



Special Commission of Inquiry into LGBTIQ hate crimes

13 October 2023

Richard Yannakis

By email: [REDACTED]

Dear Mr Yannakis,

Special Commission of Inquiry into LGBTIQ hate crimes – Robert Malcolm

I refer to the above Inquiry, and to my letter sent to you on 18 September 2023 regarding the death of Robert Malcolm.

Enclosed with the letter were the written submissions of Counsel Assisting and the written submissions provided on behalf of the Commissioner of the NSW Police Force (“NSWPF”) in relation to Mr Malcolm’s death.

Provision of Written Submissions

The Inquiry understands that you were the officer in charge of the investigation into the death of Mr Malcolm.

In my letter of 18 September 2023, I indicated that 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.

I indicated that if you wished to make written submissions beyond those made by the NSWPF in respect of the death of Mr Malcolm, any written submissions were to be provided to the Inquiry by no later than 10am on Friday, 6 October 2023.

The Inquiry has not received any written submissions from you in connection with the death of Mr Malcolm. As such, the Inquiry will now proceed on the basis that you do not wish to make any written submissions in relation to this matter.

If you have any queries in relation to this matter, please do not hesitate to contact Penelope Smith at [REDACTED]

Yours faithfully,

Kate Lockery
Principal Solicitor
Solicitor Assisting the Inquiry