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NSW POLICE FORCE (ABN 43 408 613 180)
BIAS CRIMES
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BIAS CRIME ASSESSMENT

COMPARISON BETWEEN MARKS PARK BEAT & NORTH HEAD BEAT

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REVIEWED BY: Superintendent SULLIVAN **ON:** 27/05/2014

CAVEAT

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BACKGROUND:

At the request of the Unsolved Homicide Team a comparison between the North Head beat and the Marks Park beat was undertaken. The purpose of this report is to compare the characteristics of the locations (geography, access, transport, time of operation of beat and attraction to offenders) to determine if the beat locations are comparable in relation to bias crime activity.

INFORMATION & INQUIRIES TO DATE:

- Strike Force TARADALE files
- Strike Force MACNAMIR files
- Site survey of Marks Park
- Site Survey of the North Head Beat
- Aerial photographs of Marks Park (1972, 1986 & 1994)
- Review of Crime Scene jobs for Marks Park Area

CONCLUSION/PREDICTION/ESTIMATE:

MARKS PARK, TAMARAMA

Location:

Marks Park is a public park that is maintained by the Waverley Council. Marks Park is located on the southern headland of Bondi Beach (Latitude: -33.898 Longitude: 151.275) and is bounded along the western edge by Marks Lane. Marks Park has an area approximately 2.263ha (area obtained from Land & Property Management Authority SIX maps program and is measured with the coast walk path as the boundary of the park). A review of aerial photographs of Marks Park, obtained through the Land & Property Management Authority, shows that the park has undergone three major changes since the 1970's.

In 1972 the park had no infrastructure except for a perimeter fence that surrounded the top of the park (see **Attachment 1**). The park had no landscaping and was open; the rocky outcrops on the southern side were exposed, with scrub vegetation and rocky outcrops on the northern side of the park.

In 1986 (during the period of sexual orientation bias crimes – see **Attachment 2**) the park area had expanded with the perimeter fence removed and a toilet block built in the south western corner (near the intersection of Kenneth Street and Marks Lane). Playground equipment was established in the north western corner of the park, near the intersection of Fletcher Street and Marks Lane. There appeared to be no changes to the park vegetation, with the park remaining open with rocky outcrops and low scrub vegetation around the southern and northern sides of the park.

By 1994 (see **Attachment 3**) landscaping work had been undertaken with trees/bushes planted on the southern, south eastern, northern and north western areas of the park.

NORTH HEAD, MANLY

See North Head Beat, Bias Crime assessment for details regarding this beat.

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COMPARISON

Geography:

Marks Park and North Head are two very different environments. Marks Park was, and still is, a maintained public park (maintained by Waverley Council), with a large clearing with small pockets of bush and scrub on the periphery of the park. North Head is part of a national park, primary consisting of dense low level scrub with tracks winding their way through the bush. As outlined in the North Head Beat – Bias Crime Assessment, North Head is not an attractive location for bias crime offences. Marks Park on the other hand was, and remains to be, an attractive target for bias crime offences for the following reasons.

Marks Park is an open park, which allows easy movement of offenders. The easy movement of offenders is crucial as it allows multiple offenders to quickly converge on a target, reducing the risk of injuries to offenders through falls and cuts/scratches from bush. The open terrain makes communication and response much easier for offenders, compared to the dense scrub of North Head which would greatly reduce the ability of offenders to rapidly converge, communicate and move relatively undetected.

In addition to the open environment offered by the park, Marks Park offers offenders the additional advantage, being an identifiable landmark to identify targets. A review of statements obtained through Strike Force TARADALE indicated that one area utilised by beat users was the toilet block located in the south western corner of the park. This easily identifiable landmark would make it easier for offenders to locate potential targets. North Head did not offer this advantage to offenders. Beat users at North Head were spread over a wider area, in dense scrub and not easily locatable. Offenders arriving at the North Head beat had no landmark to use to identify a) potential targets and b) the location of targets that had already met up and were engaging in beat activities.

Time of Beat Operation:

Marks Park was a night beat with the majority of beat users attending after dark. North Head was a daytime beat. There are a number of reasons for the difference in times the beats operated. Marks Park is located in a residential area with unit complexes and houses located close to the beat. The North Head beat, although near a residential area (approximately 200 metres), was far enough away so that it could not be seen during the day. The terrain assisted with this with the beat being located higher than the nearby houses and the sandstone wall further isolating the beat.

The proximity of the Marks Beat to residential premises, the coastal walk skirting the beat and the open terrain of the beat necessitated the beat to operate at night time. The beat operating at night time was beneficial to the offenders involved in incidents at Marks Park. Night offers a number of advantages to offenders as compared to day time. Night allows the offenders to approach potential victims more easily without being detected. It reduced the likelihood of offenders being identified by either victims or witnesses and potentially offered psychological benefits to offenders as the low light conditions would have made it harder for the offenders to see the results of their work, therefore psychologically distancing themselves from their actions and making it easier to inflict serious injuries or death. The North Head beat did not offer these benefits to potential offenders as it was a day time beat.

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Accessibility of Beat:

In relation to how easily accessible the beats were, Marks Park was a far more accessible beat than the North Head beat. Marks Park is located close to Bondi Beach, given the popularity of Bondi Beach and the surrounding area, a well established public transport system has been put into place. The North Head beat had a poor public transport system in place, with no bus routes going within close proximity of the beat, with the closest bus stops being approximately 1km away.

From a private transport perspective again Marks Park was a more accessible beat than North Head. Given the proximity of Marks Park to residential premises and that the park is bordered by a road, offenders who drove to the location were able to park at the beat location. For the North Head beat the closest parking was the Shelley Beach car park, which then required offenders to walk through the bush to the beat location. Marks Park allowed the offenders to effectively drive right to the beat, attack beat users and leave quickly, where as North Head did not give offenders this ease of access.

Previous Bias Crime Incidents:

When the two beats are compared from a crime reporting standpoint there are major differences. To the best of available knowledge no records have been located to indicate any reports of bias motivated crimes were received in relation to the North Head beat. It is widely acknowledged that under reporting is a major issue in relation to bias crimes, and compounded by the issue of lack of community confidence in police it is expected that the number of reports to police would be minimal. Even taking into account the underreporting of bias crimes, one would expect some reports of criminal activity at the beat location, even if not directly identified as sexual orientation bias. A review of general station pad entries (obtained by S/F MACNAMIR) and a review of COPS events from 1998 to 2002 did not identify any incidents relating to the North Head Beat or the surrounding area which may be related to the beat or beat users.

In comparison, information obtained from Strike Force TARADALE indicates that the Marks Park area had several incidents reported to police. These incidents related to assaults and robbery offences. A review of these reports indicates that the crimes appear to be motivated by sexual orientation bias.

Suicides:

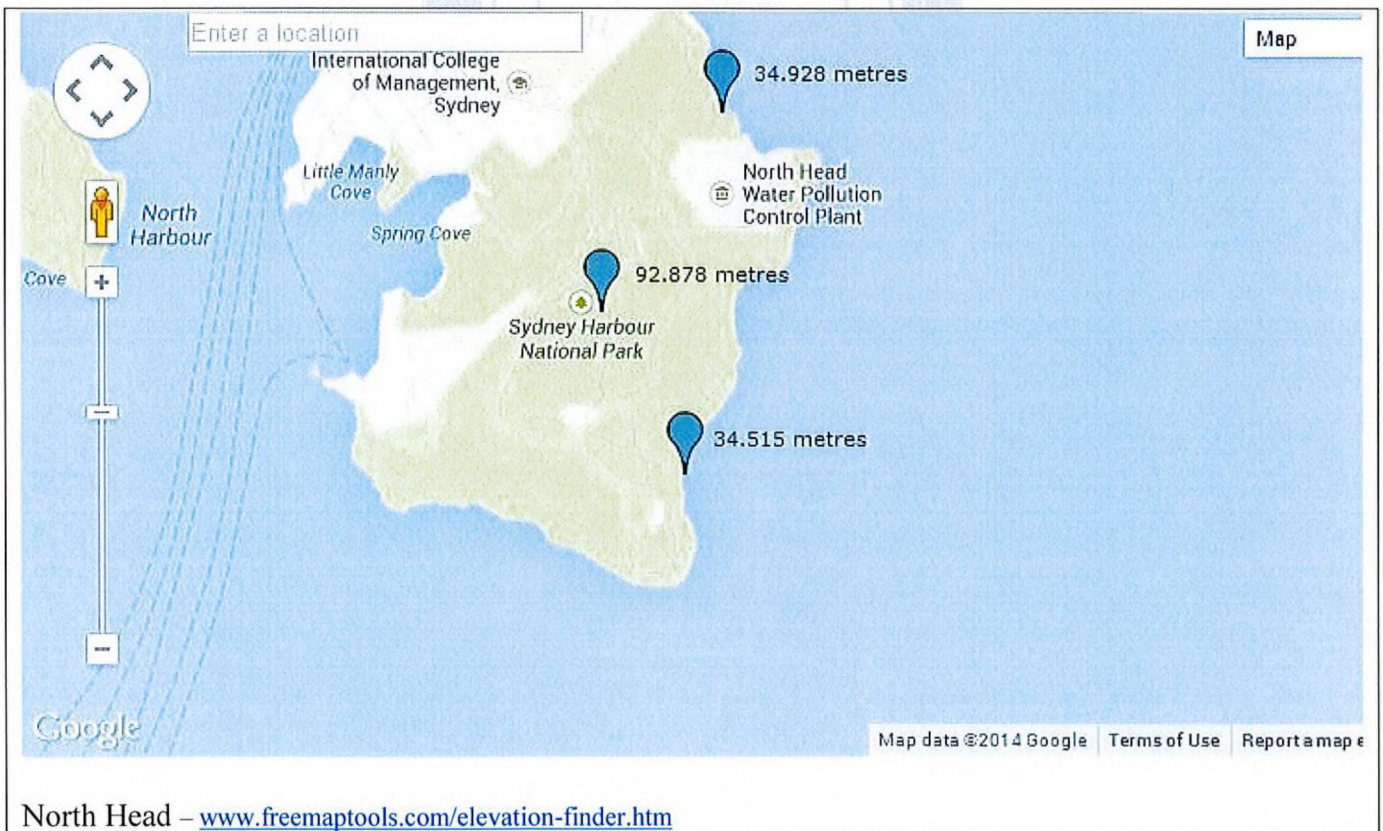
When the 'Bias Crime Assessment – North Head Beat' crime scene records were reviewed for the area, 35 individuals were identified who had been recovered from the base of the cliffs. These deaths were looked at in closer detail and out of the 35 deaths; all were apparent suicides with clear indicators of suicide or suicidal behaviour identified. A similar review of crime scene records was conducted for the Marks Park area with no deaths being identified (apart from those identified by S/F TARADALE as homicides). The conclusion that can be drawn was that the North Head area was a known suicide location whilst Marks Park was not.

This conclusion is supported by the heights of the cliffs. Estimated elevations for both locations were obtained which indicates that the cliffs at North Head are much higher than those of the Marks Park area. Higher cliffs are preferred for suicide attempts as they increase the likelihood of death, reducing the risk the individual will survive with serious injuries.

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The above maps show that the height of the cliffs at North Head is approximately three times higher than the

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cliffs at Marks Park.

Offender Suitability:

As outlined in the 'Bias Crime Assessment – North Head Beat' report, the most likely offender typology is Thrill Seeker. Thrill seeker offenders generally target soft locations, areas where it is easy to locate, attack and leave with a minimal risk to the offenders. Marks Park, from an offender perspective, would be a preferred location. The beat was a night time beat, accessible (by both public and private transport), was a well known and active beat and gave more opportunities to offenders in relation to identifying/isolating possible targets, communication and coordination and method of attack.

As outlined in the 'Bias Crimes Assessment – North Head Beat' report, the North Head beat offered a number of disadvantages to the offenders: these included distance to the beat, terrain of the beat and difficulty in target identification. The North Head beat was also a day time beat which increased the risk to offenders in relation to identification from victims/witnesses. From an offender perspective, Marks Park provided a better environment for bias motivated crimes.

Conclusion:

From a bias crimes perspective Marks Park was a better location for sexual orientation bias crimes. Marks Park offered a high level of beat activity, better time of attack which offered offenders greater flexibility and anonymity, allowed for easier target identification and coordination for offenders and ease of access and egress. The North Head beat on the other hand had a lower level of beat activity, was difficult to access and increased the risk of identification by victims & witnesses and the terrain made coordinated movement much more difficult. Given that the most likely offender type would target easy locations that would reduce the risks to the offenders, Marks Park fits those criteria whereas the North Head beat does not.

RECOMMENDATIONS:

1. Forwarded for information

ATTACHMENTS:

1. 1972 Aerial Photograph – Marks Park
2. 1986 Aerial Photograph – Marks Park
3. 1994 Aerial Photograph – Marks Park

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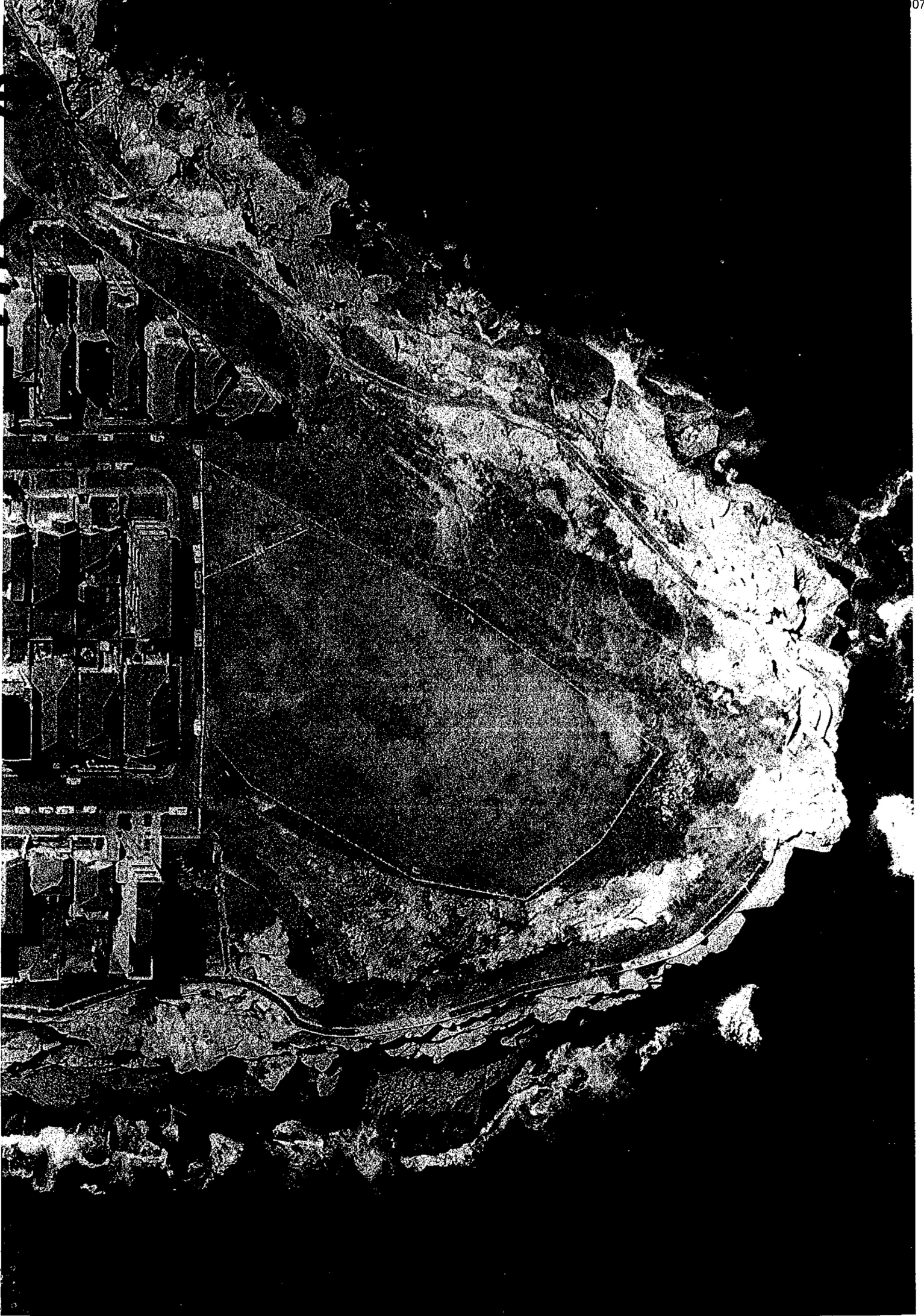
1. Detective Inspector YOUNG – Unsolved Homicide Team
2. Detective Sergeant BROWN – Unsolved Homicide Team
3. Superintendent SULLIVAN – Corporate Sponsor, Bias Crimes
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