

TRIM: D/2015/95746

**ISSUE**

Correspondence from Mr. Alex Greenwich MP re 'Police Investigation of Gay Hate Crime' (**Tab C**).

**BACKGROUND**

Mr Alex Greenwich MP has written to the Premier regarding 'Police Investigation of Gay Hate Crimes' and refers in his correspondence, among other things, to the Operational Programs review of historical cases to determine if sexual orientation bias was a motivating factor in crimes reported during the 1980s and 1990s.

Deputy Commissioner Field Operations has requested advice from Operational Programs on the representation.

**COMMENT**

In October 2014, Mr Alex Greenwich asked a Question on Notice in Parliament about a full review of gay hate crimes. Operational Programs responded at that time with advice that Operation Parrabell (established to review suicides and suspicious deaths in the Northern Beaches and Central Metropolitan Region between 1976 - 2000), was ongoing and would take in excess of three years to complete. (**Tab A**).

Operation Parrabell has currently been put on hold due to resourcing issues and competing priorities. Given the current global environment, the operational focus is on the current threats posed by organised hate groups and their activities.

It is estimated that given current staffing levels and if Operation Parrabell is given the full attention of the Bias Crimes Unit it would take between 4 – 6 years to complete the assessments given the amount of information required to be assessed.

Information that would be assessed includes:

- Briefs of Evidence (one brief has over 20 archived boxes to review)
- Case Files
- Court Transcripts
- Forensics/Crime Scene
- Field visits
- Offender interviews

Historical information leading to the establishment of Operation Parrabell and work completed to date

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 was a possibility that some cases in the area of Bondi and Manly previously deemed suicide or misadventure could have been 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 Macnair initiated an investigation into Scott JOHNSON's death. Assistance was offered by Operational Programs to conduct a bias crimes assessment of the North Head beat (where Scott Johnson was found) to determine if anti-gay motivated crimes were happening at the beat or the surrounding area.

Against this backdrop, the Bias Crimes Unit commenced a bias crimes assessment of the reported 80 alleged gay hate crimes during the period 1976 – 2000. An assessment was commenced on the Marks Park homicides (Strike Force Tarradale) and the deaths that occurred at North Head (Operation Parrabell). At **Tab B** is the Bias Crimes Assessment Report on the North Head Beat, which concluded that based on the available information the North Head Beat was not a likely target for bias motivated crimes.

LGBTI community and media sensitivities are likely to be heightened at present, particularly with Mardi Gras approaching in under a week. Therefore any suggestion that Operation Parrabell is not a current priority will undoubtedly receive adverse reactions. Making any public statement about police investigation of gay hate crimes at the present time raises the risk of managing negative media commentary.

#### **RECOMMENDATION**

For information.

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25 February 2015

1. Commander, Operational Programs
2. Commander, MEIG
3. Deputy Commissioner Field Operations