

ANNEXURE 5

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RMS: D/2021/1056503

ISSUE

Counter Terrorism & Special Tactics Command (CTST) response to request for further progress updates for Strike Force Parrabell Recommendations 3-5. (F/2021/43794)

BACKGROUND

On 4 May 2021, the NSW Legislative Council Standing Committee on Social Issues, published their [Final Report](#) for the Gay and Transgender Hate Crimes Inquiry. In response the NSW Government is required to provide a comprehensive update on the implementation of the recommendations made in the final report of the NSW Police Strike Force Parrabell. In order to provide the comprehensive update being prepared by Ministerial and Executive Services (MinEx) assistance is sought from CTST on the following [Strike Force Parrabell](#) recommendations:

Recommendation 3

A revised system applicable to the early identification of bias crimes requires development with guidance from academic resources. The current system with 10 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.

Recommendation 4

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.

Recommendation 5

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 crimes exists across a critical mass of police officers.

Can you please provide a formal update from your Command in relation to the above three Strike Force Parrabell recommendations. Ideally, could you please provide the following:

- The status of the hate crime research project, including its scope, deliverables and timeline?
- Should the research project not be finalised in the near future, what interim initiatives are planned to address the above recommendations?
- What update to the bias indicators have occurred since the release of the Strike Force Parrabell Report? If changes have occurred, please provide further information.
- Information on any current or planned LGBTIQ hate crime initiatives.
- Have any changes to COPs occurred/are being planned?
- Regarding hate crimes, has there been any dialogue with DTI in relation to the development of IPOS?

In relation to the above two points, these will also assist with addressing [Recommendation 5 of the Inquiry Final Report](#), being:

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That the NSW Police Force ensure that its computerised operational policing system (COPS) adequately captures and records lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) hate crimes.

Min Ex has requested CTST provide a response by 13 August 2021.

COMMENT

EHCU have provided the following feedback:

Recommendation 3

A revised system applicable to the early identification of bias crimes requires development with guidance from academic resources. The current system with 10 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.

COPS enhancements were made to change the 'associated factor' classification from 'Bias Motivated (Suspected)' to 'Hate Crime Involvement' in January 2020. This has provided clearer messaging to frontline police who are creating reports and helps reduce confusion regarding the definition of hate crime motivators. Furthermore, the qualifying factors of 'Sexual Orientation' and 'Gender Identity' under the subcategories of 'Hate Crime Involvement' were replaced with 'LGBTIQ' to better capture incidents within a single broad category.

Charles Sturt University (CSU) in partnership with the University of Central Lancashire (UCLan) was commissioned in 2018 to conduct research for the NSWPF with the agreed aim of developing a model to identify and respond to hate crime. It is a three phased study that will also explore hate crime from the perspectives of operational police officers.

In March 2019, the first phase was completed with a preliminary report, '*Hate Crime: The development of an assessment tool for criminal justice practitioners*' prepared for the NSW Police Education and Training Command. This involved a literature review of hate crime studies conducted in the U.S.A, U.K and Sweden. In 2020 EHCU took carriage of the next phases of the research and are supporting and collaborating with CSU. This has included a range of surveys which examine the knowledge and attitudes of police officers about the identification and investigation of hate crime. It is anticipated that any additional COPS enhancements and any other system improvements will be identified and guided by the recommendations of the study with the final report due in November 2021.

Recommendation 4

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.

A hate crime education/awareness package was developed to focus the minds of frontline police to motive and to actively look for hate crime motivators. This package has been delivered across a range of Police Commands targeting frontline police about identifying hate crime issues. It is also delivered at Gay and Lesbian Liaison Officer's (GLLO) training courses and is shared with the

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Multicultural Liaison Officers (MCLOs) during engagements with communities and PACs. Due to Covid restrictions, efforts are currently being made to shift the training to an online format.

Production of a 'MicroLearn' training package is underway although filming has been temporarily delayed due to COVID restrictions. Once complete this will be published for all police to access on the online police education/training network.

Collaboration has taken place with the Police Assistance Line (PAL) to ensure that all PAL operators are trained on the hate crime categories and that they always consider possible hate crime indicators when taking calls from the public.

EHCU has liaised with other jurisdictions across Australia about their current practices and believe that the work being done with CSU will provide a 'good practice' model that will be shared and can be used across other police jurisdictions.

Recommendation 5

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 crimes exists across a critical mass of police officers.

Incidents which are identified as or suspected of involving hate motivation are created on COPS when either a victim and/or witness contacts police, or when a report is received from another agency. Any report which is generated on the system has the option of being flagged as 'Hate Crime Involvement' as an Associated Factor, with additional sub-categories available to further identify the suspected hate or bias motivation by the officer who responds to an initial report. For any incident which has been flagged by the creating officer as 'Hate Crime Involvement', a work-flow is initiated to the Engagement and Hate Crime Unit for further assessment to determine whether the incident meets the NSWPF definition of a hate crime and which qualifying factors are involved.

In March 2021 EHCU implemented the 'Hate Incident Review Committee' (HIRC) which is chaired by the Anti-Terrorism & Intelligence Group (ATIG) Commander. The HIRC meets weekly and reviews all actionable incidents which have been identified flagged with 'Hate Crime Involvement'. EHCU closely liaises with investigators to provide support and advice to ensure that the matters are investigated and actioned in a timely manner and to the highest standard.

In order to reinforce broad awareness about the issues a variety of internal communication have been disseminated to all police staff about the changes to Hate Crime terminology on COPS; to inform police about the S93Z legislation; and to advise of the establishment of the EHCU and its role.

Additional Questions:

- **The status of the hate crime research project, including its scope, deliverables and timeline?** See Recommendation 3 response.
- **Should the research project not be finalised in the near future, what interim initiatives are planned to address the above recommendations?** See Recommendation 4 response. The final report is due November 2021.

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- **What update to the bias indicators have occurred since the release of the Strike Force Parrabell Report? If changes have occurred, please provide further information.** See Recommendation 3 response.
- **Information on any current or planned LGBTIQ hate crime initiatives.** In addition to Recommendation 4 response, EHCU implemented the LGBTIQ Hate Crime Forum which sat for two sessions (November 2020 and May 2021). This demonstrated a substantial agenda overlap with the bi-annual LGBTIQ Stakeholder Meeting chaired by the NSWPF Corporate Sponsor for Sexuality and Gender Diversity. It was therefore resolved that the LGBTIQ Hate Crime Forum would be merged with the established and ongoing Stakeholder Meeting. This will help to deliver clear and consistent messaging that encourages hate crime reporting to a broader audience and better awareness of key issues affecting the LGBTIQ community.
- **Have any changes to COPs occurred/are being planned?** See Recommendation 3 response. Any additional system enhancements may be considered pending the recommendations resulting from the CSU research project.
- **Regarding hate crimes, has there been any dialogue with DTI in relation to the development of IPOS?** Any further discussions with DTI regarding potential new systems or additional enhancements will be considered following review of the final CSU report.

Please note that comments provided on 6 August (D/2021/993438), which addressed Recommendation 2 should also be referred to for additional context.

RECOMMENDATION

For information of Ministerial and Executive Services for their use in their drafting of the government response to the Inquiry into Gay and Transgender Hate Crimes.



Leanne Martin
Senior Policy Officer CTST
12 August 2021

1. Assistant Commissioner, Counter Terrorism & Special Tactics

Comments and recommendation endorsed.



Mark Walton APM 12/08/2021

2. Office of the Commissioner

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3. Ministerial and Executive Services

CC: Deputy Commissioner, Investigations & Counter Terrorism
(NB: final response will be brought back for CET consideration).

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