

Sensitive: NSW Government

D/2019/243139

ISSUE: Office for Police – request for an update on the implementation of Strike Force Parrabell Final Report recommendations.

BACKGROUND

The Office for Police requests an update on Strike Force Parrabell to prepare a new Parliamentary house folder note, specifically:

- the implementation of the Strike Force Parrabell Final Report recommendations; and
- the referral of 23 cases to the Unsolved Homicide Team.

Strike Force Parrabell relates to the review of 88 alleged gay-hate murders between 1976 and 2000. A team of up to 10 criminal investigators worked on the Strike Force over an 18-month period with oversight by the Corporate Sponsor for Sexuality, Gender Diversity and Intersex.

The final report, published in June 2018, included 12 recommendations and a detailed analysis by the Flinders University team.

On 19 September 2018, the NSW Parliament announced an *Inquiry into Gay and Transgender hate crimes between 1970 and 2010*. In its submission to the inquiry, the NSW Police Force included a progress report on the implementation of the 12 recommendations made by Strike Force Parrabell.

Advice has been provided by the State Crime Command (SCC), Counter Terrorism and Special Tactics Command (CT&STC) and the Corporate Sponsor, Sexuality, Gender Diversity & Intersex.

Advice is due to the Office for Police by *close of business Wednesday 20 March 2019*.

COMMENT

An updated progress report on the implementation of the Strike Force Parrabell Final Report recommendations is attached.

23 Unsolved Cases

In respect to the 23 unsolved cases, they were not “referred” to the Unsolved Homicide Unit by Operation Parrabell, rather the Homicide Squad assisted Operation Parrabell locate relevant material in relation to unsolved matters.

In 2018, each unsolved case held by the Unsolved Homicide Unit was re-categorised in accordance with the new Unsolved Homicide Review Process (i.e. Unsolved, Unresolved, Undetermined, and Solved).

The 23 matters determined as unsolved in Operation Parrabell are now broken into the following categories:

- Unsolved: 13
- Undetermined 7
- Unresolved: 3
- Solved: 0

In relation to those in the Unsolved category, 11 of the 13 are currently in the process of being reviewed and 2 are currently being re-investigated.

Sensitive: NSW Government

Sensitive: NSW Government

D/2019/243139

In relation to the Undetermined category, these 7 will be subject to review in due course.

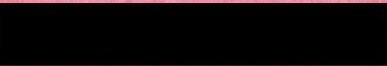
In relation to the 3 Unresolved matters, people were charged but the court proceedings failed or were withdrawn. These 3 matters will be reviewed in due course.

Bias Crime Unit

Since November 2018, the Bias Crime Unit was re-aligned into the Engagement and Intervention Unit (EIU) in the Counter Terrorism and Special Tactics Command. The EIU performs the same roles and functions as the previously named Bias Crimes Unit.

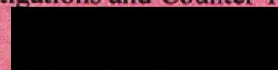
RECOMMENDATION

If supported, this advice and the updated progress report on the implementation of the Strike Force Parrabell Final Report recommendations be provided to the Office for Police.



Bridie O'Sullivan
Executive Advisory Unit
Office of the Commissioner
20 March 2019

do 1. Deputy Commissioner Investigations and Counter Terrorism



Violeta Najdova
Executive Officer
Deputy Commissioner
Investigations & Counter Terrorism

20/3/19

*Noted and
forwarded for information*

2. Deputy Commissioner Corporate Services

OBO.

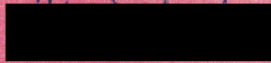
Noted.



Executive Officer
DCoP Corporate Services
21 March 2019

fr 3. Commissioner

Supported.



Director
Office of the Commissioner

21-3-19



CC: Deputy Commissioner, Metropolitan Field Operations
Deputy Commissioner, Regional NSW Field Operations
Corporate Sponsor, Sexuality, Gender Diversity & Intersex
SCC
CT&STC

Noted. Gary Worboys
25/03/2019

4. Office for Police

Sensitive: NSW Government

D/2019/243139

Progress on the Strike Force Parrabell Final Report recommendations – as at March 2019

Recommendations	Comment	Key areas responsible
<p><i>Recommendation 1</i> Details of all cases required significant investigative effort by Strike Force Parrabell operatives. The system of archiving across NSW Government departments including the NSW Police Force has been historically deficient given the existence of paper-based files consistent with general use during the period of review. The NSW Police Force must ensure that the system of electronic recording and storage of evidence consistent with e@glei system remains in use with policy imperatives requiring storage of all investigative material in the same location, so that permanent records of investigations from commencement to judicial conclusion are maintained.</p>	<p>The NSW Police Force continues to use e@gle.i, a web based (intranet) investigation management system, to centrally capture and report on information gathered as a result of the investigation process. The system features hyperlinks, electronic images and other features, which are accessible by search and can be shared state-wide to facilitate investigations.</p>	<p>Digital Technology & Innovation (DTI) State Crime Command (SCC)</p>

Sensitive: NSW Government

D/2019/243139

<p><i>Recommendation 2</i> A policy provision is taken by the NSW Police Force that assessments of crime are to commence from an open-mind position regarding motive, so that all motives, including bias motivation, are properly considered before any decision of exclusion.</p>	<p>The NSW Police Force continues to progress this recommendation.</p> <p>The NSW Police Force current policy position is to flag the 'Bias Motivated (Suspected)' associated factor if an officer suspects an incident is wholly or partially motivated by bias on the grounds of: race, religion, ethnic or national origin, sex/gender, gender identity (e.g. transgender), sexual orientation, age, disability status, homelessness status. Standard Operating Procedures are then followed to assist officers identify bias motivation and guide investigations.</p> <p>The Engagement and Intervention Unit (EIU) in Counter Terrorism and Special Tactics Command (CTSTC) ensures that all incidents reported to the NSW Police Force which are flagged as 'Bias Motivation (Suspected)' are assessed to determine which of the nine protected categories relates and whether the incident is classified as either a Bias Crime, Suspected Bias Crime, Bias Incident, Not a Bias Crime or Insufficient Information.</p> <p>All reports that are assessed as either Not a Bias Crime or Insufficient Information are discussed with the creating officer to determine if there is further information relating to bias indicators which can be included or whether the bias motivation flag is removed, in order to improve the integrity of COPS data.</p> <p>The NSW Police Force upholds a holistic approach to the reporting and investigation of bias motivated incidents with policies and procedures dictating that officers must respond without prejudice and identify any subconscious bias, to ensure investigations are conducted fairly and justly.</p> <p>This policy and approach are under review and will support an open-minded position regarding motive. Subject to the outcomes of the review, this may need to be supplemented with appropriate communications and training.</p>	<p>Education & Training Command (ETC)</p> <p>Performance and Program Support (PPS)</p> <p>SCC</p> <p>EIU, CTSTC</p>
--	--	---

Sensitive: NSW Government

D/2019/243139

<p><i>Recommendation 3</i> A revised system applicable to the early identification of bias crimes requires development with guidance from academic resources. The current system with nine bias crime indicators requires greater rigour and is not user friendly for operational police who are likely, as the first point of contact, to make an initial determination of bias motivated criminal activity.</p>	<p>Members of the community are encouraged to report bias motivated incidents to police which involves where an individual, group or organisation has been targeted against their actual or perceived:</p> <ul style="list-style-type: none"> • religion; • ethnic/national origin (e.g. Chinese, Turkish); • race (e.g. Asian, African); • sex/gender (physical status of an individual being, male, female or intersex); • gender identity (regardless of an individual' s designated sex at birth, gender identity relates to their self-image, appearance, behaviour and characteristics, such as transgender); • sexual orientation (persons attraction towards individuals of same sex and/or persons of a different sex, such as gay, lesbian or bisexual); • age; • disability status, and or • homelessness status <p>For the purposes of Strike Force Parrabell, the protected categories which may have applied to the investigation include Sexual Orientation, Gender Identity and Sex/Gender.</p> <p>Dr Philip Birch (Centre for Law & Justice, CSU) is assisting the NSW Police Force to examine its current model and system in relation to identifying and responding to bias crime. His team has initiated a project to review the existing literature about bias crime with a view to design and test a new model to identify and respond to bias crime.</p> <p>The model is to be user friendly to assist operational police to make an informed initial consideration of bias. This will then be verified by more trained senior officers. Subject to the findings of Dr Birch and his team, the NSW Police Force may consider COPS enhancements to enable the collation and analysis of data to identify emerging or current trends affecting the LBGTIQ community.</p>	<p>ETC, in consultation with Charles Sturt University (CSU)</p> <p>PPS</p> <p>EIU, CTSTC</p>
--	--	--

Sensitive: NSW Government

D/2019/243139

	<p>Phase 1 is completed - it involved the systematic review of the literature. The next step is to write up the findings and develop a risk assessment tool/model. This tool will then be run against the Strike Force Parrabell cases to compare to the findings in the Final Report.</p>	
<p><i>Recommendation 4</i> Once a suitable system of bias crime identification is determined, a training package is required for the information of all officers within the NSW Police Force to ensure the efficient and most accurate capture of bias related crimes consistent with any national standard or the best possible inter-jurisdictional system, which may incorporate gay-hate, religious, language, race-based, or other recognised bias.</p>	<p>This recommendation is in progress - refer to comments above at recommendation 3.</p> <p>The EIU has created a number of training packages to support the reporting of and response to bias motivated crime for Police Districts/Area Commands, NSW Government departments and Community Groups, which were initiated in January 2019. The roll out of education is supported by state-wide messaging, Police Monthly articles, Weekly, Monthly and Quarterly reporting on bias crimes statistics and the monitoring of identified hate groups.</p> <p>Subject to the outcomes of the work by Dr Phillip Birch's team and the particular policy and model developed, further training packages may need to be developed. This training will be rolled out across the state.</p> <p>The EIU coordinates the Youth Engagement Program - a state-wide program to increase engagement between vulnerable youth and local police/specialist units. The Youth Engagement Program provides knowledge and an understanding of contemporary policing issues; it is designed to build rapport and address concerns about reporting or police investigations.</p> <p>Other strategies to achieve an increased capacity to respond to bias crimes and reduce threats to public safety are:</p> <ul style="list-style-type: none"> • continuous engagement with community groups; • relationship building with individuals and groups of concern (e.g. far-right and far-left groups); • offering diversion plans; 	<p>ETC in consultation with CSU</p> <p>PPS</p> <p>EIU, CTSTC</p>

Sensitive: NSW Government

D/2019/243139

	<ul style="list-style-type: none"> • working with groups to ensure compliance with responding police; and • attending key events, demonstrations and religious celebrations to promote positive relationships with all communities. 	
<p><i>Recommendation 5</i> A review is required of prompts to operational police when recording crimes on the COPS database to ensure that appropriate questions are being asked in light of this report and that sufficient understanding of the nature of bias crime exists across a critical mass of police officers.</p>	<p>Appropriate prompts will be developed during the design and testing phases of the new model and incorporated in the training package to ensure appropriate application in the field.</p> <p>As detailed in the response to Recommendations 3, subject to the findings of Dr Birch and his team, the NSW Police Force may consider COPS enhancements to enable the collation and analysis of data to identify emerging or current trends affecting the Lesbian, Gay, Bi-Sexual, Transgender, Intersex or Queer (LGBTIQ) community.</p> <p>Further, the NSW Police Force response to combating bias motivated crime has been strengthened with the inclusion of section 93Z of the <i>Crimes Act 1900 (NSW)</i> which legislates the offence of publicly threatening or inciting violence towards another person on the grounds of race, religion, sexual orientation, gender identity, or intersex or HIV/AIDS status which carries the penalty of 100 penalty units or imprisonment for 3 years (or both).</p>	<p>DTI</p> <p>ETC in consultation with CSU</p> <p>EIU, CTSTC</p>

Sensitive: NSW Government

D/2019/243139

<p><i>Recommendation 6</i> The terms of this review included the identification of bias from police investigators. No referrals were made given the difficulty in appropriating an intention to an investigator on the basis of a poor investigation or one that did not consider important evidence. This task was similarly seen as almost impossible by the academic team. A key question was whether a death was well or poorly investigated based on evidence produced at the time. In some cases, evidence was less developed than others however with Coronial acceptance of the brief supplied, any determination of propriety was severely circumscribed. A latent assessment of ethical conduct diminished with time leaving a case for the NSW Police Force to ensure the teaching of foundational investigative ethics within criminal investigator training at all levels. In that regard, a review of criminal investigation training is required to ensure sufficient and ongoing ethical and cultural values are taught and embedded throughout an officer's career.</p>	<p>A complete review has been conducted of investigation training across the NSW Police Force including material provided and delivered to police officers generally as well as potential detectives. Foundational investigative ethics is included within criminal investigator training at all levels to ensure sufficient and ongoing ethical and cultural values are embedded during an officer's career.</p>	<p>ETC in consultation with CSU</p> <p>SCC</p>
---	---	--

Sensitive: NSW Government

D/2019/243139

<p><i>Recommendation 7</i> It is noted that all homicide investigations, whether conducted by local or specialist criminal investigators attract a team-based, Task Force managed response which is now normal and applied consistently. For any unexplained death, specialist forensic officers are required to attend together with suitably qualified officers performing full time criminal investigative duties. This approach must continue as a safeguard against individual pockets of potential bias. By involving several officers, including forensic practitioners, mischief associated with perceptions or suspicions of bias can be better mitigated.</p>	<p>A team-based ‘task force’ managed approach is consistently applied to the conduct of local and specialist criminal investigations.</p>	<p>SCC</p> <p>Forensic Evidence & Technical Services Command</p>
--	---	--

Sensitive: NSW Government

D/2019/243139

<p><i>Recommendation 8</i> A major success in recent times has been the involvement of members of the LGBTIQ community in the education of every potential police officer at the NSW Police Academy. The Commissioner of Police should endorse this education strategy as a permanent part of recruit development and learning system consistent with an ongoing commitment by the NSWPF to the LGBTIQ community.</p>	<p>The Police Force is committed to presenting two-hour sessions with a focus on LGBTIQ issues to every police recruit at the Police Academy; the sessions will complement the existing diversity and LGBTIQ content in the syllabus; induction training; and the ‘Ally’ training at the recruits’ respective Commands.</p> <p>The NSW Police Force has delivered two of these presentations to students at the Police Academy - in April and November 2018. Recruits are made aware of their obligations to implement policy objectives in relation to contributing to a safe and supportive environment for work colleagues and when engaging with community members</p> <p>Sessions were delivered by Twenty10 and The Gender Centre, in addition to introductions provided by NSW Police Force staff. These sessions introduced key concepts and terminology as well as the importance of inclusion and support for LGBTIQ staff.</p> <p>The next session is scheduled for 11 April 2019.</p>	<p>PPS ETC</p>
<p><i>Recommendation 9</i> The GLLO (LGBTIQ Liaison Officer) Program has created an operational policing network capable of providing support to LGBTIQ communities throughout NSW and within the NSWPF. An expansion of the GLLO Program will maximise understanding and mutual respect among police and with the LGBTIQ community. Improvements to the GLLO Program development and delivery to capture as many</p>	<p>An additional 29 Gay and Lesbian Liaison Officers (GLLOs) were trained at a course in November 2018.</p> <p>A GLLO training and professional development event is planned for June 2019 in the Northern Region.</p> <p>A proposal is being developed to modularise specific components of GLLO training to increase access to various aspects of the training to officers across the state. Some components will be converted to online modules and will be available as ‘stand-alone’ modules enabling officers from across the state to complete training in line with other operational requirements.</p> <p>To assist any officer requiring education and awareness, discrete modules will be made available online on topics such as:</p> <ul style="list-style-type: none"> • LGBTIQ terminology and concepts, 	<p>PPS ETC Corporate and Region Sponsor Program</p>

Sensitive: NSW Government

D/2019/243139

<p>NSW police officers as possible is required.</p>	<ul style="list-style-type: none"> • inclusive language, and • the history of police/LGBTIQ community relationships. <p>Officers wishing to progress to the full GLLO course can do so, once assessment tasks are completed and a face-to-face course is completed.</p> <p>Once the GLLO course has been revised, the Region Sponsor network will support an expansion of GLLO training and support for GLLOs at a local level.</p> <p>A specific commencement date for the refreshed course has not been identified, however it is expected for release in 2019.</p>	
<p><i>Recommendation 10</i> Equity and diversity awareness is available to all police officers, as is training in ethics and ethical behaviour. Examples provided in equity training require experience from and involving LGBTIQ community to provide officers with specific context and raise even further sexual orientation and gender identity awareness.</p>	<p>LGBTIQ training has been provided to NSW Police Force Equity Officers.</p> <p>The NSW Police Force current Respectful Workplace Campaign includes specific material relating to LGBTIQ diversity and inclusion, this includes posters, and an intranet video.</p> <p>LGBTIQ ‘Allies’ training was rolled out in 2018 and will continue in 2019. Peer Support Officers and staff at Inner West Police Area Command have received this training to date – approximately 260 officers in total.</p>	<p>HR Command</p> <p>PPS</p> <p>Corporate and Region Sponsor Program</p>

Sensitive: NSW Government

D/2019/243139

<p><i>Recommendation 11</i> Significant progress has been made with engagement activities across other jurisdictions of policing and emergency services throughout Australia. The Commissioner of Police should endorse a mandatory LGBTIQ Conference on a two to three-year rotation to enhance cross jurisdictional networks and inclusion practices.</p>	<p>The NSW Police Force hosted two LGBTIQ Conferences at the Police Academy, in 2015 and in 2017. Both were successful and included representatives from other policing and emergency services. Victoria Police has suggested it may host a conference in 2019. If the conference takes place, a significant number of NSW police officers will attend.</p> <p>A Northern Region GLLO training course and professional development forum is planned for June 2019. The intention is to train new GLLOs and provide existing GLLOs and other officers an opportunity to undertake professional development and networking with community stakeholders and key agencies.</p> <p>The 30-year anniversary of the GLLO program is in 2020 and a large-scale conference is being planned at the Police Academy.</p>	<p>NSW Police Commissioner PPS Corporate and Region Sponsor Program</p>
<p><i>Recommendation 12</i> The Commissioner of Police should endorse the wearing of GLLO badges at all times on police uniform by qualified LGBTIQ Liaison Officers. Allowing the prominent display of the GLLO symbol signifies respect for the LGBTIQ community and acknowledges the skills of suitably trained police to provide support and advice whether for LGBTIQ police officers or members of the community.</p>	<p>The Commissioner has authorised GLLO badges to be worn by officers who have completed the GLLO training program and are accredited to perform the role of a GLLO.</p>	<p>NSW Police Commissioner Corporate Sponsor Uniform Standards Committee Protocol and Awards Unit</p>