

Sensitive: Legal



NSW Police Force

30 June 2023

Mr Enzo Camporeale  
 Director, Legal  
 Special Commission of Inquiry into LGBTIQ hate crimes  
 121 Macquarie St  
 SYDNEY NSW 2000

By email: [REDACTED]

Dear Mr Camporeale

**Special Commission of Inquiry into LGBTIQ hate crimes – Production of documents pursuant to Summons No. NSWPF137**

We refer to:

- summons No. NSWPF137, issued to the Commissioner of NSW Police (**Commissioner**) on 26 June 2023 (**Summons**), with a return date of 30 June 2023; and
- your letter of 21 June 2023 enclosing the Summons (**Letter**).

A copy of the Summons and Letter are **enclosed**.

**Production of Documents**

In response to the Summons, the Commissioner is to produce 19 documents in response to the Summons. A copy of an index listing the documents being produced is also **enclosed** with this letter. The documents will be produced electronically, with production being facilitated on the Commissioner's behalf by Corrs Chambers Westgarth.

**Category 1 of the Summons**

Category 1 of the Summons requested the complete briefs of evidence in relation to each of the following charges against [REDACTED] **NP252** (DOB: [REDACTED] 1975, CNIL [REDACTED]):

- Offensive Conduct; Offensive Language; Commitment warrants (Charge [REDACTED]) (**Offensive Conduct**);
- Assault Occasioning Actual Bodily Harm (**AOBH**) (Charge [REDACTED]); and
- Assault Occasioning Actual Bodily Harm (**AOBH**) (S80Aa Warrant) (Charge [REDACTED]).

With respect to the AOBH briefs of evidence, our office is instructed that enquiries were made with the Kings Cross Police Station and no records were located for the brief of evidence. In accordance with s 21(2)(c) of the *State Records Act 1998* (NSW), per the State Archives and Records Authority of NSW (Functional Retention and Disposal Authority: DA221), retention for this material is 10 years. Accordingly, the brief has likely been destroyed in accordance with this authority.

With respect to the Offensive Conduct brief of evidence, our office is instructed that no records were located for the brief of evidence. In accordance with s 21(2)(c) of the *State Records Act 1998* (NSW), per the State Archives and Records Authority of NSW (Functional Retention and Disposal Authority: DA221), retention for this material is 5 years. Accordingly, the brief has likely been destroyed in accordance with this authority.

3472-2406-2244v1

**OFFICE OF THE GENERAL COUNSEL**

LOCKED BAG 5102 PARRAMATTA NSW 2150

T [REDACTED] F [REDACTED] W [www.police.nsw.gov.au](http://www.police.nsw.gov.au)

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**Non Publication**

We refer to Practice Guideline 2 dated 1 February 2023 issued by the Inquiry, and your Letter.

In accordance with the Practice Guideline and your Letter, the Commissioner has **enclosed** a schedule of non publication claims over the document produced in response to the Summons.

Yours sincerely



Katherine Garaty  
Director – Crime Disruption and Special Inquiry Law  
Office of the General Counsel  
NSW Police Force