



Program Development Team Project Proposal Form

Project Officers: Sgt Steer and S/Sgt Kenworthy

Project Title: Review of potential gay hate crimes and deaths from 1970's to 1990s to determine if any bias crime indicators exist.

Background: As a result of extensive media and political pressure in 2012 concerning the death of Scott JOHNSON in 1988 - deemed suicide by police - a second inquest into his death was undertaken to review new information gathered by the JOHNSON family.

On completion of the inquest the Deputy State Coroner overturned the suicide finding from 1989 and recorded an open finding stating that the possibility Mr JOHNSON was the victim of a gay hate crime similar to those that occurred in Bondi, or that he fell, were available explanations.

Previous police investigations include Operation Taradale (2005) which commenced an investigation into a number of deaths in the Bondi area during the 1980s – 1990s where gay men were targeted, assaulted and forced off the cliffs by gangs of youths. Some cases investigated were solved however several remain unsolved due to lack of evidence. There is a possibility that some cases in the area of Bondi and Manly previously deemed suicide or misadventure could be bias related crimes.

Recommendations from the Scott JOHNSON inquest were that NSWPF Unsolved Homicide Team review the case. As directed the Unsolved Homicide Team's Strike Force Macnamir initiated an investigation into Scott JOHNSON's death. Since June 2013 Operational Programs Bias Crime Coordinator Sgt Steer and GLBTI Project Officer S/Sgt Kenworthy have been assisting SF Macnamir by reviewing suicides and suspicious deaths in the North Head cliff areas from 1986 to 2000.

Over the last few years there has been significant media coverage of the Scott JOHNSON case as well as articles on the 'gay hate crime wave' of the 1980s and 1990s in Sydney that according to the media police have apparently ignored or did not investigate adequately.

The Sydney Morning Herald (annexure 1) recently ran four articles over three days relating to these cases and lack of police action, with claims of police taking part in gay bashings in the past and police heavy handedness at this year's Mardi Gras parade prove nothing has changed. These articles have significant potential to

damage the reputation of NSWPF and damage the relationships between the GLBTI community and police, especially after the negative media coverage after this year's Mardi Gras parade and the claims of police brutality.

There is significant risk that if NSWPF fails to undertake a comprehensive investigation and review of these cases from a bias crime perspective these articles will continue to be published and continue to damage our reputation. If a review is supported it would be recommended a media strategy be developed in order to take advantage of positive media opportunities.

The proposed bias crime review is different from a Homicide investigation as its primary focus will be in determining whether any of the identified deaths were in fact motivated by an anti-gay bias, rather than identifying and prosecuting offenders. If during the course of the review viable suspects are identified, that information will be passed onto the Unsolved Homicide Team for further investigation.

Objectives:

To undertake a comprehensive review of potential gay hate related deaths from 1970's to 1990s to determine if an anti-gay bias was a motivating factor.

To provide a comprehensive report to the Corporate Sponsors for Sexuality and Gender Diversity and Bias Crimes, the Commander Homicide Squad and the NSWPF Executive outlining the findings of the review and making recommendations regarding to responding to the issue.

Intended Audience: Corporate Sponsor Sexuality and Gender Diversity, Corporate Sponsor Bias Crimes, Commander Homicide Squad and the NSWPF Executive

Time frame expectations: 3 – 6 months

Opinion of project officer regarding time frame expectations: If resourced and given appropriate support, the time frame is achievable.

Resources required include:

- Bias Crime Coordinator – Sgt Steer
- Bias Crime Seconded – Constable or Senior Constable
- GLBTI Project Officer – S/Sgt Kenworthy

Additional Notes

Risks:

- Continued negative media about lack of NSWPF action regarding gay hate crimes and murders of the 1980s and 1990s
- Further damage to relationships between GLBTI community and NSWPF
- Damages the reputation of the NSWPF in general to continue to have negative media

Opportunities:

- If permission is granted to undertake a review of cases from bias crime perspective the Corporate Sponsor Sexuality and Gender Diversity and NSWPF Executive can then use it as a positive media story and respond to GLBTI community and media questions and stop further negative media coverage on this issue
- Promotes both the Bias Crime portfolio and Sexuality and Gender Diversity portfolio of Operational Programs
- Will provide an opportunity to develop Bias Crime training for police based on real investigations rather than hypothetical cases
- Provides a succession planning opportunity for Bias Crimes because other officers involved in this project can gain experience and skills. Currently NSWPF only has one officer trained in this area.