

From: [Craig Middleton](#)
To: [Paul Grace](#); [Cameron Bignell](#)
Subject: Fw: Preliminary Parrabell codings [DLM=For-Official-Use-Only]
Date: Monday, 13 February 2017 13:21:19

cam/Paul

See Dr Daltons response to my response to his original email and Parrabell codings !

Seems to me we are the ones making sense - I like the term he uses for lack of information '*relatively impoverished*' really ??? -bloody academics !!!!! and whats with the '*animus*'???? fancy way of saying 'motivating' - really ??? big words dont mean your right !!!!



Craig Middleton | Detective Chief Inspector
Acting Commander | Surry Hills Local Area Command



----- Forwarded by Craig N Middleton/24962/Staff/NSWPolice on 13/02/2017 13:16 -----

From: Derek Dalton <derek.dalton@flinders.edu.au>
To: Craig N Middleton [redacted]
Cc: "Danielle Tyson (danielle.tyson@deakin.edu.au)" <danielle.tyson@deakin.edu.au>, Willem de Lint <willem.delint@flinders.edu.au>
Date: 13/02/2017 12:52
Subject: RE: Preliminary Parrabell codings [DLM=For-Official-Use-Only]

Dear Craig,

Many thanks for your long and considered email.

I agree with much of what you write below (in purple), Insufficient Info = Insufficient Info. I guess we were just looking to the tenor of what was "at play" in the scenario. The sub categories may well be of more assistance when applied in the SBC or NBC area (as you say). I accept that you are not being critical of our reasoning, but you are right to challenge us. We still have misgivings ourselves but have tried to apply a system to produce clarity. We have engineered these categories as a tool and they are still a work in progress. I will share what you had to say with the others as it is helpful.

Some of the data (cases) are so relatively impoverished that we classified them as I/I (the sub categories offered here are short hand insights into what is going on). They may get abandoned or modified. They are just in the mix as labels to try and fathom the animus at play.

Willem and I are trying to produce an instrument that will help us better justify OUR codings in the face of yours. It's tricky, because in a sense we had to "buy into" aspects of the NSW police coding to evaluate your findings. The obvious danger is that if one doesn't augment or supplement your system – one might just reproduce your findings. I hope this makes sense. It might when we meet in person. That's part of the tension at play (and is ultimately resolvable I hope).

I must admit I am a little mystified by the sub categories in the Insufficient Information determination ?. To me, insufficient information means exactly that - there is insufficient information to make any determination. Im not following why then are you sub categorising them into revenge, pedo, HAD etc ? I dont quite understand what purpose this serves or how this assists with the determination of there being Insufficient Information in the matter. I note that you are using it to help to determine the animus or motivation ? In this respect would not the use of the sub categories be of more assistance and assist in the SBC area or even the NBC area in helping to understand the motivational factors at play ? Please understand I am not being critical of your reasoning, and ultimately whatever you guys do to help you understand our reasoning processes is fine by me, its just that if I was going to subcategories any of the findings it would be in those two areas (SBC and NBC). In fact in some respects I believe that those subcategories were unwittingly at play when we discussed the matters at our review Committee meeting and in making our final determinations.

Thanks again for your detailed response.

Derek (and team).

From: Craig N Middleton [redacted]
Sent: Monday, 13 February 2017 11:36 AM

To: Derek Dalton <derek.dalton@flinders.edu.au>

Cc: Cameron Bignell <[REDACTED]> Paul Grace <[REDACTED]>

Subject: Re: Preliminary Parrabell codings [DLM=For-Official-Use-Only]

Dear Dr Dalton

Thanks for the email and spreadsheet. Made for some interesting reading over the weekend (and gave me a good excuse to avoid the heat). I am not surprised by the quandary that you guys find yourself in with the disagreements amongst yourselves as we also had those issues. The matters that you have disagreed on with us also don't really surprise me. The SBC and II are fluid categories that we found matters could move between and quite easily sit in either or both.

From reading your email though I can probably assist with some of SF Parrabell rationale as opposed to some of your rationale. If it is any help, I suppose the key factor to remember is that SF Parrabell review had terms of reference. It must be remembered that Parrabell conducted a strictly factual, evidence based review of the NSWPF holdings on each matter. In other words, we only reviewed what we could locate on each matter, in some instances this was a large volume - ranging from 90 archive boxes full of documents down to just a couple of pages on an individual matter.

We carefully and purposely chose not to be seen as 'reopening matters', nor did we want to be seen as 're-investigating matters', which would entail to some degree opening up new lines of 'research', or new lines of enquiry not previously considered. That was not the terms of reference for Parrabell.

To that end our results are only reflective of the documentary evidence we had available (no matter how large or small) for each matter. Where there were gaps in the holdings (or limited holdings), we did not make assumptions or draw conclusions or consider possibilities. I admit that in some matters we may have been missing significant holdings concerning a matter (ie a record of interview with the offender or pertinent witness statements). Whilst I agree that 'missing information' or 'gaps' with the information has its own inherent issues, in keeping with the terms of reference for Parrabell, we did not place any consideration or make any assumption as to what the missing information contained or allow it to influence our determination for the matter. In simple terms, if it wasn't located - it didn't exist. I know that probably doesn't sit well with your academic review and I agree it does present difficulties and raise an argument about the outcome of some matters, but Parrabell was always a documentary review of the holdings we physically had - not what we 'should' have had or indeed what we 'should' have done, or what 'could' be done according to today's standards of investigations and current police practices.

I must admit I am a little mystified by the sub categories in the Insufficient Information determination ?. To me, insufficient information means exactly that - there is insufficient information to make any determination. I'm not following why then are you sub categorising them into revenge, pedo, HAD etc ? I don't quite understand what purpose this serves or how this assists with the determination of there being Insufficient Information in the matter. I note that you are using it to help to determine the animus or motivation ? In this respect would not the use of the sub categories be of more assistance and assist in the SBC area or even the NBC area in helping to understand the motivational factors at play ? Please understand I am not being critical of your reasoning, and ultimately whatever you guys do to help you understand our reasoning processes is fine by me, it's just that if I was going to subcategories any of the findings it would be in those two areas (SBC and NBC). In fact in some respects I believe that those subcategories were unwittingly at play when we discussed the matters at our review Committee meeting and in making our final determinations.

Additionally I note that you have some concerns regarding 'Where robbery is the motive for a crime, I think we are still struggling with this factor. If the offender(s) are targeting men because they are perceived to be weak, 'easy' or vulnerable based on some sort of dislike of homosexuals, this is problematic. Bias may be a major factor underpinning the commission of the crime, and yet robbery appears as substantive motive'.

I hope I can provide some clarity or context to this. We have had the same discussion throughout our review. For us, the motivational factor is highly important obviously. In particular you must remember that according to our definition the bias must be 'gay hate' not just 'gay related'. After conducting our review it was obvious that some of the matters were on the original list simply because they were 'gay related', ie either the victim or accused was homosexual. For example the double murder of Mokdad and Creighton was on the list simply because they were a homosexual couple. The motivational factor had nothing to do with a 'gay hate' bias.

From our perspective, offenders target their victims for a whole range of criteria, including but not limited to, a bias towards a person or person type. We term this 'victimology'. There is no dispute that homosexual males were targeted for robberies and other crime types (assaults etc). But the question remains, were they targeted because the accused had an active hatred of homosexuals or was it simply target profiling ?. You are right to suggest that homosexual males were perceived or seen as vulnerable and 'easy'. Given the era they were in, most homosexual males sort out secluded areas (known as gay beats), they were in isolated areas with poor lighting, poor security, engaging in an act that was not accepted by the Community and for the most part illegal. Therefore they were seen as an easy target and less likely to report it to the police. Likewise homosexuals males are also perceived as being 'well off' and cashed up, hence the term 'DINKS' - double income no kids etc - targeting a homosexual male for a robbery on Oxford St can easily be seen as a target rich environment from an offenders point of view. But that doesn't necessarily transpire to a 'hatred' of homosexuals. Victim selection is, in my opinion, a natural process and crosses over all crime types not just violent ones, is Frauds etc. It is easily argued that old people and taxi drivers are also over represented as victims for robbery, not because of a hatred of old people or taxi drivers, but they are perceived as being vulnerable and an easy target. Is this a type of bias ? maybe, but is it a bias borne out of a hatred for those type of people ? - probably not.

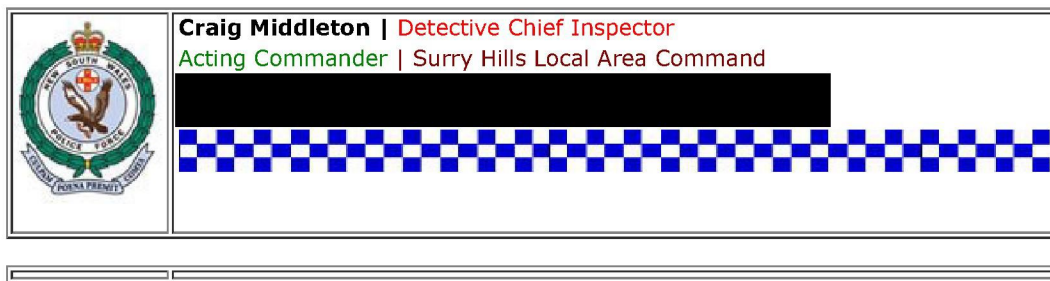
I suppose my point is that there exists a myriad and unlimited supply of arguments and assumptions about why someone

is targeted for a crime by an individual. People inherently stereotype other people, whether we agree that it happens or not, in fact I would hesitate to suggest that the very nature of policing forces police officers to stereotype people to some degree in order to carry out our functions effectively.

For those 'robbery' matters that are causing you concern I can only refer back to the original parameters of the Parrabell review - evidentiary based review of current holdings. In those matters involving robbery as a motivation, unless there was evidence in our holdings that the victim was targeted for robbery specifically based on the accused 'dislike/hatred of homosexuals' (this includes the absence of any evidence) as opposed to simple 'victimology' or natural victim selection - then this was categorised at NEBC (No evidence of Bias Crime). Thats not to say that in some matters we may have had 'suspicions' about other factors, however in the **absence** of that evidence (including missing files) we made a determination based solely on what we had in front of us.

I hope this assists. I am really looking forward to meeting with you and your team in a couple weeks to discuss. I really dont think we are two far apart in alot of our views and I am still hopeful that they can be easily resolved.

Kind Regards



From: Derek Dalton <derek.dalton@flinders.edu.au>
To: Craig N Middleton <[REDACTED]>
Date: 10/02/2017 13:29
Subject: Preliminary Parrabell codings

I sent this yesterday Craig but it bounced back because the entire University email system collapsed due to the heat wave.

Dear Craig,

I hope you ae having a good day at the office.

I have (as promised) organised to send your our preliminary coding (assignment of indicators). That document is attached.

It is still a work-in-progress activity, but we promised transparency and there could be all sorts of benefits to you getting an opportunity to look at them now.

Obviously you should feel free to share them with Paul Grace, Geoff Steer, or any officers/detectives that you see fit (just emphasize that these are not set determinations on our behalf – but preliminary findings for each case)

I hope (aim) to send you a FINALISED version on the Friday before we meet (17th Feb) so you get a good 4/5 days to consider them before we confer on the 24th Feb. I imagine that version will be VERY similar to this one.

The EXCEL sheet may be a bit tricky to follow. Willem has some sort of layering in place (that I don't 100% follow - he created the template). They don't appear in strict case number order (at present) but I have assigned the case number next to the victim name.

- Ignore the shading – it has no real bearing at the moment
- Most of the DISAGREE cases appear at the start

I think we agree on 57 and disagree on 21.

To complicate matters – we (as a team) have about 3 or 4 we cannot agree on but are trying to reach agreement (our disagreement is in comportment column)

For some cases, We have broken Insufficient Information (I/I) into 3 sub categories – Revenge, Homosexual Advance and PAEDO (animosity to paedophilia). This is a bit messy but we have done it to try and comprehend the type of animus that appears to be “at play” in the case. These 3 sub-categories of II are not as comprehensive as would be ideal, rather, we are using them to try and clarify our reasoning. In fact, I worry that these 3 subcategories somewhat overlap. However, we think they are helpful. It’s all done in an attempt to better understand the sort of animus that is motivating the offending.

If you spot any niggling omissions or errors – please let me know. [Spelling of names might be slightly incorrect]

Where robbery is the motive for a crime, I think we are still struggling with this factor. If the offender(s) are targeting men because they are perceived to be weak, ‘easy’ or vulnerable based on some sort of dislike of homosexuals, this is problematic. Bias may be a major factor underpinning the commission of the crime, and yet robbery appears as substantive motive.

If you have any questions, just ask.

Regards

Derek

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