee would be convened at the earliest available opportunity to consider that investigation and make any necessary recommendations.

Witness:

 Matthew GRIFFITHS
 Senior Constable
 Wollongong Police District
 13/06/2023

Signature

 David LAIDLAW
 Detective Chief Inspector
 Homicide Squad
 13/6/2023

Statement of David LAIDLAW
In the matter of *Special Commission of Inquiry into
 LGBTIQ Hate Crimes*

Factors triggering an initial or subsequent review

126. As I only joined the UHT in 2017, I am unable to speak from personal experience as to the factors which would have triggered an initial or subsequent review of any case listed in the UHT Tracking File for the period between 2004 to 2017.
127. I have, however, read the 2006 UHT SOPS and 2009 UHT SOPS (referred to above) and believe they detail the processes and procedures in place throughout that period concerning the review of cases listed on the UHT Tracking File (which I discuss in paragraphs 61 and 81 above).
128. In terms of the UHT's current processes, once a matter is identified for review following the triage process, the factors influencing the priority of matters listed for review will be dependent on the information available in connection with the investigation and which cases represent the best available opportunity for reinvestigation based on the material available to investigating officers. For example, if new investigative strategies or opportunities have been identified by the Review Team (such as covert surveillance opportunities), key witnesses and / or suspects have been identified, or if new forensic technologies are available which would warrant the re-examination of exhibits, then those cases would be prioritised. The process of prioritising and allocating cases for review involves consultation between me and the Investigation Coordinators for the Investigation Teams, where we will discuss the matters which are to be allocated for review and which officers should be allocated those cases depending on their current workload. As stated above, at any given time, each UHT investigator will be allocated one review, which is to be conducted in conjunction with any reinvestigations they are conducting.

(f) Development of investigative plans and investigative capabilities of the UHT

129. If a case is opened for reinvestigation, it will be assigned to one of the UHT Investigation Teams.
130. The relevant Investigation Team Leader will apply to commence a separate State Crime Command Strike Force for the investigation. Such an application is made through the Commander (Homicide Squad) to Operations Support, State Crime Command.

Witness:

 Matthew GRIFFITHS
 Senior Constable
 Wollongong Police District
 13/06/2023

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 David LAIDLAW
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131. Ordinarily, the officer responsible for conducting the review will be appointed as the officer in charge of the reinvestigation, on the basis that that officer has the most background knowledge and context in relation to the matter.
132. Investigative plans which map out the future progress for the reinvestigation, including any investigative opportunities or new forensic technologies to be explored, will be developed by the officer in charge, in consultation with their Investigation Coordinator within the UHT, as well as the assistance of others in the UHT Investigation or Review Teams as required (including me).
133. Once the investigative plan is prepared, it is submitted to e@gle.i for formal review and approval by the relevant UHT Investigation Coordinator, or in some cases, the relevant Investigation Team Leader.
134. The investigative plans developed at the start of a reinvestigation are not static documents. They are fluid plans which are intended to evolve as the investigation develops.
135. I have discussed above the investigative capacity of the UHT, in terms of the Investigation Teams and staffing numbers.
136. In terms of the investigative capabilities of the detectives within the UHT, as also set out above, all detectives with the UHT are highly experienced officers who have obtained extensive major crimes experience prior to joining the Squad.
137. The UHT has access to all the investigative strategies, technologies and opportunities in the context of the reinvestigation of an unsolved homicide case as are available to the investigative teams within the Homicide Squad who are investigating current homicides. This includes sending exhibits for further forensic testing, including DNA and fingerprinting testing, the use of covert surveillance and devices, the establishment of undercover operations, engaging intelligence teams within the NSWPF and seeking input from experts who may assist with the reinvestigation.

Witness:

 Matthew GRIFFITHS
 Senior Constable
 Wollongong Police District
 13/06/2023

Signature

 David LAIDLAW
 Detective Chief Inspector
 Homicide Squad
 13/6/2023

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(g) Ongoing audits and monitoring of cases in the UHT Tracking File

138. In terms of the ongoing monitoring of cases on the UHT Tracking File, all cases on the file are updated to ensure the status of the file is current (i.e., if the case has been reviewed, what its priority rating is, whether the case is being reinvestigated, whether the case has been solved, etc).
139. All cases on the UHT Tracking File are also monitored for further intelligence and information which may be received by the NSWPF and that may be relevant to the cases.
140. As set out above, the Homicide Squad is assigned two intelligence officers who are assigned to assist the UHT Review and Investigation Teams. At present, both of those officers are sworn officers of the NSWPF. Every day, intelligence reports are submitted and disseminated within the NSWPF using the COPS system. Those intelligence reports could come from various sources, including reports received via Crime Stoppers, contact made by potential witnesses or suspects, arrests of persons of interest, or the receipt of general information from the public or the media.
141. The UHT Intelligence Officers review those reports on a daily basis and will assess whether any information received is relevant to a matter on the UHT Tracking File. If relevant information is identified, then that information will be input into the Tracking File.
142. Those intelligence officers would then contact me, the other Investigation Coordinators, or the Team Leaders within the UHT to discuss the information so an assessment can be made of what should be done with that information, and what impact it may have on the current categorisation and/or priority assigned to the case in the UHT Tracking File.
143. The Forensic & Analytical Science Services (**FASS**) unit and the FETS Command within the NSWPF are responsible for monitoring any new DNA or fingerprint profiles received by the NSWPF and running those against open cases to determine any matches. To the extent there is a match on FASS's or FETS systems to any of the cases listed on the UHT Tracking File, a report will be sent to the UHT identifying the match.

Witness: _____

Matthew GRIFFITHS
 Senior Constable
 Wollongong Police District
 13/06/2023

Signature: _____

David LAIDLAW
 Detective Chief Inspector
 Homicide Squad
 13/6/2023

ANNEXURE 1

This and the following 2 pages are
Annexure 1 to the statement of
Detective Chief Inspector David
Laidlaw dated 13 June 2023

Special Commission of Inquiry into LGBTIQ hate crimes

30 May 2023

Patrick Hodgetts
Senior Lawyer
Office of the General Counsel, NSW Police Force
Locked Bag 5102
PARRAMATTA NSW 2124

By email: [REDACTED]@police.nsw.gov.au; [REDACTED]@police.nsw.gov.au

Dear Mr Hodgetts,

Special Commission of Inquiry into LGBTIQ hate crimes – Investigative Practices Hearing

I refer to the above Inquiry, and to the public hearing dealing with changes to NSW Police Force (“NSWPF”) investigative practices and procedures which is scheduled for 20 June 2023.

Request for statement

The Inquiry understands that the Unsolved Homicide Team (“the UHT”) was established in 2004 and forms part of the NSWPF Homicide Squad. The Inquiry has received evidence from a number of police witnesses, in both documentary and oral form, regarding the history, structure and operation of the UHT. Those persons include Detective Chief Inspector Stewart Leggat, Detective Sergeant Daniel Doherty and Detective Sergeant Neil Sheldon.

In anticipation of the Investigative Practices Hearing, the Inquiry would be assisted by a statement from an appropriate officer of the NSWPF, who is available to give evidence at the public hearing on **20 June 2023**, addressing the matters detailed below. The Inquiry understands that Detective Chief Inspector David Laidlaw (“DCI Laidlaw”) leads the Review Team and Coronial Support Unit within the UHT and is of the view that DCI Laidlaw may be best placed to address the matters identified below.

This statement is sought to assist in identifying those matters which will be explored at the Investigative Practices Hearing. In addition, it is intended to provide the NSWPF with the opportunity to respond with particularity to some of the matters of concern to the Inquiry.

Matters to be addressed

The requested statement should address the following matters:

- (1) The history of the formation the UHT, including:
 - (a) the reasons for the UHT’s establishment;
 - (b) the UHT’s aims; and

Special Commission of Inquiry into LGBTIQ hate crimes

- (c) an overview of how unsolved homicides were managed within the NSWPF prior to the UHT's establishment.
- (2) The present organisational structure of the UHT, including:
 - (a) details of the senior management team;
 - (b) the structure of the UHT, including details of any sub-teams or specialist units that operate within the UHT;
 - (c) the total number of NSWPF personnel allocated to the UHT; and
 - (d) whether NSWPF officers require any specific education or other relevant training prior to joining the UHT.
- (3) With reference to the current and previous versions of the UHT Standard Operating Procedures, please outline the nature of the triage and review process undertaken by the UHT, including:
 - (a) the creation and management of all unsolved homicides, including where applicable on the tracking file of all unsolved homicides ("the UHT Tracking File");
 - (b) the screening or triage process for cases listed in the UHT Tracking File, including the existence or non-existence of any system that has been used to ensure that all unsolved homicides are the subject of a screening, triage and/or review procedure, at regular intervals or at all;
 - (c) the factors which trigger the screening or triage of a case listed in the UHT Tracking File;
 - (d) the process by which exhibits are identified, recorded and stored in cases listed on the UHT Tracking File;
 - (e) the factors which trigger an initial and any subsequent review of a case listed in the UHT Tracking File;
 - (f) the development of investigative plans, including the investigative capabilities of the UHT; and
 - (g) the process for ongoing audits of cases listed in the UHT Tracking File, including details of how the UHT Tracking File is monitored.
- (4) Any further information which the deponent considers relevant to the operation of the UHT and which has not otherwise been addressed above in (1)-(3).

Where the officer refers to a NSWPF policy, procedure, guideline or chapter of the NSWPF Handbook, a copy of the relevant document (historical or current) should be annexed to the statement.

In the event that it would be appropriate for different officers to address the various questions above, the Inquiry is content to receive separate statements from those officers.

Non-publication orders

It is anticipated that the Inquiry will tender the requested statement(s) in evidence in a public hearing and that the statement(s) will be uploaded to the Inquiry's website.

In the event that the Commissioner of the NSWPF seeks any non-publication orders in relation to the statement(s) and/or any annexures, a schedule of the proposed orders sought should be provided to the Inquiry at the same time as the signed statement(s), for consideration by Senior Counsel Assisting.

Special Commission of Inquiry into LGBTIQ hate crimes

Timeframe for the provision of the statement

Please provide the Inquiry with the requested statement(s) and any schedule of non-publication orders sought by no later than **5pm on 12 June 2023**.

In the event that you anticipate any difficulty with the above timeframe for the provision of the statement(s), please forward a request for an extension of time in writing as soon as possible. To assist in considering the application for an extension, please provide a brief outline of the reasons an extension is sought and the date by which you anticipate being in a position to produce the material sought.

Please do not hesitate to contact Kate Lockery on [REDACTED] if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale
Director, Legal
Solicitor Assisting the Inquiry