



## Special Commission of Inquiry into LGBTIQ hate crimes

22 September 2023

Brian Saunders

### By Express Post

Dear Mr Saunders,

### Special Commission of Inquiry into LGBTIQ hate crimes – William Allen

I assist the Honourable Justice John Sackar (“the Commissioner”) in the Special Commission of Inquiry into LGBTIQ hate crimes (“the Inquiry”).

#### The Inquiry

On 13 April 2022 the Governor of NSW, by Letters Patent, issued a commission to the Commissioner to inquire into and report on historical LGBTIQ hate crimes. Specifically, the Letters Patent require the Commissioner to inquire into and report to the Governor and Premier on the following matters by 15 December 2023:

- A. The manner and cause of death in all cases that remain unsolved from the 88 deaths or suspected deaths of men potentially motivated by gay hate bias that were considered by Strike Force Parrabell; and
- B. The manner and cause of death in all unsolved suspected hate crime deaths in New South Wales that occurred between 1970 and 2010 where:
  - i. The victim was a member of the lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) community; and
  - ii. The death was the subject of a previous investigation by the NSW Police Force.

Further information in relation to the background and conduct of the Inquiry can be found on the Inquiry’s website: [www.specialcommission.nsw.gov.au](http://www.specialcommission.nsw.gov.au).

#### Death of William Allen

One of the matters the Commissioner is considering pursuant to category A of the Letters Patent is the death of William Allen. Mr Allen was found deceased on 29 December 1988 at his home after being assaulted in Alexandria Park on the evening of 28 December 1988. I note that you were the officer in charge of the investigation into the death of Mr Allen.

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As you may recall, on 13 June 2023, the Inquiry wrote to you to inform you that you would be named in some of the documents that would be tendered in the public hearing regarding Mr Allen's death and referred to in the course of Counsel Assisting's submissions. The letter noted that you would be named both in relation to the original investigation in 1988/1989 and also likely in relation to the Internal Police Security Branch investigation that took place in 1991.

The letter further indicated you were considered to have an interest in the public hearing and may wish to be involved, such as by attending the hearing or having someone attend the hearing on your behalf, or by seeking leave to appear as a party to the hearing and be represented by legal representatives.

I note that you contacted the Inquiry by telephone on receipt of that letter to advise that you did not wish to attend the hearing or seek leave to appear as a party.

### Documentary tender

On 24 August 2023, the Inquiry conducted a public hearing in relation to the death of Mr Allen. A bundle of documents was tendered into evidence in connection with the Inquiry's consideration of the matter. Those documents, which comprise Exhibit 61, are publicly available on the Inquiry's website using the following link: <https://lgbtiq.specialcommission.nsw.gov.au/hearings/public-hearing-16-22-and-24-august-2023/>.

Counsel Assisting made both written and oral submissions in relation to Mr Allen's death. Those submissions address, amongst other things, the steps taken during the initial NSWPF investigation. A copy of Counsel Assisting's written submissions is **enclosed** and can also be found on the Inquiry's website.

On 5 September 2023, the Inquiry received written submissions on behalf of the Commissioner of the NSWPF in connection with the death of Mr Allen. For ease of reference, a copy of those submissions is also **enclosed**. For completeness, I note that the submissions on behalf of the Commissioner of the NSWPF also address the death of Crispin Dye, in which I understand you had no involvement in investigating.

### Submissions

The NSWPF have advised the Inquiry they may not act for you, or *any* of the officers in charge of investigations that are being considered by the Inquiry pursuant to category A and B of the Letters Patent.

The *Special Commissions of Inquiry Act 1983* (NSW) ("*SCOI Act*") allows for a person who is substantially and directly interested in any subject-matter of the Inquiry to seek authorisation from the Commissioner to appear before the Inquiry, represented by counsel or a solicitor should you wish to (see s. 12 of the *SCOI Act*).

Accordingly, if you wish to make written submissions beyond those made by the NSWPF in respect of the death of Mr Allen, please provide these to the Inquiry by no later than **10am on Friday, 6 October 2023**. You are not required to make such written submissions, or otherwise to participate in the Inquiry, if you do not wish to do so. However, if the Inquiry does not receive any contact from you by 6 October 2023, the Commissioner may proceed on the basis that you do not wish to make any submissions in relation to the death of Mr Allen.

If you have any queries in relation to this matter, please do not hesitate to contact Kate Lockery by telephone on [REDACTED] or by email at [REDACTED].

Yours faithfully,



Enzo Camporeale  
Director, Legal  
**Solicitor Assisting the Inquiry**