



Special Commission of Inquiry into LGBTIQ hate crimes

13 March 2023

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

By email: [REDACTED]

Dear Mr Hodgetts

Special Commission of Inquiry into LGBTIQ hate crimes

I refer to the above Inquiry, and to the evidence of Detective Chief Inspector Stuart Leggat of the NSW Police Force ("NSWPF") Homicide Squad on 6 and 7 June 2022.

Request for statement: Exhibit handling and storage

The Inquiry understands that the NSWPF practices and procedures surrounding the handling and storage of exhibits in homicide cases has changed and evolved over the period from 1970 to 2010.

The Inquiry requests the provision of a statement by an appropriate officer of the NSWPF addressing the following topics in connection with physical exhibits. The statement should address these topics both in respect of the period from 1970 to 2010, and also in respect of the present day:

1. The exhibit management procedures followed by the NSWPF force, including:
 - a) Obtaining exhibits;
 - b) Storing exhibits (including steps to prevent cross contamination and/or the degrading of forensic material);
 - c) Handling exhibits;
 - d) Arranging for the forensic testing of exhibits; and
 - e) Disposing of exhibits (including any preconditions that must be met before exhibits can be disposed of).
2. The operation of the Exhibits Forensics Information and Miscellaneous Property System (EFIMS).
3. The extent to which the storage of exhibits (including exhibit books) by the NSWPF has been centralised.

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4. The arrangements the NSWPF has in place with the Forensic & Analytical Science Service for the testing of exhibits.
5. Any further information relevant to the management of exhibits by the NSWPF which you consider may assist the Inquiry.

Where the officer refers to a NSWPF policy, procedure, guideline or chapter of the NSWPF Handbook, a copy of the relevant document (historical and 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.

In relation to this request, I draw to your attention the evidence given by Detective Chief Inspector Leggat to the Inquiry on 6 June 2022: see the transcript for that day at pp. 34 – 35, 43 – 45, 78 – 80.

I also note that, as you are aware, in response to various summonses to produce exhibits in connection with deaths being considered by the Inquiry, the Inquiry has been advised that exhibits have been lost, preventing *inter alia* further forensic testing.

Non-publication orders

It is anticipated that the Inquiry will tender the 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 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.

Timeframe for provision of the statement

Please provide the Inquiry with the requested statement and any schedule of non-publication orders sought by no later than **5pm on 11 April 2023**.

It is anticipated that a public hearing of the Inquiry will be held shortly thereafter in relation to this evidence. The maker of the statement may be required to give evidence at that hearing.

In the event that you anticipate any difficulty with the above timeframe for the provision of the statement, 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