

SUMMONS TO PRODUCE DOCUMENTS



Special Commission of Inquiry into LGBTIQ hate crimes

Summons No. ODPP1

To: Sally Dowling SC
Director of Public Prosecutions
Level 17, 175 Liverpool Street
SYDNEY NSW 2000


You are required to attend the Special Commission of Inquiry into LGBTIQ hate crimes in New South Wales to produce the documents specified in Annexure A to this Summons at:

- (a) Chief Secretary's Building
Level 2, 121 Macquarie Street
SYDNEY NSW 2000

- (b) on Tuesday, 5 July 2022 at 10:00 am

Pursuant to s. 23(1) of the *Special Commissions of Inquiry Act 1983* you are not excused from answering any questions or producing any document on the ground that the answer or production may criminate or tend to criminate you, or on the ground of privilege or on any other ground.

If you have any queries concerning this Summons, please contact Mr James Herrington, Special Counsel of the Crown Solicitor's Office, on [REDACTED].


The Honourable Justice John Sackar
Commissioner
Special Commission of Inquiry into LGBTIQ hate crimes

21 June 2022

ANNEXURE A TO SUMMONS TO PRODUCE DOCUMENTS
Summons No. ODPP1

In this Summons:

"document" means:

1. In relation to the prosecution of the accused persons set out in Annexure B to this Summons for the deaths of the corresponding persons set out in Annexure B:
 - a) All reports, advice and summaries prepared for or by the Office of the Director of Public Prosecutions with respect to sufficiency of evidence and decisions as to whether to prosecute the accused persons;
 - b) Any advice and correspondence provided to the NSW Police Force by or on behalf of the Director of Public Prosecutions with respect to sufficiency of evidence and decisions as to whether to prosecute the accused persons;
 - c) All NSW Police Force briefs of evidence in relation to the accused persons;
 - d) All expert reports;
 - e) All notes of conferences with experts;
 - f) All notices prepared and filed pursuant to the *Criminal Procedure Act 1999* (NSW), *Evidence Act 1995* (NSW) and other legislation relevant to the conduct of criminal proceedings;
 - g) All committal and trial transcripts; and
 - h) All exhibits.

**ANNEXURE B TO SUMMONS TO PRODUCE DOCUMENTS
Summons No. ODPP1**

Deceased Person	Date of Death	Accused Person	Other Information
[REDACTED]			
Robert MALCOLM	12 January 1992	Anthony HOOKEY (DOB: [REDACTED] 1971) Kirk PHILLIPS (DOB: [REDACTED] 1960)	Acquitted at trial. H [REDACTED] H [REDACTED]
[REDACTED]			