



## Special Commission of Inquiry into LGBTIQ hate crimes

5 September 2023

Ms Katherine Garaty  
 Director – Crime Disruption and Special Inquiries Law  
 Office of the General Counsel, NSW Police Force  
 Locked Bag 5102  
 PARRAMATTA NSW 2124

By email: [REDACTED]

Dear Ms Garaty,

### Special Commission of Inquiry into LGBTIQ hate crimes

I refer to the above Inquiry, and to your letter of 30 August 2023 in relation to Summons NSWPF170 (“the Summons”) and in particular the material sought in relation to the death of [REDACTED]

#### Summons NSWPF170 – Production of material and matters arising

I confirm that the Inquiry presses for production of the material referred to in categories (1) and (2) of the Summons, being:

1. Any material held or created by the NSW Police Force Unsolved Homicide Team (“NSWPF Unsolved Homicide Team”) in relation to the death of [REDACTED]
2. All correspondence including letters, emails, file notes of telephone calls, text messages and other records of communication between members of the NSWPF Unsolved Homicide Team and [REDACTED] in relation to the death of [REDACTED]

The Inquiry has been provided with material which indicates that in at least four instances, including in relation to [REDACTED] an officer of the NSWPF Unsolved Homicide Team has informed a relative or next of kin of a deceased person that delays in progressing cases allocated to the NSWPF Unsolved Homicide Team are attributable to the impact of the Inquiry’s requests on the resources of the NSWPF Unsolved Homicide Team.

Statements to members of the public that delays in progressing matters being considered by the NSWPF Unsolved Homicide Team are attributable to the Inquiry is a matter of grave concern to the Inquiry. This is particularly so in circumstances where, to the extent that responding to summonses issued to the Inquiry has been labour intensive, this burden is primarily attributable to the unsatisfactory state of the records in relation to a significant number of the cases before the Inquiry.

## Special Commission of Inquiry into LGBTIQ hate crimes

---

In order to understand whether the statement made in relation to ██████████ case is reliable, it is necessary for the Inquiry to understand the status of ██████████ case prior to 18 May 2022, including the existence of any previous screenings or reviews. To avoid doubt, this should include but is not limited to any document held or created by the NSWPF Unsolved Homicide Team that was in existence prior to 18 May 2022, noting that the material available to the Inquiry indicates that a decision to review ██████████ case was made in around July 2019. The information sought will enable the Inquiry to determine what steps ought to be taken in relation to this statement.

### Confidentiality concerns

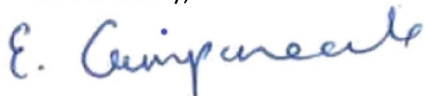
Your letter raises concerns in relation to potential prejudice to and/or the confidentiality of a potential re-investigation. In the event that Counsel Assisting proposes to tender any material produced pursuant to the Summons, those matters can be dealt with in the ordinary course by way of an application for non-publication orders, as has occurred in other cases.

### Timeframe for production

The Commissioner requests that the material responsive to categories (1) and (2) of the Summons be produced to the Inquiry by **5:00pm on Wednesday, 6 September 2023**.

Please do not hesitate to contact Enzo Camporeale on ██████████ if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale  
Director, Legal

**Solicitor Assisting the Inquiry**