



Special Commission of Inquiry into LGBTIQ hate crimes

13 September 2023

Patrick Hodgetts
Principal Solicitor, Crime Disruption and Special Inquiries Law
Office of the General Counsel, NSW Police Force
Locked Bag 5102
PARRAMATTA NSW 2124

By email: [REDACTED]

Dear Mr Hodgetts,

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I refer to the above Inquiry, and to the death of Ernest Head.

I refer also to the Expert Certificates of Kate Reid dated 30 May 2023 and 20 June 2023 (**enclosed**)

Information requested in relation to the death of Mr Head

The Inquiry would be grateful Ms Reid, or another appropriate staff member of the NSWPF, that addresses the following topics:

1. Number and location of palm prints recorded at the examination of [REDACTED] 49 Grosvenor Crescent, Summer Hill (Forensic Case Number 76/4365)

The Expert Certificate of Kate Reid dated 30 May 2023 refers to three latent palm impressions labelled "B", each of which is identified by a graph number.

By contrast, the statement of Sergeant Robert William Stone dated 16 November 1977, who conducted the examination, refers to two palm prints suitable for identification on the kitchen wall beside the body. The statement of Senior Constable Robert Munday, dated 26 September 1976, refers only to a single palm print in blood on the western wall of the kitchen. Both statements are **enclosed** for your convenience.

The Inquiry would be grateful for clarification as to the number and location of the palm prints photographed at [REDACTED] 49 Grosvenor Crescent, Summer Hill. The Inquiry would also be assisted by a photograph of each palm print, identified by reference to graph number, and an indication of the location of each palm print.

2. Automatic searching of palm print B(1) on the NAFIS database

The Expert Certificate of Kate Reid dated 20 June 2023 explains the factors that contributed to the palm print B(1) not being identified when reviews were conducted in 2002, 2004 and 2005.

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The Inquiry would be assisted by further information that explains why there was no automatic notification of a match between palm print B(1) and the record prints of Mr Simsek after the “V11 matcher” upgrade to the NAFIS system in February 2015.

In particular, I would be grateful if the statement could address:

- why the latent fingerprints registered on the system were “not able to be automatically re-searched against the database” following the V11 matcher technology update in 2015 (see Expert Certificate of Kate Reid dated 20 June 2023, paragraph 11(V));
- why the conversion set of record fingerprints for Mr Simsek was not subject to the quality assurance process of the current NAFIS system (see Expert Certificate of Kate Reid dated 20 June 2023, paragraph 12).

3. Automated searching on the NAFIS database

The Inquiry would be assisted by the explanation of the process of automated searching on the NAFIS database, including:

- the process of uploading latent and record fingerprint records onto the NAFIS database;
- whether, or under what conditions, unidentified latent fingerprint records will be automatically and/or continually re-searched against the NAFIS database;
- the notification process if there is a match between fingerprints records on the NAFIS database;
- whether, in all cases where a fingerprint re-examination was conducted at the request of the Inquiry, unidentified latent fingerprint records will be continually re-searched against the NAFIS database, with automatic notification of any match. This includes the following cases:

Name of Deceased	Date of death/ disappearance	Other details
Ernest Allan Head	17 June 1976 (found 22 June 1976)	Case number: 76/4365.
Gerald Leslie Cuthbert	18 October 1981	Exhibit number: 1981/8344; Major Crimes case number: 113.
Robert Malcolm	29 January 1992	Case number on examination form: 167888.
Crispin Dye	25 December 1993	Testing of paper found in the pocket of clothing marked exhibit number X0000638079.
Barry Jones	26 September 1976	Major Crime Ref No. M/C 76/45; Event Number E4999934; Fingerprint Case Number 765704.
Kenneth Brennan	c. 11 June 1995	Major Crime Reference No.: 95/214.
Ross Warren	22 July 1989	Major Crime Reference No.: FS 89/681.

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Samantha Rose (given the name David Samuel Rose at birth)	22 December 1997	Case numbers for fingerprint analysis in initial investigation: N366618, N344409, N366622 and N344609.
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This explanation may inform recommendations made by the Inquiry as to the re-examination of fingerprints that remain unidentified in cases being considered by the Inquiry.

Timeframe for response

The Inquiry would be grateful if a statement addressing the above matters could be provided by no later than **4:00pm on Wednesday, 20 September 2023**. In the event that you anticipate any difficulty with this timeframe, please advise me in writing, noting the reasons why further time is required and when it is anticipated that the statement will be completed.

Please do not hesitate to contact Francesca Lilly at [REDACTED] or on [REDACTED] if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale
 Director, Legal
Solicitor Assisting the Inquiry