

From: [Jacqueline Braw](#) on behalf of [REDACTED]
To: [Anthony Crandell](#)
Subject: RE: Hate Crime Systematic Review: Phase 2 Court Report Analysis [DLM=Sensitive:Law Enforcement (SLE)]
Date: Wednesday, 25 September 2019 09:13:07

Hi Tony,

I'm keep fairly up to date with these emails and very glad you are happy to stay involved. I know at one point Gelina said she wanted a briefing on this work, but maybe that can wait a little while. We've got COMPASS reporting, AWEI, HR issues (transgender employee policy), TDOR and Mardi Gras to consider, just for the next couple of months!!

Jackie

-----Original Message-----

From: Anthony Crandell
Sent: Tuesday, 24 September 2019 6:22 PM
To: Birch, Philip <pbirch@csu.edu.au>
Cc: Jacqueline Braw <[REDACTED]>; Justine Thompson <[REDACTED]>; Jane Louise Ireland <JLIreland1@uclan.ac.uk>; Gelina Talbot <[REDACTED]>
Subject: RE: Hate Crime Systematic Review: Phase 2 Court Report Analysis [DLM=Sensitive:Law Enforcement (SLE)]

Hi Dr Phil,

Apologies for the late reply. I am very interested in continuing this important work and can provide organisational support given a recommendation to review the bias crimes assessment process/tool was accepted by the Commissioner as an outcome of Strike Force Parrabell.

On that basis I am comfortable with emailing officers in the NSWPF, albeit there are different audiences - some that I have far more control over than others. For example, if we were to include students or police officers at the start of their careers on probation, I can make responses mandatory, whereas the remaining cohort will require more subtlety, perhaps with mail chimp emails containing my signature block or authorisation. If we don't think about the process you will achieve far fewer responses and have less data to inform outcomes.

Once you are ready to go please let me know and I will seek assistance to get the best possible feedback and results.

Thanks again for your help and assistance.

TC

-----Original Message-----

From: Birch, Philip <pbirch@csu.edu.au>
Sent: Monday, 23 September 2019 2:38 PM
To: Anthony Crandell <[REDACTED]>
Cc: Jacqueline Braw <[REDACTED]>; Justine Thompson <[REDACTED]>; Jane Louise Ireland <JLIreland1@uclan.ac.uk>
Subject: Re: Hate Crime Systematic Review: Phase 2 Court Report Analysis [DLM=Sensitive:Law Enforcement (SLE)]

Hi Tony, Jacqueline and Justine,

I am just following up on my email to you from last Monday.

Have you had chance to consider the content of that email? I have copied it in below.

Cheers
Phil

Dr. Philip Birch, FHEA.
Senior Lecturer in Criminology & Policing Centre for Law & Justice Charles Sturt University (Port Macquarie)

Editor, Salus Journal | Submit your paper here

Honorary Research Fellow | School of Psychology, UCLan, UK.

Senior Research Associate | Ashworth Research Centre, Ashworth High Secure Hospital, NHS, UK.

(t) +61 (0) 402 303819

(CSU Profile) <https://bjbs.csu.edu.au/centres/law-and-justice/staff/profiles/academic-staff/philip-birch>

On 16/9/19, 4:38 pm, "Birch, Philip" <pbirch@csu.edu.au> wrote:

Hello Tony, Jacqueline and Justine,
I hope you are all well.

Over August and September we were planning on conducting the hate crime court report analysis (Australia in August and UK in September). This part of the study along with the systematic review was then to be used to inform the third phase of the study, in which you suggested Tony, a survey with police officers.

We have conducted the Australian court report analysis and to be fair, it isn't offering anything more than we have from the systematic review. Tony, I think you suggested that this may be the case. We therefore, see no point in wasting time looking at the UK reports. Jane Ireland and I have therefore devised a Delphi study. That study is attached for your consideration.

What this Delphi study would do is canvas the consensus amongst rank and file NSW Police officers. Over 3 rounds we would email all rank and file officers to answer some online questions, after each round, this data will be analysed and used to inform the next round of questions. At the end of the process you will end up with a consensus of rank and file officers about hate crime. This along with the review would be used to inform the hate crime screening tool.

I would need to get ethics clearance for this study, but what I need at this stage is the approval from you as an organisation, allowing/supporting the running of this Delphi study. It would be done online, we would just need you to email all rank and file officers an email that would contain a link to each round of the Delphi. All details are attached above, so have a look and let me know what you think.

Cheers
Phil

Dr. Philip Birch, FHEA.
Senior Lecturer in Criminology & Policing
Centre for Law & Justice
Charles Sturt University (Port Macquarie)

Editor, Salus Journal | Submit your paper here

Honorary Research Fellow | School of Psychology, UCLan, UK.

Senior Research Associate | Ashworth Research Centre, Ashworth High Secure Hospital, NHS, UK.

(t) +61 (0) 402 303819

(CSU Profile) <https://bjbs.csu.edu.au/centres/law-and-justice/staff/profiles/academic-staff/philip-birch>

On 3/8/19, 10:08 am, "Anthony Crandell" <[REDACTED]> wrote:

Hi Phil,

This looks very promising and I am grateful to you for your work.

I cannot remember whether I provided you with a copy of the Strike Force Parrabell final report and case studies. If so disregard, if not I would like to give you a copy for the purpose of this project because, although quite confronting reading, you may find factors of bias motivation, when it was found, quite useful. If you don't have a copy please let me know and I will forward one to you under confidential cover.

The only other comment from me is that the court data is influential however many crimes and incidents will require assessment by police officers that will not get to court, yet will need to be classified by officers in the field. In my opinion, this is where the former model was not appropriate because officers simply do not have the time to consider and analyse 10 factors, all of which, or none of which, may indicate a bias crime.

Thank you for this update, I think the outcome will be great.

TC

-----Original Message-----

From: Birch, Philip <pbirch@csu.edu.au>

Sent: Friday, 2 August 2019 4:08 PM

To: Anthony Crandell <[REDACTED]>

Cc: Jacqueline Braw <[REDACTED]>; Justine Thompson <[REDACTED]>

Subject: Hate Crime Systematic Review: Phase 1 complete

Hello Tony, Jackie and Justine,

Please find attached the systematic review that we have conducted into hate crime in order to develop an assessment tool for use by the police. We are now onto stage 2 of the study in which we are looking at Court reports in order to:

1. Pull out the correlates of hate crime from the court reports to determine what factors Courts are focusing on in such cases;
2. Where these factors used to inform the decision of the Court.
3. Assess if there are any additional factors?

We are aiming to have this part of the study done by the end of September/early October – then we can look to construct the online survey we said we would do with NSW Police. This was a third phase we discussed adding on to the work program a few months back – which will help with the development of the tool.

I am not sure what we will find with the court reports in terms of information/depth of... So at this stage I won't promise a report – as we may just end up with a list of factors that we will use to develop the online survey. I will have think about how I will present this stage of the study to you when I get a sense of what data we are getting.

Well I hope you are all well, and I hope the attached is of use. I think once we pull all the various stages of this study together we will have something quite meaty to work with. In the meantime these reports just offer some insight to what we are finding and acts as a way of keeping you in the loop.

Any problems then please let me know.

Cheers

Phil

Dr. Philip Birch, FHEA.
Senior Lecturer in Criminology
Centre for Law & Justice
Charles Sturt University (Port Macquarie)

Editor, Salus Journal | Submit your paper here

Honorary Research Fellow | School of Psychology, UCLan, UK.

Senior Research Associate | Ashworth Research Centre, Ashworth High Secure Hospital, NHS, UK.

(t) +61 (0) 402 303819

(CSU Profile) <https://bjbs.csu.edu.au/centres/law-and-justice/staff/profiles/academic-staff/philip-birch>

From: Anthony Crandell <[REDACTED]>

Date: Wednesday, 12 June 2019 at 6:10 pm

To: "Birch, Philip" <pbirch@csu.edu.au>

Cc: [REDACTED]

Subject: Re: Hate Crime Research Update [DLM=For-Official-Use-Only]

Hi Phil,

Thanks for the update, much appreciated.

You are probably are not aware that I am leaving Education and Training Command at the end of this month to take up the position of Commander, State Intelligence Command. I reckon a sideways movement is always better than downwards - should be a good challenge.

Whilst I understand the basis of reviewing court outcomes etc. I am also most interested in developing an initial assessment tool to determine signs of potential bias including gay hate crimes. A big risk for the NSWPF is misunderstanding and mis-diagnosing bias crimes/incidents. I was thinking that it would be good to get an idea of what factors have been present in events that are bias crime related, so that we could get some idea of common signs that might tend to indicate bias motivation more quickly. There might then be a referral system for greater investigative effort, which leads into the piece of work you are describing.

It is an interesting area because I wonder whether the judiciary is imposing higher penalties for bias motivation - if not then the process of identifying bias in crimes may be more limited to ensuring public safety with messaging to warn of increases in specific areas or involving certain individuals, rather than seeking greater deterrence from the courts.

I know the present system in the NSWPF is not great because asking officers to run crimes through a 10 point assessment where any or none of the indicators may indicate a bias crime seems unworkable. If I could get a couple of key factors that are likely to indicate bias then perhaps I could market those signs to police officers for them to indicate bias potential. At the moment, many slip through, albeit those that are recorded seem to identify the nature of bias fairly well. It is the unreported incidents that are probably of more concern.

Any way forward is good news for me and I appreciate all your work.

TC

[cid:image001.jpg@01D5494C.686C0730]

From: "Birch, Philip" <pbirch@csu.edu.au>

To: "Tony Crandell" [REDACTED],

Date: 12/06/2019 14:42

Subject: Hate Crime Research Update

Hi Tony, Jackie and Justine,

I just thought I would give you an update on our hate crime research. As the research assistant wraps up the systematic review we have been able to identify potential correlates related to hate crime. These are not risk factors related to hate crime as we have discovered from the review that the literature/research relating to hate crime is poor in regards to risk factors. Indeed, it is non-existent. It is apparent that over the last 20-25 years the research in this space has not moved on and is lacking in offering any innovative responses to addressing Hate Crime.

From the correlates we have identified through the review we have been able to sketch out the beginnings of an 'Investigative Triage Assessment' which frontline police officers could use to gather information on a case. This is currently a list of areas that should be captured that are consistent within the literature and could supplement any current approaches.

The next step for us now is to look at Court reports in order to:

1. Pull out the correlates of hate crime from court reports; 2. To determine what factors Courts are attending to in such cases.

The next step, the 3rd step, is the most important as we then need to identify:

- a. Were these factors used to inform the decision of the Court.
- b. Were there any additional factors?

The end result of this will be a triage for front line police that is informed by:

- * our systematic review
- * Court decisions (what offenders are being sentenced on).

In essence NSW Police should have an investigation triage for law enforcement that is informed by Court decisions and an academic review, with the former helping the Police to record information that informs the potential end point of an arrest (i.e. a conviction).

How does this all sound? We anticipate the end of October as the point in which we will have this investigative triage for you.

Cheers
Phil

Dr. Philip Birch, FHEA.

Senior Lecturer in Criminology
Centre for Law & Justice
Charles Sturt University (Port Macquarie)

Editor, Salus Journal | Submit your paper here

Honorary Research Fellow | School of Psychology, UCLan, UK.

Senior Research Associate | Ashworth Research Centre, Ashworth High Secure Hospital, NHS, UK.

(t) +61 (0) 402 303819

(CSU Profile) <https://bjbs.csu.edu.au/centres/law-and-justice/staff/profiles/academic-staff/philip-birch>

All mail is subject to content scanning for possible violation of NSW Police Force policy, including the Email and Internet Policy and Guidelines. All NSW Police Force employees are required to familiarise themselves with these policies, available on the NSW Police Force Intranet.

This email and any attachments may be confidential and contain privileged information. It is intended for the addressee only. If you are not the intended recipient you must not use, disclose, copy or distribute this communication. Confidentiality or privilege are not waived or lost by reason of the mistaken delivery to you. If you have received this message in error, please delete and notify the sender.

[Charles Sturt University]<<http://www.csu.edu.au/>>

| ALBURY-WODONGA | BATHURST | BRISBANE | CANBERRA | DUBBO |
GOULBURN | MELBOURNE | ORANGE | PORT MACQUARIE | SYDNEY | WAGGA
WAGGA |

LEGAL NOTICE

This email (and any attachment) is confidential and is intended for the use of the addressee(s) only. If you are not the intended recipient of this email, you must not copy, distribute, take any action in reliance on it or disclose it to anyone. Any confidentiality is not waived or lost by reason of mistaken delivery. Email should be checked for viruses and defects before opening. Charles Sturt University does not accept liability for viruses or any consequence which arise as a result of this email transmission. Email communications with Charles Sturt University may be subject to automated email filtering, which could result in the delay or deletion of a legitimate email before it is read at Charles Sturt University. The views expressed in this email are not necessarily those of Charles Sturt University.

Charles Sturt University in Australia<<http://www.csu.edu.au/>> The Grange Chancellery, Panorama Avenue, Bathurst NSW Australia 2795 (ABN: 83 878 708 551; CRICOS Provider Number: 00005F (National)). TEQSA Provider Number: PV12018

Consider the environment before printing this email.

All mail is subject to content scanning for possible violation of NSW Police Force policy, including the Email and Internet Policy and Guidelines. All NSW Police Force employees are required to familiarise themselves with these policies, available on the NSW Police Force Intranet.

This email and any attachments may be confidential and contain privileged information. It is intended for the addressee only. If you are not the intended recipient you must not use, disclose, copy or distribute this communication. Confidentiality or privilege are not waived or lost by reason of the mistaken delivery to you. If you have received this message in error, please delete and notify the sender.

All mail is subject to content scanning for possible violation of NSW Police Force policy, including the Email and Internet Policy and Guidelines. All NSW Police Force employees are required to familiarise themselves with these policies, available on the NSW Police Force Intranet.