



## Special Commission of Inquiry into LGBTIQ hate crimes

13 October 2023

Mr Adrian Ingleby

By Express Post and email: [REDACTED]

Dear Mr Ingleby,

### Special Commission of Inquiry into LGBTIQ hate crimes – John Russell

I assist the Honourable Justice John Sackar 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 his Honour to inquire into and report on historical LGBTIQ hate crimes. Specifically, the Letters Patent require his Honour 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 John Russell

As you are aware, one of the matters the Commissioner is considering pursuant to item A of the Letters Patent is the death of John Russell. The Inquiry would like to thank you again for your assistance in providing a written statement dated 7 June 2023 in relation to this matter.

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### Documentary tender

On 28 June 2023, the Inquiry conducted a public hearing in relation to the death of Mr Russell. A bundle of documents was tendered into evidence in connection with the Inquiry's consideration of the matter. Those documents comprise Exhibit 46 and are publicly available at the following link: <https://lgbtiq.specialcommission.nsw.gov.au/hearings/public-hearing-12-28-and-29-june-2023/>.

Counsel Assisting made both written and oral submissions in relation to Mr Russell'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 13 July 2023, the Inquiry received written submissions on behalf of the Commissioner of the NSWPF in connection with the death of Mr Russell. For ease of reference, a copy of those submissions is also **enclosed** and publicly available on the Inquiry's website.

For completeness, I note that the submissions on behalf of both Counsel Assisting and the Commissioner of the NSWPF also address the matters of Giles Mattaini and Ross Warren, in which I understand you had no involvement.

### Submissions

The NSWPF have advised the Inquiry they do not act for *any* of the officers in charge of investigations that are being considered by the Inquiry pursuant to Items 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 (see s. 12 of the *SCOI Act*).

I note that you have already provided a statement to the Inquiry regarding this matter dated 7 June 2023, which forms part of Exhibit 46 (Tab 70). Nevertheless, given the above, the Inquiry would like to extend you a further formal opportunity to make written submissions. I note that you are not required to make written submissions or further participate in the Inquiry if you do not wish to do so.

If you wish to make formal written submissions in respect of the death of Mr Russell, please provide these to the Inquiry by no later than **4pm on 23 October 2023**. If the Inquiry does not receive any contact from you by 23 October 2023, the Commissioner may proceed on the basis that you do not wish to be heard further in relation to the death of Mr Russell.

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

Yours faithfully,



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

Encl. 2