



Special Commission of Inquiry into LGBTIQ hate crimes

26 May 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 – 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.

Updated Exhibits Schedule

By letter dated 12 May 2023, the Inquiry requested provision of a statement by an appropriate officer of the NSWPF, who is available to give evidence at the public hearing on 20 June 2023, regarding the loss and destruction of exhibits in several cases the subject of the Inquiry. Those cases were set out in an exhibits schedule attached to that letter.

The Inquiry has subsequently been advised that exhibits in relation to two further cases have been lost or destroyed, being the deaths of Robert Malcolm and James Meek. Separate to those matters, the Inquiry has also identified two further cases where exhibits have been lost or destroyed, being the deaths of Paul Rath and Peter Sheil.

Attached to this letter is an updated schedule identifying the cases where the Inquiry has summonsed exhibits and received a response that some or all of those exhibits have not been able to be located and/or have been destroyed (“Updated Exhibits Schedule”). I note that the additional cases appear at rows 3, 3A, 20 and 21 of Updated Exhibits Schedule.

The Inquiry would be assisted if the requested statement regarding the loss and destruction of exhibits could address each of the cases in the Updated Exhibits Schedule. It would also be of assistance to the Inquiry if the requested statement addressed any relevant provisions under the *State Records Act 1998* (NSW).

Request for further statement on matters of concern to the Inquiry

In the course of reviewing the NSWPF investigative files provided to the Inquiry for cases which may fall within the Inquiry’s terms of reference, the Inquiry has identified a number of instances where, upon a review of the present material, the Inquiry would be assisted by a further explanation in relation to particular steps that were or were not taken in the course of investigations.

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Attached to this letter is a schedule identifying those cases and outlining the conduct of interest to the Inquiry (“Investigative Steps Schedule”).

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.

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, having regard to the specific cases and instances of conduct identified in the Investigative Steps Schedule.

Please identify:

- (1) Which applicable NSWPF policies and procedures were in operation at the time of the investigation when the matter of concern occurred.
- (2) Whether the matter of concern was consistent or inconsistent with the applicable policies and procedures identified at paragraph (1) above at the time of the investigation, and the basis for that view (by reference to those policies and procedures).
- (3) Whether the NSWPF is of the view that the matter of concern was consistent or inconsistent with proper police practice as it was understood at the time of the investigation, and the basis for that view.
- (4) Whether the NSWPF is of the view that the matter of concern was consistent or inconsistent with proper police practice as it is understood today. If inconsistent, please explain how the matter of concern is inconsistent. If your answer differs to your answer to paragraph (3) above, please explain how proper police practice has change since the time the matter of concern occurred.
- (5) Any NSWPF policies, procedures or practices that have changed since the time of the investigation to avoid or reduce the risk of a similar matter of concern occurring in a current investigation.

For the avoidance of doubt, if it is not clear when or how a matter of concern came about, or who was directly responsible for it, it is expected that the statement will nonetheless address the matters identified at (1)-(5) to the best of the deponent’s knowledge having made reasonable inquiries.

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.

Non-publication orders

It is anticipated that the Inquiry will tender the requested statement in evidence in a public hearing and that the statement 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, for consideration by Senior Counsel Assisting.

Timeframe for the 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 9 June 2023**.

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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

Encl. (2)

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UPDATED SCHEDULE OF EXHIBITS

CSO Ref: 202201144

I note that by summons dated 18 May 2022 (**NSWPF1**), the Inquiry sought production of all documents relating to NSWPF investigations into the deaths of 42 persons identified in a Schedule at Annexure B.

	NAME (DOB)	DATE OF DEATH	SUMMONS/REQUESTS AND RESPONSES	RELEVANT EXHIBITS	SUBMISSIONS OR STATEMENTS
Matters considered by the Inquiry					
1.	CUTHBERT, Gerard Leslie	17 January 1981	<p>On 2 June 2022, in response to NSWPF1, the NSWPF produced material concerning Mr Cuthbert.</p> <p>On 23 September 2022 and 25 November 2022 the Inquiry wrote Letters of Request to the NSWPF concerning forensic exhibits and fingerprint records.</p> <p>A statement of DS Sheldon dated 18 January 2023 explained that NSWPF could not locate the exhibit material referred to in the Letters of Request.</p>	The exhibits and associated exhibit books identified in the letter of request dated 23 September 2022.	<p>Statement of DS Sheldon dated 18 January 2023 at [7]-[23].</p> <p>Written submissions dated 12 April 2023, [6], [9]-[13].</p>
2.	LLOYD- WILLIAMS, David	c. 1979	The NSWPF produced no material concerning Mr Lloyd-Williams in response to NSWPF1 .	The investigative file in relation to Mr Lloyd Williams.	Written submissions dated 21 February 2023 at [92]-[94].

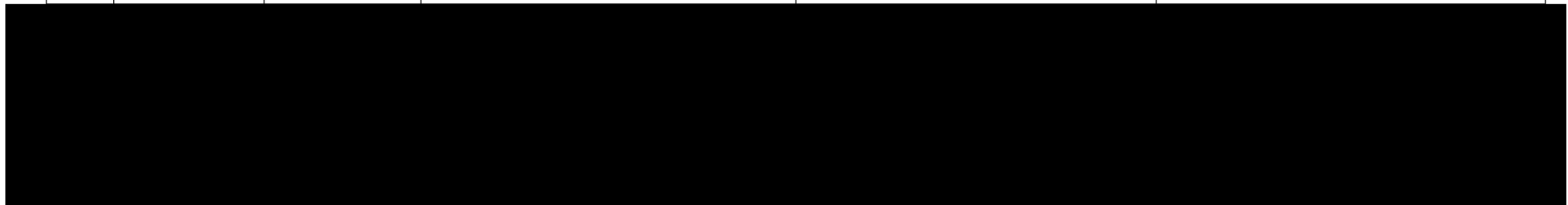
			On 9 September 2022, in response to NSWPF13 , the NSWPF indicated there was nothing to produce in relation to Mr Lloyd-Williams.		
3.	SHEIL, Peter	27 to 20 April 1983	On 13 September 2022 in response to NSWPF1 , the NSWPF indicated there was nothing to produce concerning Mr Sheil.	The investigative file in relation to Mr Sheil, <u>including all exhibits</u> .	Written submissions dated 18 April 2023 at [5(b)].
3A.	RATH, Paul	15 or 16 June 1977	By summons dated 18 May 2022 (NSWPF1), the Inquiry sought production of all NSWPF investigative material in relation to Mr Rath's death. <u>On 6 September 2022, representatives of the NSWPF advised that the penile and anal swabs taken from Mr Rath were destroyed.</u>	<u>The penile and anal swabs taken from Mr Rath</u>	N/A
4.	RAYE, Samantha	19 to 29 March 1989	By summons dated 26 September 2022 (NSWPF19), the Inquiry sought production of a missing persons report made by Wayne Hurrell and Hanna Hedler in relation to Ms Raye. On 7 October 2022, representatives of the NSWPF advised that the missing persons report could not be located.	The missing persons report specified in NSWPF19 .	Written submissions dated 12 April 2023, at [36]-[39].
5.	STEWART, Mark	10 to 11 May 1976	By summons dated 29 September 2022 (NSWPF22), the Inquiry sought production of any exhibit book	The documents identified at Item 1 of NSWPF22 and at 1a-d of the letter of request dated 3 March 2023.	Written submissions dated 12 April 2023, at [54].

			<p>references for the items identified at 1(a) and (b) of the Summons.</p> <p>On 11 October 2022, the NSWPF indicated that there was nothing to produce in response to NSWPF22.</p> <p>On 3 March 2023, the Inquiry requested a formal response from the NSWPF regarding the status of the physical exhibits in Mr Stewart's case, including the wristwatch, notepaper, cigarette lighter and steel comb found on or near his body.</p> <p>On 16 March 2023, the NSWPF advised that no physical exhibits for Mr Stewart's case could be located.</p>		Statement of Detective Sergeant Neil Sheldon dated 16 March 2023.
Matters not yet considered by the Inquiry					
6.	WAINE, Wendy	29 or 30 April 1985	<p>By summons dated 24 August 2022 (NSWPF10), the Inquiry sought production of any exhibit book references and EFIMS records in relation to the exhibits identified at items 1(a)-(d).</p> <p>On 7 September 2022, the NSWPF advised that the exhibit book references and EFIMS records specified in NSWPF10 could not be located.</p>	The material the subject of NSWPF 10 , in addition to the exhibits specified at items 1(a)-(d) of NSWPF10 .	Statement of DS Sheldon dated 16 March 2023, at [8]-[13]

			On 28 April 2023, the NSWPF further advised that the exhibits in relation to those items could not be located.		
7.	SLATER, Richard	22 December 1980	By summons dated 5 December 2022 (NSWPF 39), the Inquiry sought production of specified exhibits. On 15 December 2022, the NSWPF advised that the exhibits sought could not be located.	The exhibits identified at Items 1-6 of the Annexure to NSWPF39 .	Statement of Detective Sergeant Neil Sheldon dated 18 January 2023 at [13]-[14].
9.	BEDSER, Walter John	2 December 1980	By summons dated 21 December 2022 (NSWPF49), the Inquiry sought production of specified exhibits. On 23 January 2023, the NSWPF advised that they could not locate the exhibits sought. A statement of DS	The exhibits identified at Items 1-6 of the Annexure to NSWPF49 .	Statement of DS Sheldon dated 23 January 2023 at [10].

			Sheldon of the same day described the steps taken to locate the exhibits.		
10.	JONES, Barry	26 September 1976	<p>By summons dated 2 February 2023 (NSWPF53), the Inquiry sought production of specified exhibits.</p> <p>On 21 February 2023, the NSWPF notified the inquiry that the exhibits sought could not be located. A statement of DI Warren of the same date described the steps taken to locate the exhibits.</p>	The exhibits identified at Items 1(a)-(k) of the Annexure to NSWPF53 .	Statement of DI Warren dated 21 February 2023 at [8].
12.	RUSSELL, John	23 November 1989	<p>A clump of hair was identified in the crime scene photographs pertaining to Mr Russell.</p> <p>It appears from records held regarding the coronial inquest into Mr Russell's death that the clump of hair was lost at</p>	<p>The clump of hair visible in the crime scene photographs.</p> <p>The treatment of Mr Russell's clothing by NSWPF.</p>	Statements of DI Warren dated 30 March 2023 and 5 May 2023.

			<p>some stage before the inquest (see SCOI.02744.00023).</p> <p>The Inquiry also sought an explanation as the state of certain clothing worn by Mr Russell when he was discovered.</p> <p>In his statement of 30 March 2023, DI Warren sets out the steps taken by the NSWPF in respect of Mr Russell's clothing. It appears that the clothes were laundered and placed on a mannequin before eventually being returned to Mr Russell's family.</p>		
13.	ROONEY, William	14 February 1986	<p>By letter dated 9 March 2023, the Inquiry requested that the NSWPF take steps to identify and locate certain physical exhibits in relation to Mr Rooney.</p> <p>On 27 March 2023, the NSWPF advised that no physical exhibits or exhibit books had been located.</p>	The exhibits specified in the letter dated 9 March 2023 and the associated exhibit books.	N/A



			<p>On 5 May 2023 the NSWPF provided four documents in response to the summons. On the same date, the NSWPF provided a statement of DS Sheldon which confirmed that a number of exhibits located at the crime scene and/or on the body of Mr Olsen could not be located.</p>		
15.	WARK, Simon Blair	11 January 1990	<p>By summons dated 20 December 2022 (NSWPF47), the Inquiry sought production of specified biological samples.</p> <p>On 20 January 2023, representatives of the NSWPF advised that they did not hold the material sought. The steps taken to locate the exhibits are set out in a statement of DS Sheldon dated 19 January 2023.</p>	The biological samples specified in Item 1 of the Annexure to NSWPF47 .	Statement of Detective Sergeant Neil Sheldon dated 19 January 2023 at [10].
16.	SEYMOUR, Stephen	16 April 1994	<p>By summons dated 10 March 2023 (NSWPF70), the Inquiry sought production documents and exhibits,, including exhibits identified in Annexure B to the Summons.</p> <p>On 28 March 2023 and 11 April 2023 the NSWPF produced documents responsive to NSWPF70. On the same day, the NSWPF advised that the exhibits identified in Annexure B were unable to be located.</p>	The exhibits listed in Annexure B to NSWPF70 .	N/A

17.	DYE, Crispin	25 December 1993	<p>By letter dated 28 September 2022, the Inquiry requested that the NSWPF undertake inquiries to identify and locate the physical exhibits in relation to Mr Dye.</p> <p>On 7 October 2022, the NSWPF advised that two exhibits could not be located, namely:</p> <ul style="list-style-type: none"> • Health Care and Frequent Flyer cards belonging to Crispin Dye; and • Items from Crispin Dye's wallet and items belonging to Michael Belston. <p>By letter dated 23 March 2023, the Inquiry requested that the NSWPF locate what was described as "<i>pieces of paper found on body of C Dye</i>", a photocopy of which was apparently annexed to a statement of Detective Sergeant Roy Knight. According to a table of contents in respect of the coronial brief (c. August 1995), the papers were described as "<i>personal papers and Metway Bank business card removed from the clothing of the deceased</i>".</p>	The two exhibits identified in the letter of 7 October 2022 as exhibits that could not be located.	N/A

			<p>On 3 April 2023, the NSWPF advised that they could not provide a response to the Inquiry's request until they received the hard copy boxes held by the Inquiry.</p> <p>Inquiry staff searched through the relevant physical boxes and were unable to locate these pieces of paper. Those boxes have been returned to the NSWPF and the Inquiry is awaiting a response as to its request.</p>		
18.	STOCKTON, Carl		<p>By letter dated 27 March 2023, the Inquiry sought a statement outlining the location and status of the following exhibits which were collected as part of the initial investigation into the death of Mr Stockton:</p> <ul style="list-style-type: none"> a) Mr Stockton's clothing; b) 17 glass bottles located at Mr Stockton's address; c) Mr Stockton's wallet; and d) Timber seized from Matterson Lane. <p>In a statement dated 17 April 2023 DS Sheldon identifies that these exhibits could not be located.</p>	The exhibits identified in the letter of 27 March 2023.	Statement of Detective Sergeant Neil Sheldon dated 17 April 2023.
19.	REARDON, Bernard	Last seen 18 January 1989	Material in the possession of the Inquiry indicates that Mr Reardon's dental records were obtained by the NSWPF in 1989. A statement of Joanne	The original dental records of Mr Reardon.	N/A

			Williams dated 23 May 2012 that Mr Reardon's original dental records were lost.		
20.	<u>MEEK, James</u>	<u>7 March 1995</u>	<p><u>By summons dated 3 May 2023 (NSWPF100), the Inquiry sought production of all exhibits in the matter.</u></p> <p><u>By letter dated 17 May 2023 NSWPF informed the Inquiry that none of the exhibits were able to be located.</u></p>	<u>The exhibits identified in Annexure A (a)-(k) of the summons.</u>	<u>N/A</u>
21.	<u>MALCOLM, Robert</u>	<u>29 January 1992</u>	<p><u>By summons dated 9 May 2023 (NSWPF102), the Inquiry sought production of all exhibits in the matter.</u></p> <p><u>By letter dated 18 May 2023 NSWPF informed the Inquiry that 10 of the 14 exhibits had been destroyed on 1 May 1996, and ne had been destroyed after examination. The remaining three exhibits were identified as being held by FASS.</u></p>	<p><u>The following exhibits identified in Annexure A:</u></p> <p><u>The exhibits identified at Annexure A (1)(a)(i)-(iv) and (vi)-(ix), and Annexure A (1)(b)(i) and (iii)-(iv)</u></p>	<u>N/A</u>

SPECIAL COMMISSION OF INQUIRY INTO LGBTIQ HATE CRIMES

INVESTIGATIVE STEPS SCHEDULE

CSO Ref: 202201144

	NAME (DOB)	DATE OF DEATH	APPARENT OMISSION OR INVESTIGATIVE DEFICIENCY	SUBMISSIONS OR STATEMENTS
1.	ALLEN, William (DOB: 14 August 1940)	28 to 29 December 1988	<p>The following matters of concern arise in relation to the investigation of Mr Allen's death:</p> <p>(1) On 31 December 1988, Detective Sergeant Brian Saunders and Constable McCusker attended Mr Allen's house and viewed video tapes found in the lounge room. Some of these tapes contained child abuse material involving young boys. These tapes were not taken into evidence as exhibits and were left in the house.</p>	N/A.
2.	CURRIE, Andrew (DOB: 5 September 1959)	12 or 13 December 1988	<p>As outlined in the written submissions of Counsel Assisting (at [13],[34]-[35]), the following matters of concern to the Inquiry arise in relation to the investigation of Mr Currie's death:</p> <p>(1) No statements were taken from family members of Mr Currie.</p> <p>(2) There is no record of the actions taken by detectives and scientific officers who attended the scene, beyond the existence of some photographs that were taken. No distinct original police investigation file has been located and produced.</p> <p>(3) No consideration was given to possibility that the location was a beat.</p>	Submissions on behalf of the Commissioner of the NSWPF dated 21 February 2023 at [106]-[110].
3.	DUTFIELD, William (DOB: 21 May 1950)	19 November 1991	<p>As outlined in the written submissions of Counsel Assisting (at [17]-[19], [37]-[38], [57]) the following matters of concern to the Inquiry arise in relation to the investigation of Mr Dutfield's death:</p>	Submissions on behalf of the Commissioner of the NSWPF dated 21 February 2023.

			<ul style="list-style-type: none"> (1) Early dismissal of Mr Ashworth as a suspect despite inconsistencies in his evidence. (2) Failure to take a DNA sample from Mr Ashworth before his death. 	
4.	DYE, Crispin (DOB: 1 June 1952)	26 December 1993	<p>The following matters of concern arise in relation to the investigation of Mr Dye's death:</p> <ul style="list-style-type: none"> (1) An apparent failure to search the top left-hand pocket of a long-sleeved outer shirt worn by Mr Dye. That pocket contained a white card (with a blood stain) and yellow post-it note contained inside this pocket. (2) The apparent failure to keep, test or label as exhibits multiple other pieces of paper found on Mr Dye. (3) The apparent failure to test or document finding Mr Dye's keys about his person. (4) Labelling an extendable baton (exhibit number X0001547254) as an exhibit when, in fact, it appears highly likely that this baton was purchased by the NSWPF in around 1997 in order to obtain a further opinion from Dr Liliana Schwartz, who carried out the post-mortem examination 	N/A.
5.	JONES, Barry (DOB: 22 May 1935)	26 September 1976	<p>The following matters of concern arise in relation to the investigation of Mr Jones' death:</p> <ul style="list-style-type: none"> (1) Police interviewed the lead suspect in the presence of his parents, who corroborated his alibi. 	N/A.
6.	MALCOLM, Robert (DOB: 8 March 1950)	29 January 1992	<p>The following matters of concern in relation to the investigation of Mr Malcolm's death:</p> <p>Anthony Hookey was charged with the murder of Mr Malcolm. He provided an alibi of being in the company of Dianne McGuinness in Kings Cross. There are no documented attempts by police to confirm or disprove this alibi.</p>	N/A.

7.	MEEK, James (DOB: 5 August 1943)	7 March 1995	<p>The following matters of concern concerning the investigation of Mr Meek's death:</p> <p>A used condom was by Police observed in Mr Meek's flat on 8 March 1995. That condom was not taken into evidence. The Inquiry notes that Mr Meek's daughters appear to have attended the flat on 9 March 1995 to clean it, prior to the post-mortem conducted on 11 March 1995.</p>	N/A.
8.	MILLER, Scott (DOB: 27 July 1975)	2 March 1997	<p>The following matters of concern arise in relation to the investigation of Mr Miller's death:</p> <p>(1) An apparent failure to closely interview or take statements from the crew of the Ranginui, particularly those who had left the ship and attended Mardi Gras.</p> <p>(2) The failure to interview Bridget McCleery.</p>	N/A.
9.	PAYNE, Russell (DOB: 5 January 1956)	Around 31 January 1989	<p>As outlined in the written submissions of Counsel Assisting (at [17]-[20], [25], [51]) the following matters of concern to the Inquiry arise in relation to the investigation of Mr Payne's death:</p> <p>(1) Police appear to have failed to secure (or to retain) "erotic photographs" which were described as "bizarre" in police statements.</p>	Submissions on behalf of the Commissioner of the NSWPF dated 21 February 2023 at [67].
10.	RATH, Paul (DOB: 18 January 1980)	15 or 16 June 1977	<p>As outlined in the written submissions of Counsel Assisting (at [37]-[39], [96]), the following matters of concern arise concerning the investigation of Mr Rath's death:</p> <p>(1) Mr Rath's blood-stained clothing was either destroyed or dry-cleaned shortly after his death.</p> <p>(2) There do not appear to be any records of an attempt to search or inspect the vicinity, apart from a statement from</p>	N/A.

			<p>the Officer in Charge of the coronial investigation indicating he had found no notes left by the deceased or signs of a struggle.</p> <p>(3) There was no canvassing of local residents, nor enquiries made with the church which Mr Rath would ordinarily have attended.</p> <p>(4) Statements were not obtained from a broader number of family members and friends of Mr Rath concerning any understanding of his sexuality or habit of visiting the Fairy Bower headland as a beat.</p> <p>(5) Failure by any NSW Police officer, or Strike Force Parrabell officer, to contact Helen Colman about the information she had about Mr Rath's death, despite knowing about this information from 2013.</p>	
11.	RAYE, Samantha (DOB: 22 January 1958)	12 March 1989 – 20 March 1989	<p>As outlined in the written submissions of Counsel Assisting (at [33]-[35], [54], [133]), the following matters of concern arise in relation to the investigation of Ms Raye's death:</p> <p>(1) Police did not take a statement from Ms Hedler, Ms Raye's social worker who had reported her missing.</p> <p>(2) Police did not conduct investigations into Ms Raye's movements for the eight or so days leading to her death (meaning that it has been difficult to determine date of death).</p> <p>(3) No record was made or retained concerning the initial report to Kings Cross Police Station on 19 March 1989 that Ms Raye was missing.</p>	Submissions on behalf of the Commissioner of NSWPF dated 12 April 2023 at [39].
12.	ROONEY, William (DOB: 24 May 1950)	20 February 1986	<p>The following matters of concern arise in relation to the investigation of Mr Rooney's death:</p> <p>(1) No explanation was given for the change from the initial view that the death was suspicious to the conclusion it was likely an accidental fall.</p> <p>(2) Failure to secure the crime scene.</p> <p>(3) No sexual assault examination was conducted.</p>	N/A.

13.	SHEIL, Peter (DOB: 2 February 1953)	Between 8:00pm on 27 April 1983 and 10:00am on 29 April 1983	<p>As outlined in the written submissions of Counsel Assisting (at [16]-[23]), the following matters of concern arise in relation to the investigation of Mr Sheil's death:</p> <ul style="list-style-type: none"> (1) It appears that Police quickly formed the view that Mr Sheil's death was accidental and no attempts were made to make inquiries of or take statements from Mr Sheil's friends or family. (2) Police failed to keep any records of the investigation, including photographs which were taken of the scene. (3) There was a delay in obtaining statements from witnesses, particularly Mr Ross (who found Mr Sheil's body) and Ms Campbell (the supervisor of the property where Mr Sheil was residing). 	Submissions on behalf of the Commissioner of NSWPF dated 18 April 2023 at [5]-[10]; Further submissions on behalf of the Commissioner of NSWPF dated 8 May 2023 at [2]-[10]
14.	STEWART, Michael (DOB: 18 July 1957)	10 to 11 May 1976	<p>As outlined in the written submissions of Counsel Assisting (at [24], [28], [30]), the following matters of concern arise in relation to the investigation of Mr Stewart's death:</p> <ul style="list-style-type: none"> (1) There do not appear to be any photographs or other documents relating to the location or position of Mr Stewart's body or his possessions. (2) There did not appear to be any early canvassing for information about Mr Stewart's last movements. The initial focus of police appeared to be on trying to identify the body, and little focus appears to have been directed to determining the circumstances of Mr Stewart's death. 	Submissions on behalf of the Commissioner of NSWPF dated 12 April 2023 at [48]-[56].
15.	WARK, Blair (DOB: 15 September 1961)	9 to 10 January 1990	<p>As outlined in the written submissions of Counsel Assisting (at [30]-[34]), the following matters of concern arise in relation to Mr Wark's death:</p> <ul style="list-style-type: none"> (1) If Police did attend the location where Mr Wark's property was found at Gap Bluff, which is not clear, it was not until several days after it was located. (2) Police appear to have returned Mr Wark's possessions to his family without photographing them or considering 	N/A.

			<p>their investigative utility. It was then Mr Wark's sister who noticed a David Jones receipt, which led her to information about Mr Wark's last movements.</p> <p>(3) There does not appear to have been any real consideration as to how the body of a person who fell near the Gap might end up near Dobroyd Head.</p>	
16.	WARREN, Ross (DOB: 20 October 1964)	Last seen 22 July 1989	<p>The following matters of concern arise in relation to the investigation of Mr Warren's death:</p> <p>(1) A failure to contemporaneously record initial police steps, to conduct a canvas and to take statements from associates of Mr Warren.</p>	N/A.