



Special Commission of Inquiry into LGBTIQ hate crimes

Statement of Lynette Elias

21 June 2023

This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give to the Special Commission of Inquiry into LGBTIQ hate crimes ("the Inquiry") as a witness. The statement is true to the best of my knowledge and belief.

1. My name is Lynette Heather Elias. This is my married name, and I was previously Lynette Heather Malcolm.
2. I am 64 years old. My address is known to the Inquiry.
3. I am the younger sister of Robert Malcolm. Robert was born on 8 March 1950. Our parents are Robert McPherson Malcolm and Edith Mary May Malcolm. They are both deceased. I have another older brother, Graham Malcolm who was born 18 months after Robert.
4. Robert went to Como West Public School, and then Jannali Boys High School. Robert was academically and musically gifted and in Year 10 he scored 100 on the School Certificate Music Exam. He was also good at public speaking and played the lead role in *The Beggar's Opera* in Year 11. He was very popular at school and had a lot of interest from girls, but he didn't seem that interested in them.
5. In 1969, Robert started an Arts Degree at the University of Sydney, having received a teaching scholarship.
6. In his first year of university, he failed one subject and re-did this subject in his second year. In around the end of his first year of university or the start of his second year, Robert joined the Sydney University Musical Society, and became its treasurer. Then Robert decided to go part-time at university and eventually suspended his scholarship. Robert did not complete the Arts Degree and told me that he had lost interest in his studies.
7. In around 1970–1971, Robert started working part-time at the General Post Office in Martin Place, Sydney. He eventually went full-time and worked there for many years up until his death.
8. While working at the General Post Office, Robert started a correspondence course in mathematics at Armidale University and went up to Armidale a few times for this course. Robert did not finish the degree at Armidale University, and dropped out about six to 12 months before he died.
9. Robert had a drinking problem which started in around his second year of university. He started drinking more heavily around a year before he died, following the death of his best friend.
10. At the time of his death, Robert was living with our parents at their home in Jannali. I was not living at home at this time. Robert had lived away from home for a year or two in a flat in the Edgecliff/Bondi Junction area with a friend called Arthur who had separated from his wife.

However, Robert returned to living with our parents about 12 months before his death, because the flats were being sold and Arthur was attempting to work things out with his wife.

11. Robert was a well-liked and respected man. He read widely and was very clever, and he also had a great singing voice. He was very interested in trains; he used to study train timetables and knew all the trains on the Illawarra line. When he died, he had just gotten his driver's licence and bought a car.
12. In terms of Robert's sexuality, I do not know if he was gay. I was not aware of him having any girlfriends. Once, he invited me to a party he was having in his flat in the Edgecliff/Bondi Junction area, and told me to bring my friend Glenda. When Glenda didn't show up, Robert's flatmate Arthur told me that Robert was in love with her, but I don't know if that was true.
13. On 3-4 August 1992, I attended the Coroners Court of NSW at Glebe with my parents, for a hearing in relation to Robert's death. We were not given very much warning of the court dates. At this time, we had not seen any of the evidence and no one explained the process to us, which was upsetting and confusing for my parents.
14. At the end of the hearing, I approached police outside the court and asked for some information. They gave me a copy of the brief of evidence. I gave the brief to my father, who had not been given a copy until that point. I remember that my father said it was very hard to get information about Robert's murder, and that police had told him that no one in the community was talking to them. I did not know any of the three people charged with Robert's death.
15. I recall that the hearing was only meant to run for one day, but that we had to come back for a second day because the police had to go and pick up a woman. After the woman gave evidence on the second day, the charges were dismissed. I was not surprised when the Magistrate dismissed the murder charges because it didn't seem to me that there was very much evidence.

Signature:



Name: Lynette Elias

Date: 21 June 2023