



Special Commission of Inquiry into LGBTIQ hate crimes

26 May 2023

Mr 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

I refer to the above Inquiry, and to the death of Robert Malcolm (DOB: 8 March 1950) who died on 29 January 1992 at Royal Prince Alfred Hospital. Mr Malcolm was found severely injured on 11 January 1992 in an abandoned house in Holden Street, Redfern.

Fingerprint examinations: Robert Malcolm

The Inquiry seeks the assistance of the NSW Police Force Forensic Evidence and Technical Services Command to conduct fingerprint examinations in relation to Mr Malcolm's death.

Case details

Based on the material available to the Inquiry, it appears that the exhibits collected from the crime scene were delivered to the Fingerprint Section of the NSW Police Force ("NSWPF") on 11 January 1992 for examination. The case number on the examination form is recorded as 167888.

Fingerprints were subsequently lifted from a "Tooheys Draught" beer bottle. It does not appear that a match to any of the fingerprints was identified.

Request for information and further fingerprint examinations

It would be of assistance to the Inquiry if you could please conduct a comparative examination of latent fingerprints obtained from the crime scene in relation to Mr Malcolm for a current re-run across the fingerprint database and advise whether any conclusive or inconclusive results are identified.

In conducting this examination and in addition to the above, please advise whether the following people can be eliminated as a result of the comparative examination:

- Robert Hart Malcolm – DOB: 8 March 1950
- Anthony Stanley Hookey – DOB: [REDACTED] 1971; CNI: [REDACTED]

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- Kirk Anthony Phillips – DOB: [REDACTED] 1960; CNI: [REDACTED]
- Richard John Green – DOB: [REDACTED] 1963; CNI: [REDACTED] and [REDACTED]

Timeframe for response

I would be grateful if you could please provide the results of the above examinations by close of business on **Tuesday, 6 June 2023**. I note that this matter is expected to proceed to documentary tender in the week of 13 June 2023, and assistance is therefore requested on an urgent basis.

The results should be provided in the form of an evidentiary certificate capable of being tendered in evidence.

Thank you for your assistance.

Please do not hesitate to contact Kate Lockery at [REDACTED] if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale
Director, Legal
for Crown Solicitor