
From: Patrick Hodgetts <[REDACTED]>
Sent: Tuesday, 21 March 2023 4:04 PM
To: Jacqueline Krynda
Cc: Kate Lockery; Katherine Garaty; Enzo Camporeale
Subject: RE: NSW Special Commission of Inquiry into LGBTIQ hate crimes: Crispin Dye
[SEC=OFFICIAL:Sensitive]
Attachments: 2023-03-16 - Letter to NSWPF - Re fingerprinting of exhibits in Dye case.pdf

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Dear Jacqueline

Thank you for your letter 16 March regarding exhibits relating to the matter of Crispin Dye.

As regards each of the questions contained in your letter:

1. To the extent that FETS can advise, would any testing for fingerprinting carried out by FETS reduce the likelihood of recovering DNA from the white paper/card?

We are instructed that there are “levels” of testing that can be undertaken in respect of both fingerprint and DNA depending on the type and particular circumstances of an exhibit. In respect of a paper exhibit, there are “sequences of testing” that can be conducted to maximise the opportunity of obtaining both DNA and fingerprint evidence. We are instructed that the following sequence of testing (steps) could be undertaken in that regard:

1. DNA testing via a “tape lift” to secure any opportunity for retrieval of DNA. A tape lift has minimal impact on any fingerprint residue;
2. After a tape lift has been undertaken, a first level of fingerprint treatment can then be undertaken to identify any fingerprints on the exhibit. This process preserves any DNA that may be present;
3. If this first level of fingerprint testing does not yield a positive result, there is a second level of fingerprint treatment that can take place (being heat treatment). However, heat treatment will destroy any DNA that is present;
4. If this first level of fingerprint testing does yield a positive result, further and more extensive DNA testing could be undertaken (such as chemical treatment or cutting the exhibit) to recover any DNA. However, this level of testing may destroy any available fingerprint residue. Ms Michele Franco (FASS) should be consulted in relation to the effects of this level of DNA testing if it is being considered. Ms Franco will also liaise with Senior Sergeant Anne Coady (Co-ordinator, FETS), in that regard.

For the purposes of investigations generally, we are instructed that the type or sequence of testing chosen to be undertaken will ordinarily depend on the type of evidence that is considered may be most likely obtained from the exhibit, and/or of value to an investigation.

Our instructing officers from the UHT do not have a view in respect of whether fingerprint or DNA testing of the relevant exhibit would be more likely to yield value in respect of the Crispin Dye investigation. However, the UHT respectfully requests that a sequence of testing be undertaken which maximises the recovery of both fingerprint and DNA evidence.

Our instructing officers would be grateful to be kept informed of any testing undertaken and the results of same.

2. If the answer to the above question is yes, is there any method of fingerprint testing through which impact on DNA recovery can be reduced?

See above.

3. Can FETS conduct fingerprint examinations at FASS, or will it be necessary for the exhibits to be transferred back to the NSWPF for examination. If transfer is necessary, could you please confirm that FETS is able to arrange this transfer?

Although testing can be undertaken at FASS premises, if FETS were to undertake any testing of the exhibit it would be preferable for it to be conveyed to FETS. NSWPF is in a position to make arrangements for that transfer.

Please let me know if you would like to discuss or if we can provide any clarification.

Kind regards



Patrick Hodgetts
Senior Lawyer
Office of the General Counsel



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From: Jacqueline Krynda <[redacted]>
Sent: Thursday, 16 March 2023 4:24 PM
To: Patrick Hodgetts <[redacted]>
Cc: Kate Lockery <[redacted]>; Katherine Garaty <[redacted]>; Enzo Camporeale <[redacted]>
Subject: RE: NSW Special Commission of Inquiry into LGBTIQ hate crimes: Crispin Dye [SEC=OFFICIAL:Sensitive]

Dear Mr Hodgetts,

Thank you for your email. Please see **attached** letter of today's date from Enzo Camporeale.

Kind regards,
Jacqueline



Jacqueline Krynda (she/her)
Senior Solicitor
Special Commission of Inquiry into LGBTIQ hate crimes



I acknowledge the traditional owners and custodians of country throughout NSW and their continuing connection to the land, culture and community. I pay my respects to Elders past and present.

From: Patrick Hodgetts <[redacted]>
Sent: Monday, 13 March 2023 3:51 PM
To: Enzo Camporeale <[redacted]>
Cc: Kate Lockery <[redacted]>; Jacqueline Krynda <[redacted]>; Katherine Garaty <[redacted]>

Subject: FW: NSW Special Commission of Inquiry into LGBTIQ hate crimes: Crispin Dye [SEC=OFFICIAL:Sensitive]

Importance: High

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Dear Enzo

Thank you for your letter 10 March in relation to the matter of Crispin Dye.

As regards the requests contained in your letter:

1. Is a member of the NSWPF with expertise in fingerprinting able to examine the white paper (see Figures 1 and 2 of Annexure B) either by inspecting a photograph or viewing the exhibit at FASS, and provide an opinion on whether the brown mark on the white paper is a fingerprint?

This request has been considered by Senior Sergeant Anne Coady of the NSWPF Forensic Evidence & Technical Services Command (**FETS**). We are instructed that:

1. Senior Sergeant Coady has reviewed the photograph of the white paper (Annexure B);
2. Senior Sergeant Coady, in conjunction with a fingerprint expert at FETS, is of the view that it cannot be concluded whether the brown mark is a fingerprint or something else, however the images provided appear to be consistent with a partial fingerprint;
3. FETS is able to receive the item itself for closer examination and consideration of whether any closer analysis is feasible, including the possibility of chemically treating the item for fingerprints (including in respect of the visible marks and any other fingerprints which may not currently be visible).

Please let me know whether the Inquiry would like FETS to obtain the item for closer examination so that arrangements can be made, and the nature of any analysis that should be conducted.

2. Can the NSWPF provide its opinion as to the likelihood that the extendable baton (Exhibit no X0001547254) was, in fact, purchased by the NSWPF between April 1996-June 1997 for the purposes of obtaining an opinion from Dr Schwartz?

We are instructed that a request has been made to State Archives to retrieve Detective Sergeant Wayne Popplewell's Duty Books for the period 1993 – 1997. It is possible that these Duty Books may contain some information in respect of the extendable baton. I am informed that those Duty Books are anticipated to be received tomorrow. We will revert to you once those duty Books have been received and reviewed, which we anticipate will be completed by 17 March and we respectfully request an extension in that regard.

Kind regards



Patrick Hodgetts
 Senior Lawyer
 Office of the General Counsel

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From: Enzo Camporeale <[REDACTED]>
Sent: Friday, 10 March 2023 12:12 PM
To: Katherine Garaty <[REDACTED]>
Cc: Enzo Camporeale <[REDACTED]>; Kate Lockery <[REDACTED]>; Jacqueline Krynda <[REDACTED]>; Patrick Hodgetts <[REDACTED]>
Subject: NSW Special Commission of Inquiry into LGBTIQ hate crimes: Crispin Dye
Importance: High

Dear Ms Garaty

NSW Special Commission of Inquiry into LGBTIQ hate crimes: Crispin Dye

Please see attached letter dated 10 March 2023, together with the annexures referred to therein.

Regards



Enzo Camporeale *(he/him)*
Director, Legal
Special Commission of Inquiry into LGBTIQ hate crimes



I acknowledge the traditional owners and custodians of country throughout NSW and their continuing connection to the land, culture and community. I pay my respects to Elders past and present.

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