



Special Commission of Inquiry into LGBTIQ hate crimes

23 March 2023

Patrick Hodgetts
Senior Lawyer
Office of the General Counsel, NSW Police Force

By email: [REDACTED]

Dear Mr Hodgetts

Special Commission of Inquiry into LGBTIQ hate crimes: exhibits relating to death of Crispin Dye

I refer to the correspondence dated 10, 13, 16, 17 and 21 March 2023 between the Inquiry and the NSWPF regarding the death of Crispin Dye.

Additional papers found with Mr Dye/in Mr Dye's clothing

In my letter dated 10 March 2023 to Katherine Garaty I indicated that:

- the Forensic Analytical and Science Service ("FASS") had examined an exhibit provided by the NSWPF, namely a long-sleeved shirt (Exhibit No X0000638079) and located two pieces of paper inside the top left front pocket; and
- one of the pieces of paper had a handwritten name ("Garry Hook") and phone number on it and the other piece of paper had a brown mark on it that the staff at FASS believed might be blood.

The location of these pieces of paper would suggest that the NSWPF was not previously aware of their existence. The Inquiry has searched the files obtained from the NSWPF and the Coroner's Court in relation to this matter and neither of these two pieces of paper nor Garry Hook is mentioned. However, it is apparent from the Coroner's Court file that NSWPF officers searched Mr Dye's clothing and found other pieces of paper. In this respect I refer you to the statement of Detective Sergeant Geoffrey Roy Knight of 27 September 1994, at paragraph [9] in which he states that:

9. Detective TAYLOR and I then returned to Surry Hills, where I made an examination of the clothing, in which were found several pieces of paper containing telephone numbers and a Metway Bank business card.

A copy of this statement is annexed to this letter as **Annexure A**.

Special Commission of Inquiry into LGBTIQ hate crimes

In a summary provided to the Coroner dated 12 October 1994 by Detective Sergeant Knight, the following is also stated:

[Mr Dye] was diagnosed as suffering brain damage, and was placed on a resuscitator. Whilst there, photographs were taken by Police and his property was also taken possession of, which consisted of clothing and some papers containing phone numbers, however no form of identification was found, which gave rise to the suspicion at the time that he had been the subject of a robbery, (Emphasis added)

A copy of this summary is annexed as **Annexure B**.

As Detective Sergeant Knight makes clear in his statement and in the summary, at the point in time when the “papers containing phone numbers” were found, the NSWPF were unsure of Mr Dye’s identity. Detective Sergeant Knight then indicates that inquiries were carried out in respect to these telephone numbers:

Following inquiries carried out in respect of the telephone numbers contained on papers found on the deceased, it was tentatively established that the patient was Crispin Wilson DYE, born 01/06/52, of [REDACTED] Holloways Beach, Cairns, North Queensland and that was subsequently confirmed later the same evening, when his mother, Mrs. Jean DYE, formally identified her son in the Intensive Care Wing at the Hospital. (STATEMENT OF CONSTABLE M. PORTLOCK)

In Constable Portlock’s statement (referred to by Detective Sergeant Knight above and annexed as **Annexure C**) the identification of Mr Dye is said to have occurred on 25 December 1993 when his life support system was turned off. However, the statement of Detective Sergeant Knight appears to suggest that inquiries were made via the telephone numbers located on Mr Dye on 23 December 1993. After he discusses the inquiries being made, Detective Sergeant Knight refers to the next day as being 24 December 1993.

In the index to the coronial brief (see **Annexure D**), which the Inquiry has sourced from the Coroner’s Court file, there is a reference to a two-page document which is said to contain the papers referred to by Detective Sergeant Knight. The Inquiry has located a document matching the description in the index. This document consists of a photocopy of approximately four or five scraps of paper with handwriting and phone numbers on them. This document is annexed as **Annexure E**.

Next steps

Given the above, I would be grateful if you could clarify the following matters for the Inquiry:

1. Were the pieces of paper photocopied in **Annexure E** the “personal papers” identified by Detective Sergeant Knight in his statement of 27 September 1994 and in the summary for the Coroner, as being found in Mr Dye’s clothing?
2. Were these pieces of paper filed as exhibits in the matter?
3. Where are these pieces of paper located now?
4. Where were they removed from?
5. Were these pieces of paper ever subjected to DNA or fingerprint testing?
6. Who was contacted by the NSWPF as part of “the inquiries carried out in respect of the telephone numbers contained on papers found on the deceased” detailed in Detective Sergeant Knight’s statement?
7. Are there any other additional records about what happened to these papers and what they were used for?

Special Commission of Inquiry into LGBTIQ hate crimes

8. Can you confirm that the NSWPF did not find the other papers in Mr Dye's top left shirt pocket, which were the subject of my letter of 10 March 2023?

To ensure the next steps can be determined as soon as possible, I would be grateful to receive a response in relation to the above by **5pm on 30 March 2023**.

Please do not hesitate to contact Jacqueline Krynda on [REDACTED] if you have any queries in relation to this matter. If Jacqueline Krynda is not available, please contact Kate Lockery on [REDACTED]

Thank you for your ongoing assistance in this matter.

Yours faithfully



Enzo Camporeale
Director, Legal
for Crown Solicitor