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BIAS CRIMES UNIT HANDOVER

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BIAS CRIMES OVERVIEW

The NSWPF Bias Crimes Unit is the only unit of its type in Australia and is leading Australia with regards to the response to bias motivated crimes. All other Australian law enforcement jurisdictions have similar type equivalents who focus on “Issue Motivated Groups” namely both right wing and left groups and their related public order demonstrations. No other jurisdiction in Australia looks at the “bias/hate crime” aspect, nor is their focus as broad as NSW across protected categories of targeted crime victims. As an example, some jurisdictions may primarily focus on race, religion and politics, and depending on need sexual orientation whereas NSWPF definition goes further.

Bias motivated crimes (also known as hate crimes) are defined as;

A criminal offence committed against persons, associates of persons, property or society that is motivated, in whole or in part, by an offender’s bias against an individual’s or group’s actual or perceived; race, religion, ethnic/national origin, sex/gender, gender identity, age, disability status, sexual orientation or homeless status.

The definition adopted by the NSWPF is based on the International Association of Chiefs of Police definition and reflects international best practice. In addition to the bias motivated crime definition the NSWPF also includes the concept of bias incidents, which are defined as;

An incident committed against persons, associates of persons, property or society that is motivated, in whole or in part, by an offender’s bias against an individual’s or group’s actual or perceived; race, religion, ethnic/national origin, gender, gender identity, age, disability status, sexual orientation or homeless status but does not constitute a criminal offence.

The term bias motivated crimes is used by the NSWPF as it is more reflective of the processes involved. Hatred is not always a major factor in these types of crimes; in fact it is a complicated psychological mix that generally does not involve true hatred towards a targeted community group / individual.

Effective response to bias motivated crimes offers a number of advantages to law enforcement agencies. Responding to bias motivated crimes is a key community engagement strategy. Through responding to the fears and concerns of communities, community trust in law enforcement agencies is increased, increasing the cooperation by communities with law enforcement across all areas. Additionally effective bias motivated crime response, reduce the risk and impact of radicalisation within communities. Through protecting individuals and showing affected communities that the general community will not tolerate targeting of their identities, the resonance of extremist group messages with vulnerable individuals is reduced.

Finally, effective response to bias motivated crimes reduces the risk of public order events. When communities see and believe that their rights are valued and protected the potential for vigilante activity and mass community action in the form of public order events is greatly minimised. Effective bias motivated crimes response offers the ability to break down barriers with communities in a way that is both powerful and unique.

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Sergeant Geoff STEER (Team Leader) (2007 – 2009) & (2012 – 2017) – Sergeant STEER has been with the NSWPF for 22 years and has a background in general duties and covert operations. Sergeant STEER is the NSWPF subject matter expert on bias motivated crimes and hate groups including the right wing. Sergeant STEER has been studying bias motivated crimes and hate groups for 16 years. Sergeant STEER received his training through the Federal Law Enforcement Training Centre in the USA, successfully completing the Introduction to Hate / Bias Crimes course (Auburn University Montgomery) and the Advanced Hate Crimes course (Centre for Prejudice and Extremism – California State University, San Bernardino). Sergeant STEER was supported by the Southern Poverty Law Center in the USA and through this support has developed a strong working relationship with the Southern Poverty Law Center Intelligence Project which tracks and monitors hate groups and domestic extremists in the USA. In 2012 Sergeant STEER joined the Skinhead Intelligence Network (SIN) and is the only Australasian representative on SIN. SIN is a global law enforcement network that tracks and monitors white supremacist groups. Sergeant STEER has presented papers at a number of conferences in respect to the policing of bias motivated crimes.

In 2015 Sergeant STEER spent 1 week with the Suffolk County Police Department (NY) Hate Crimes Unit, the Nassau County Police Department (NY) Community Engagement Unit and the New York Police Department Hate Crimes Taskforce. Whilst in the US Sergeant STEER successfully completed the Advanced Threat Assessment and Management Academy run by Gavin de Becker & Associates (world leader in threat assessment and management). In 2015 Sergeant STEER submitted a report (D/2015/189664) outlining a threat assessment capability for the NSWPF which assisted in the formation of the Fixated Persons Working Group.

Sergeant STEER has undertaken the Forensic and Applied Victimology workshop run by Charles Sturt University and Forensic Analytic and successfully completed a Statement Analysis course.

Senior Constable Nathan CORBETT (Project Officer) (2015 – 2018) - has been with the NSWPF for 22 years and has a background in general duties, domestic violence and education and training. Senior Constable CORBETT is a subject matter expert in Domestic & Family Violence for the NSWPF and spent 10 years in the Domestic Violence field within the NSWPF, developing the NSWPF Domestic & Family Violence SOPs and drafted the specialist position description for Domestic Violence Operatives. During his time attached to the Bias Crimes Unit has drafted the NSWPF Bias Motivated Crimes SOPs (with Sergeant STEER) in 2015, as well as redrafting updated SOPs in 2018, has developed and delivered (both internally and externally) specific Bias Crimes training packages and drafted CAS exam questions (holds Certificate IV in Training & Assessment), was the Bias Crimes Unit lead on the Reclaim Australia Rally movement from 2015 onwards, being involved in Operations TREMLOW, and TAYNISH (Cronulla Riots memorial), organising and facilitating numerous thematic forums, as well as taking on numerous projects designed towards improving NSWPF overall response to Bias Motivated Crimes.

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Aaron GALLAGHER (Intelligence Analyst) (2016 – 2017) has been with the NSWPF for 4 months and has a background in journalism. Aaron has successfully completed a Bachelor Degree in Communication with a major in Journalism (Western Sydney University) and currently undertaking a Graduate Diploma in Cyber Security, Policing Intelligence and Counter Terrorism, majoring in Policing Intelligence through Macquarie University.

FUNCTION

The Bias Crimes Unit was established with two main roles;

1. To develop the capability and capacity of the NSWPF to identify, investigate and respond effectively to bias motivated crimes.
2. Bias motivated crime intelligence capability

Capability & Capacity Building

To achieve the role of the developing the NSWPF capability and capacity around bias motivated crimes, the Bias Crimes Unit undertakes a number of functions designed to build awareness and capability.

Education & Training – To raise awareness around bias motivated crimes and the positive impact an effective response can have for the NSWPF a focus has been on education and training. Although the Bias Crimes Unit tailors its packages to the requirement of requesting Commands / Units the awareness sessions undertaken by the unit cover;

- *Introduction to Bias Motivated Crimes* – a general package designed to highlight what a bias motivated crime is, the importance of an effective response, a general overview of investigation of bias motivated crimes, how to record incidents correctly and a general overview of officers' requirements under the Bias Crimes SOPs.
- *Bias Motivated Crime Investigations* – a focussed information package outlining the unique processes of bias crimes investigations, including victim management, overview of key evidence for proving a bias motivated, legislation, recording incidents, the roles under the Bias Crime SOPs and tips and tricks.
- *Hate Groups* – a focussed information package outlining the ideologies of hate groups, their symbology and methodology and engagement strategies.
- *Understanding Violent Extremism* – a package that looks at what motivates individuals to become violent extremists and attempts to demystify violent extremism. The package does not focus on ideology but rather explores the complexity around motivations; including motivating factors, behavioural drivers, unconscious bias, evolutionary psychology, perceptual sets and the importance of understanding the person and not labelling the act.

The awareness sessions are delivered to Local Area Commands and specialist units on request.

In addition to awareness sessions that the unit delivers, the unit further disseminates information regarding bias motivated crimes through articles in the Police Monthly and the Police Issues and Practices Journal.

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The Bias Crimes Unit delivers Professional Development Days with the use of international and national experts in a range of fields, including bias motivated crimes, law, psychology, social media, other law enforcement agencies and former members of white supremacy groups. The speakers at these days are experts in their field and are identified through the networks developed by the Bias Crimes Unit both locally and internationally. The Professional Development Days are open to all police employees.

In addition to the Professional Development Days the Bias Crimes Unit has run a number of standalone sessions and forums, including the National Forum on Organised Hate Groups in 2016. It should be noted that this forum had representation from all Australian law enforcement jurisdictions, including the Australian Federal Police, Commonwealth Attorney's General and Border Force. New Zealand Police were also represented at the forum.

In conjunction with the Simulated Operations Unit and the Diversity Trainer (Operational Programs) the Bias Crimes Unit developed and runs Exercise EOS. EOS is a diversity and bias motivated crime based Hydra exercise targeting Inspectors and Superintendents to develop their awareness and skills in identifying and managing the complexities associated with bias motivated crimes.

The Bias Crimes Unit currently presents on the Youth Officer course in conjunction with the Diversity Trainer (Operational Programs) and the Gay Lesbian Liaison Officer course and has previously presented on the Intelligence Officers course, Crime Prevention Officers training and Detectives Education Program.

The Bias Crimes Unit on occasions develops the capability of the NSWPF through its involvement in public order events. During the Reclaim Australia Rallies in 2015, the Bias Crimes up skilled Central Metropolitan Region intelligence staff and Police Operations Centre intelligence cells on right wing hate groups.

In addition to direct training, the unit also develops the skills of police through SMIT's and CAS questions that have been developed around bias motivated crime. The unit also produces a monthly newsletter on bias motivated issues.

On occasion the Bias Crimes Unit has delivered to community groups in relation to bias motivated crimes and the NSWPF response, including to the Police & Multicultural Advisory Council and Neighbourhood Watch groups. In addition to community groups the unit has also delivered packages on bias motivated crimes and hate groups to the Anti-Discrimination Board and Multicultural NSW.

In addition to delivery of packages and awareness sessions the Bias Crimes Unit also provides information to the NSWPF executive on issues including legislation and current topical issues. The Bias Crimes Unit also undertakes strategic assessments with regard to bias motivated crimes, with work currently being undertaken on a white paper on the current bias motivated environment in NSW and predicating the environment in 5 years. The white paper is an in depth look at the current issues that are driving bias motivated, trends, activity of hate groups and comparing NSW to international responses in the UK, USA and Europe.

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The Bias Crimes Unit has developed strong working relationships with a number of academic experts in bias motivated crimes at the University of Sydney and Western Sydney University. The Bias Crimes Unit is currently working on two projects with academics from the University of Sydney, including a look at the NSWPF response to bias motivated crimes and a disability hate crime project looking to identify why members of the disability community are unlikely report hate crimes and what can be done to improve the reporting by the disability community. The Bias Crimes Unit represented the NSWPF on the Australian Hate Crime Network which was a national centre for hate crime research. The Bias Crimes Unit is in the process of redesigning the network with the assistance of University of Sydney. (Prior to restructure).

The Bias Crimes Unit works with non-government organisations and supports their work with the expert knowledge held by the unit in regards to hate groups and bias motivated crimes. The unit is currently assisting Community Action for Preventing Extremism in their development of training and roll out of a project funded by Multicultural NSW targeting right wing extremism.

The Bias Crime Unit is currently commencing a number of projects to build the capability of the NSWPF including in conjunction with Education & Training the development of bias motivated crime training, including a bias crimes investigators course and recruit education package. (Prior to restructure)

Policy – The Bias Crimes Unit has a role in developing NSWPF policies around bias motivated crimes. The Bias Crimes Unit developed the Bias Crimes Response & Investigation Standard Operating Procedures which were approved by CET in 2015 and are currently reviewing and updating the SOPs (2018).

In addition, the unit has commenced developing a Community Policy Statement, outlining the NSWPF response to bias motivated crimes for communities. The unit has commenced development of an Operational Guidance document designed to give practical advice and guidance to police with respect to investigating bias motivated crimes.

The Bias Crimes Unit currently supported the Corporate Sponsor for Bias Motivated Crimes and 7 region sponsors. In conjunction with the Corporate Sponsor the unit had developed the strategic plan for bias motivated crimes as well as contributing to the Picture of Crime developed by Intelligence Directorate. Since the organisational restructure in 2017 and review of the Corporate Sponsorship Program, the Bias Motivated Crimes portfolio now no longer has any Corporate or Region Sponsorship.

In addition, the unit supports the executive on issues relating to bias motivated crimes. The unit responds to ministerial files in relation to specific bias motivated crime issues, including the issue around Hate Speech laws. The unit was a part of the working group looking at the application of Section 20D of the *Anti-Discrimination Act 199*, and has supplied advice in relation to Section 18C of the *Racial Discrimination Act 1975*. The Bias Crimes Unit was part of an internal working group between Counter Terrorism and Police Prosecutions in relation to legislative response to the issues surrounding Section 20D of the *Anti-Discrimination Act 1977*.

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The Bias Crimes Unit offers expert advice and guidance to units within the NSWPF on bias motivated crime issues, including the Police Media Unit and in conjunction with the Cultural Diversity Team (Operational Programs) has developed community messages following high profile events, including the murder of Curtis CHENG and following the Lindt Cafe siege.

Community Engagement – As highlighted at the beginning, bias motivated crimes is a key community engagement strategy and although to date the unit has been cautious around community engagement initiatives until the NSWPF capability was at a suitable level, the unit still undertakes a number of community engagement strategies. As outlined in the Education & Training section the unit has undertaken awareness sessions with numerous community groups around bias motivated crimes, including the LGBTI community, the Jewish community, the disability community and to a limited basis the Islamic community. Engagement around bias motivated crimes with the Islamic community has presented a number of difficulties for the unit and as such only limited engagement has been undertaken. With the development and release of the Community Policy Statement, engagement with the broader community is to be undertaken and targeted engagement with the Islamic community is scheduled. There is scope to investigate the inclusion of Bias Crimes (lower level offence types e.g. verbal abuse) in to the newly created Community Portal. Often Bias Crimes may consist of verbal abuse / harassment on the streets by unknown offenders.

The Bias Crimes Unit has the capacity to assist Local Area Commands in both pre-incident and post incident engagement around bias motivated crimes. The unit is working on the development of community response template that will allow commands to develop their own response plans following bias motivated crime incidents.

Investigative Support – The Bias Crimes Unit has the capacity to support investigations into bias motivated crimes. The Bias Crimes Unit has received training in Verbal Textual Hostility which looks at the language used by offenders. The language used can help predict the potential for escalation against victim and also the likely form that escalation may take. Verbal Textual Hostility was developed by Dr Nicole ASQUITH (Western Sydney University) who reviewed 100000 hate crime cases held by the Metropolitan Police Service (UK). The NSWPF is the only Australian jurisdiction with this training and capability. Verbal Textual Hostility assists in threat assessment and for threat management skills and tactics to be utilised to further secure victims and communities from ongoing issues.

In addition, the Bias Crimes Unit can assist investigators in relation to hate group activity, MO and membership, assist with the development of questions that prove bias motivation, specialised support in relation to the symbology / ideology of hate groups and analysis of bias motivated incidents to help identify potential offenders. The Bias Crimes Unit currently track bias motivated offenders and utilises this knowledge to advise investigators of potential suspects for crimes either through appearance, symbology, ideology or MO.

The Bias Crimes Unit has provided expert support to units conducting bias motivated crime investigations, including assisting the Unsolved Homicide Squad reinvestigation of the death of Scott JOHNSON. Operation Parrabell.

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Through the support that is available, the capability of the NSWPF around bias motivated crimes is developed as investigators learn the skills associated with bias motivated crime investigations.

INTELLIGENCE

To build the capability around bias motivated crimes of the NSWPF, intelligence is an important role that Bias Crimes Unit performs. The unit has developed specialised knowledge around hate groups (especially the right wing and far right wing) and bias motivated crimes.

Statistics / Analysis – The Bias Crimes Unit reviews all COPS events that have been flagged with the associated factor *Bias Motivation (Suspected)*. The Bias Crimes Unit reviews events to ensure the accuracy of data recorded on COPS and to assist in assessing the current bias motivated environment in NSW. To date approximately 30% - 40% of all events flagged as Bias Motivation (Suspected) are in correctly classified and are not bias motivated as defined. This process ensures that a clearer picture of the environment is obtained, rather than relying on the raw data. It should be noted that although the unit reviews events, ongoing issues with respect to under-reporting (Community) and under-identification (Police) are major issues. These issues mean that the true picture of the bias motivated environment in NSW is not known. The collection of statistical information assists the unit in providing advice to the executive and responding to Ministerial files. As a case in point a Ministerial request was received regarding any potential rise in attacks on Sikhs. The raw NSWPF data does not allow for a response as Religion is the only available category (specific religions are not collected). Through the statistical collection undertaken by the unit a response and analysis was able to be completed as the unit breaks incidents down to the specifics not found in the raw data.

In addition to the collection of statistical data, the data is analysed from an intelligence perspective. Analysis of the data is undertaken to identify potential hot spots, offender MO, changes in hate group areas of operation, new groups and offenders. This information allows for proactive responses to potential issues and to assist investigators in identifying suspects.

In addition the review and analysis of events allows for *'Persons of Concern'* to be identified. Individuals who hold extreme beliefs or ideologies are identified through the statistical analysis process. Given the wide range of protected categories monitored individuals with an extreme ideology can be identified early on and intervention undertaken to either prevent escalation or to target harden the community being targeted. It is important to note that individuals who may hold an extreme ideology based on race or religion may target individuals who differ in disability status, sexual orientation, gender, gender identity or homelessness.

As an example, an individual who holds an extreme right wing ideology may not target non-whites, but instead members of the LGBTI community or the disability community as he perceives them to be a greater risk of destroying the white race than non whites. Statistical analysis across the 9 protected categories increases the likelihood of identifying individuals with extreme ideologies early before they can cause mass harm.

Hate Group Monitoring – The Bias Crimes Unit monitors identified hate groups as defined in the SOPs. The unit monitors the group's ideology, recruitment strategies, membership and

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areas of operation. This information is cross referenced with the known bias motivated crimes and an assessment is made in regards to the possibility the group is involved in bias motivated crimes or any changes that indicate that the group may start to target members of an identified community in an area. As hate groups can cross borders and international boundaries and with the impact of social media and the internet, liaison (see Liaison for details) is maintained with other jurisdictions and NGO's to identify trends or movement that may impact on the NSW environment. Additionally the Bias Crimes Unit shares information about NSW groups and individuals with other law enforcement agencies.

Hate Group Liaison – The Bias Crimes Unit engages and builds relationships with identified hate groups. The liaison between the hate groups and the Bias Crimes Unit has proven a successful strategy on two main fronts.

1. Influence – the relationships built have allowed the Bias Crimes Unit and subsequently the NSWPF to influence the behaviours and actions of these groups. Through these relationships hate groups have been influenced to cancel events, move events to locations more suitable for public order policing and on a number of occasions, prevent criminal offences being conducted. It should be noted that these relationships have taken between 2-3 years to develop. Given the paranoia exhibited by hate groups it takes time to build relationships and building trust is even harder.
2. Intelligence – the relationships built have built trust between the Bias Crimes Unit to the point where individuals within these groups notify the Bias Crimes Unit of any individuals they have concern about for extremist activities and in notifying the unit when planned criminal activity is to take place. As an examples information was received regarding a plan to attack several mosques in the Sydney area. As the plan was in the early stages the relationships established allowed influence to be placed on the individual concerned and the plan was halted before it was carried out (I 63962631 relates).

Products – The Bias Crimes Unit produces a number of products for use by a number of clients. The products include;

- Monthly Bias Crimes Statistical Analysis Report
- Quarterly Bias Crime Statistical Analysis Report
- Monthly Newsletter
- Intelligence Alerts
- Intelligence Bulletins
- Briefing Notes
- Person of Concern Profiles

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Public Order Events - The Bias Crimes Unit identifies public order events planned by hate groups and individuals and alerts commands and Regions about the proposed activity. The Bias Crimes Unit at times identifies events before LACs are notified through Form 1's or contact by organisers. The Bias Crimes Unit supports Local Area Commands, State Planning Unit and Regions in the planning and preparation of events involving hate groups and individuals and provides assistance through intelligence products and on request liaison with organisers and hate groups.

As an example, in 2015 the Bias Crimes Unit played an important role in supporting Central Metropolitan Region, Local Area Commands and Major Events & Incidents Group in the planning and policing of the Reclaim Australia Rallies. The Bias Crimes Unit through the relationships established was able to provide time sensitive information on group movements and was directly involved with the prevention of an armed member of Reclaim Australia travelling to the Melbourne rally.

Liaison – The Bias Crime Unit has developed an extensive network of contacts throughout Australia and internationally. These contacts have allowed the Bias Crimes Unit to track groups and individuals globally, identify new groups and connections, identify MO for Australian Groups, command and control structures and assist in law enforcement operations nationally.

Examples of the benefit that these relationships have had include, passing on information to Victoria Police that assisted in the arrest of Philip GALEA (first right wing individuals charged with terrorist offences) and through the relationship with the Southern Poverty Law Center Intelligence Project, crucial information was passed to Western Australian Police with respect to the investigation of members of Aryan Nations for murder.

The current relationships that have been established include;

- NSW Government Agencies
 - Department of Premier and Cabinet
 - Social Policy Group
 - Multicultural NSW
 - Anti-Discrimination Board
 - Correctives Intelligence Group
 - Justice Health
 - Adolescent Mental Health
- Interstate Jurisdictions
 - Tasmania Police
 - Victoria Police
 - SA Police
 - Western Australia Police
 - ACT Police
 - Australian Federal Police
 - Queensland Police
 - Border Force
 - Australian Security Intelligence Organisation
 - Australian Human Rights Commission

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- International Jurisdictions
 - US jurisdictions including
 - FBI
 - NYPD
 - Hate Crimes Task Force
 - Nassau County Police Department (New York)
 - Community Affairs Unit
 - Suffolk County Police Department (New York)
 - Hate Crime Unit
 - Through the Skinhead Intelligence Network we have contacts in most states in the US
 - Royal Canadian Mounted Police
 - British Columbia Hate Crime Team
 - United Kingdom
 - Counter Terrorism Policing – Operations Centre
 - Right Wing desk officer
 - New Zealand Police
 - National Intelligence Centre
 - Security Intelligence and Threat Group
- Non Government Organisations
 - Southern Poverty Law Center (USA)
 - Intelligence Project
 - Skinhead Intelligence Network (USA)
 - All Together Now (NSW)
 - Community Action for Preventing Extremism
 - EXIT (Sweden & USA)
 - Online Hate Prevention Institute (Australia)
 - Info Ops HQ (VIC)
 - ACON (NSW)
 - NSW Jewish Board of Deputies
 - Community Security Group
 - University of Sydney
 - Western Sydney University
 - Macquarie University
 - University of St Thomas (USA)

In addition to the above relationships the Bias Crimes Unit has established relationships with a number of former white supremacists (both locally and internationally) who have assisted in shaping strategies and approaches with respect to engagement of hate groups as well as increasing the understanding of the groups.

The Bias Crimes Unit currently assists a number of NGO's with their understanding of hate groups and right wing ideology. These relationships involve offering advice on issues faced, possible solutions and understanding of the NSWPF roles and functions. The Bias Crimes Unit also acts as a reference point for information they receive that relates to either criminal activity or poses a risk to public safety.

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PROJECTS – The Bias Crimes Unit is currently undertaking a number of projects and has several more projects developed and awaiting either approval or resources to proceed with them.

▪ **Current Projects**

- **NSWPF Bias Crimes Approach** – A research project being conducted by University of Sydney into the approach taken by the NSWPF in relation to bias motivated crimes. The project has been approved and commenced with NSWPF bias motivated crime data supplied and interviews to be undertaken with key personnel in the future. The NSWPF approach will be compared to other jurisdictions.
- **Disability Hate Crimes** – A research project being conducted by University of Sydney into the barriers to reporting hate crimes by members of the disability community and what strategies can be employed to increase reporting. Project has been approved and is the early stages with an ARC grant to be submitted following the completion of the final forum. NSWPF involvement in this project involved an In Kind support agreement for the project. This agreement was reviewed by the Office of General Counsel and agreed to. A potential risk exists to the NSWPF if the NSWPF is unable to continue with its commitments.
- **Bias Crime White Paper** – A comprehensive analysis on the current and future bias crimes environment facing NSW and the NSWPF. The white paper is currently ½ completed with an estimated completion date of August 2017.
- **Case Studies** - Creation of detailed case studies on 3 known hate group members for use in training.
- **Community Policy Statement** – Development of a policy statement for the community with respect to the NSWPF response to bias motivated crimes, outlining what the community can expect from the NSWPF.

▪ **Future Projects**

A number of projects have been identified as a priority and are earmarked to be commenced at the conclusion of the current projects. These include;

- **School Initiative** – Joint project with the Department of Education to engage high school students around bias motivated crimes. Students would design bias motivated crime awareness information including an educational video that would be utilised by the NSWPF, schools and communities. Initial support from Department of Education. To be commenced on completion of the white paper.
- **Redevelopment of the Australian Hate Crime Network** – Joint project in conjunction with the University of Sydney to redevelop the AHCN including making it a central research point for research in Australia on bias motivated crime.

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- **Community Engagement Template** – Development of a community engagement template for Local Area Commands when responding to bias motivated crimes.
- **Community Fact Sheets** – Development of community fact sheets around hate crimes and how to report and NSWPF commitment - links to schools initiative and Community Policy Statement.
- **Operational Guidance** - Development of protocol for the investigation of bias crimes (Operational Guidance). Focus on how to investigate and what to ask. Linked to Bias Crimes Investigators Course.
- **Gender Bias Crimes Project** - Collaborative project with Dr Jessica HODGE of the University of St Thomas (USA) to explore investigative approaches to identifying and prosecuting gender bias crimes.
- **Bias Crimes Investigators Course** - Development of a Bias Crimes Investigators Course in conjunction with Education Services.
- **Bias Crimes Awareness Sessions Recruit Training** – Development of an afterhours bias crimes awareness sessions at the Police Academy as a method to raise the profile and awareness of bias crimes amongst recruits and the NSWPF in general.
- **Media Guide on Hate Groups** - Development of a guide for use by Police Media to identify known groups and key players to ensure factual information is disseminated to media around hate groups and individuals.
- **Victim Impact Statements Trial** - Trial of using VIS in bias crimes prosecutions.

A complete list of projects is attached.

BIAS CRIMES UNIT EXPENSES

The Bias Crimes Unit currently has the following expenses;

Internet – The Bias Crimes Unit utilises an external internet provider for internet. This is utilised to monitor hate groups and individuals and reduces the risk that groups and individuals are aware of police monitoring. The internet was approved by the Commander, Operational Programs. The cost of the internet is \$90 per month.

BIAS CRIMES RESOURCES

The Bias Crimes Unit currently has the following resources;

- Mobile Phone
- Laptop (including webcam and conference microphone)
- Interview Training Kit (designed for interactive interview training)
- Audio speaker
- Audio headset
- Digital Voice Recorder

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The following *potential* risks have been identified for the NSWPF if the Bias Crimes Unit ceases its activities in relation to bias motivated crimes and focuses solely on Extremist Groups;

- Loss of expertise - the BCU is a unique unit within the NSWPF. Since its inception there has been resourcing issues that would allow succession planning, until 2015 when the unit received an additional officer (for 5 years the unit was staffed by 1 officer). The move would mean that all 3 staff members attached to the unit would move to other positions, meaning that all the knowledge, experience and skills would be lost from the unit. The ability to retrain staff in a specialised field would be difficult and take years, especially given that the training undertaken by the team leader is no longer offered and there is no Australian based training available.
- Negative community reaction - The perceived loss, or reduced capability, of the BCU will have a negative impact on community relations with the NSWPF. Some communities impacted include the LGBTI community. Strike Force PARRABELL was set up to review 80 + suspected gay homicides between the 1970's and 2000's. This was in relation to negative media and community sentiment to an apparent lack of concern by the NSWPF in regard to gay hate crimes. As part of the process an academic review has been made and the BCU has supplied comment on the current NSWPF response to hate crimes. If the BCU ceases to operate effectively the LGBTI community will see it as confirmation of the lack of concern of the NSWPF in relation to the LGBTI community.

The BCU currently meets regularly with the Community Security Group (NSW Jewish Board of Deputies) with regards to hate crimes and right-wing group activity targeting the Jewish community. CSG has already expressed concern about the potential of losing or minimising the NSWPF bias crime capability. The Muslim community has always been concerned about hate crimes and the lack of focus by the NSWPF in response to anti-Islamic incidents. The NSWPF has previously been attacked in the media for the apparent lack resources for the BCU and the lack of concern around anti-Islamic hate crimes. Recently the BCU has been working with Sydney Uni in relation to disability hate crimes. We have participated in several forums with disability service providers who expressed excitement that the NSWPF was taking disability hate crimes seriously.

- Currently the BCU is working with Sydney Uni on 2 research projects, one is looking at the NSWPF response to bias crimes and the other trying to improve the reporting rates. With the loss of both staff and the expertise of the unit both projects would likely be significantly impacted and the possibility of negative coverage is likely. A similar project in Victoria in relation to VicPol's response to bias crimes was critical of the way that organisation responded, it is possible a similar critical outcome would occur if the expertise currently held by the BCU was lost.
- Negative impact on work with NGO's - the BCU currently works with a number of NGO's in relation to right wing extremism, this work would be negatively impacted as the expertise and knowledge around right wing extremism and recruitment would be lost.

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- Negative impact on other government agencies - The BCU currently works closely with Multicultural NSW in relation to hate crimes and the impact on communities. Additionally the BCU has commenced working closely with Correctives Intelligence Group in relation to right wing groups in the prison system. These relationships would be negatively impacted and the benefits to the NSW community adversely affected.
- Loss of hate group liaison - the BCU has established relationships with a number of hate groups in NSW. These relationships have been instrumental in influencing the actions of these groups (the best example being the Reclaim Australia rallies in 2015). In addition these relationships have also been instrumental with respect to intelligence and identification of extremist individuals within groups. The loss of the current BCU staff would be negatively impacted as any other person coming into the roles would need to a) understand the group dynamics and ideologies and b) have to re-establish a relationship which takes time.
- Loss of community confidence - the consistent message that the NSWPF pushes in relation to bias crimes is that the NSWPF takes these crimes seriously and has the capability and capacity to respond effectively. The skills set that will be lost as highlighted above will take time to re-develop (if it can) and during this period of re-development the confidence of the NSW community that the NSWPF can respond to hate crimes will be negatively impacted.
- Loss of knowledge and skills regarding right wing groups and hate groups - the BCU has developed an expert level of knowledge and experience in relation to right wing groups and hate groups. In addition the loss of the expertise will also impact the relationships with the Skinhead Intelligence Network (international law enforcement group that tracks white supremacy groups) and the Southern Poverty Law Centre will be negatively impacted.
- The ability of the BCU to support LAC's and specialist commands will also be negatively impacted. Whilst the SOPs outline basic skills and knowledge that LAC's and Specialist commands may need, the expert level of support will be negatively impacted.
- Lack of support at the Corporate Sponsor and Region Sponsor level - with the loss of the knowledge and skills of the BCU the ability to support the Bias Motivated Crimes portfolio will be negatively impacted. With the cessation of the Bias Motivated Crimes corporate portfolio, again potentially highlights to the affected targeted communities that the NSWPF has perceivably lessened the importance of bias / hate crimes.
- Education & Training – with the loss of experienced BCU staff in understanding the complexities of bias crimes identification, response and investigation, right wing ideologies and community engagement strategies around bias / hate crimes diminishes the overall capacity for improving NSWPF response to bias crimes.

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In the current global environment bias crimes and the activities of hate groups are on the rise. Australian society is simply another reflection of all other western cultures in this area.

Several factors impact towards the increased rise of hate groups:

- Increased mass migration - from 3rd world (primarily Islamic countries) is often seen as a perceived “invasion”. This is further fuelled by affected life areas such as unemployment rates, welfare recipients, crime rates, cost of living, cultural enclaves or “no go” areas forming, forced cultural changes upon the existing community to accommodate the emerging one.
- Political correctness – all over the western world large portions of existing population feel that they have no rights to express their concerns, opinions or fears for risk of being labelled a “racist” a “Nazi” a “bigot” or in some jurisdictions being criminally prosecuted for “hate speech”. As a result, angry disassociated individuals are joining other like-minded individuals to have a collective voice. Safety and anonymity in numbers so to speak.
- Political leaders – again a lot of disenfranchised citizens feel “let down” or “betrayed” by their Governments and numerous countries have seen a political swing back to the “right” as conservative and /or nationalistic politicians continue to gain ground. Examples: President Donald Trump (US), Senator Pauline Hanson (AUS), Geert Wilders (NET), Marine Le PEN (FRA), Guiseppe Conte (ITA), Angela Merkell (GER) losing ground due to her “open door policy” to name but a few. As more people move to the right the potential for hate group potentially increases.
- Media influence – the news cycle is now a 24/7 commodity and as a result, quite often stories are sensationalised, misleading, inaccurate or agenda driven. Add to that, the social media spectrum, where often opinion is taken “as gospel” is usually a one-sided viewpoint and is designed to “trigger” a response can often drive individuals to react aggressively or even violently. Social commentators and celebrities are continually telling the populace how to think, what to say, what not to say, what they must accept etc. In a lot of locations globally, people are unwilling to surrender their rights to have an opinion and are seeking solidarity and a voice.

The capability of the NSWPF to effectively respond to these incidents and to prevent the broader issue of radicalisation and violent extremism through effective bias crimes response is still in its infancy. The loss of the skills, dedication, understanding, connections, experience and expertise that the BCU have provided will certainly slow down, but not necessarily stop, any forward progress in improving this capability.

Skill, experience and expertise all take time to build and acquire, the NSWPF is at a potential directional crossroads as to where it seeks to take its Bias Crimes response capability. Again, it should be noted that the NSWPF was leading the way nationally in its focus, of not just “groups” but by including bias / hate crimes.

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The NSWPF can certainly build on that strong foundation and potentially improve its overall approach and results in the effective response and management of Bias Motivated Crimes.

To maximise the potential of achieving that outcome, the Bias Crimes Unit needs to be resourced, supported and promoted at all levels of the organisation. Only through a clearly directed, dedicated and holistic approach to Bias Motivated Crimes can the NSWPF continue to be the ground-breaking leaders in this increasing crime area in Australia.

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15th June 2018