

Response to Expert Reports

This response is written by Willem de Lint and endorsed by Associate Professor Dalton.

The Parrabell Report ('the report') has generated useful observations concerning the difficult problem of discovering and applying sufficient methods in the discovery of bias crime homicide, some of which are found in the expert reports of Associate Professor Austin Lovegrove, Martha Coakley and Professor Nicole Asquith. These reports reflect many differences of opinion concerning how and by whom such determinations, examinations and reviews ought to be made. There is no consensus between these and other expert reviews and examinations. Indeed, if the effort of Strike Force Parrabell (SFP) and our effort as academics has fallen short, it matches the work of others who have sought to undertake an evaluation of the incidence of bias crime in a cohort.

A. Terms of reference

As observed by us in our contribution to the report (and in the words of Martha Coakley in her expert report (2022: 13)

'[if] the goal of SFP was to determine which, if any, of the 88 deaths were in fact motivated by an "anti-gay bias", the methodology was only going to be as successful as the original investigators were at the time in recognising, investigating, and identifying evidence of a possible hate/bias crime.'

This is true, and it is a caveat we made regarding the report. Two further points may be made. First, there is at present much debate about the efficacy of much if not most methodology concerning the recognition and identification of hate crime bias. This is touched on in the subsequent discussion of the BCIF tool.

Second, the terms of reference as they existed by the time of my involvement were limited as follows:

1. they did not permit an examination of all of the original case files;
2. they did not permit or support a review of whether there may have been police homicide investigations that may have had a record of disproportionate unsolved resolutions.
 1. In practice, the review did not support a mechanism by which there could be a review of incidence of gay bias homicide in NSW, or a part thereof, against other comparable jurisdictions. Attempts to discover the clearances of homicides across different times and units and demographics were not made available to us, on the view that it was outside of the terms;
3. they did not permit a review of internal police personnel files.

I did not engage in discussions regarding the terms of reference. I did not attend the earliest meeting with NSWPF regarding this, which occurred in Sydney in late October 2016. Having been provided terms of reference in the tender proposal, which I was not involved in drafting, I understood that the review was going to be very limited with respect to the evaluation of cases in summary form as the basis for categorisation.

B. Independence and process

It was my understanding that Assistant Commissioner Anthony Crandell sought a review of the cases by parties that were not tied in to the generation of the 'list of 88.' This may be why the NSWPF may have sought to include tenders from academic 'generalists' whose work had no previous relation to NSW bias crime incidence.

In undertaking instructions for the report, we dealt with somewhat changeable expectations. The understanding I had was that we would independently review the case summaries, but that ultimately there would be a consensus document. The report would be based on the collaborative work between the academic team and Strike Force Parrabell (SFP) under the guidance of Assistant Commissioner Crandell.

As academics we wanted to learn about the process of identifying the key indicators. The discussions with SFP were conducted to get behind the case summaries, particularly where the information or the selected categorisation left in doubt that the case summaries contained all the relevant information or whether there was a feature of that information that was being evaluated according to a convention that was not obvious. It was necessary to ascertain if something key was missing in the calculations by the other party. For us, we wanted to know what we may have been missing about a case that may have warranted a reconsideration. The purpose of the discussion of cases of disagreement was to discover what was key or most significant for each party when coming up with a finding.

Collaboration was engaged to explore the decision-making behind categorisations and processes. We were interested in learning enough so that if there were still differences in the weighing of indicators and scoring, it was not on the basis of mistaken interpretations or assumptions. We are not investigators and we understand that investigators make evaluations from experiences that we do not possess. That experience, and interpretation based on that experience (including reading of legal thresholds), is grounded, or assists the reliability of the finding. Discussions with police were helpful to capture some of this.

On the question of whether these discussions were directed at converting all participants to a common point of view, I reiterate that my view is that the discussions were aimed at coming to an understanding of how each party came to its finding. We were not looking to come to the same finding on the cases, although there was a predisposition to generously consider the alternative evaluation. We were aiming at a consensus document that reflected the work of the SFP (with input from the Bias Crimes Unit) in addition to our own analysis on the cases as per bias crime indications. We also received dossiers from ACON. These were the constituencies which offered input on the cases.

C. Evaluation and Evaluation Tools

As described in our report (Dalton and de Lint 2018: 68), the NSWPF Bias Indicator Response (BCIF) is a version of a tool created by the Department of Justice, the Department of Justice Office for Victims of Crime and the Massachusetts Justice Training Council by McLaughlin et al. (2000). The NSWPF form includes 9 indicator factors from the BCIF plus a tenth, level of violence.

The evaluation of bias crime by police for purposes of recording crime and otherwise is fraught. It is dependent on subjective evaluation or non-objective consensus or concordance-seeking devices. It requires but cannot deliver on an objective weighing of the role of all necessary and sufficient factors or ‘indicators.’ It involves context-dependent valuations, where that context involves fine grades of nuance in the cross-factor relationships that are difficult if not impossible to capture in a form simple enough to be of use to an investigating officer. Regarding the BCIF, as expressed by Martha Coakley (Coakley 2022: 16), ‘[n]either the Commonwealth or MA, nor the US DOJ, have or claim to have perfect models and perfect employment of them for addressing hate/bias crimes.’

The recommendations in our report include that there needs to be developed ‘better precision regarding the discovery, assessment and recording of bias crime (Dalton and de Lint 2018: 107) and that the NSWPF needs to develop a protocol for bias discovery that is prudent and grounded in evidence-based research’ (107). In this respect, Professor Lovegrove said that ‘there is good reason to doubt the reliability and validity of the BCIF as an indicator or measure of hate crime’ (Lovegrove 2022: 19). As he also observed,

‘[I]t is not clear why the Strike Force decided to use the BCIF. It may have been because it seemed plausibly applicable and because nine of the ten indicators found within it were sourced from a reputable Law Enforcement Agency (United States Department of Justice, Office for Victims of Crime). This surely represents tenuous reasoning, far from guaranteeing an instrument fit for purpose. What was needed was independent evidence demonstrating that the BCIF was both reliable and valid’ (Lovegrove 2022: 18).

Similarly, we stated that the BCIF instrument ‘is supported by practice-based rather than evidence-based adoption in a number of jurisdictions. As such, it requires empirical support that, thus far, is not evident’ (107). We also observed that the BCIF, to our knowledge, had no *social science* to support it, in terms of tests of the reliability and validity of the factors.

Levin and McDevitt (1993) originated the typology that is the basis for the BCIF, as developed by McLaughlin et. al (2000). McDevitt et al (2002) applied their typology to categorise 169 cases of reported and categorised bias crime by the Boston Police Department (Phillips 2009: 887). They did not test the BCIF as such, but did examine the fitness of their four categories of offender motivation. Phillips (2009) tested Levin and McDevitt's typology - not the BCIF as such - and found that it could not adequately distinguish bias crime unless it was an original motivator. She also found that it is inadequate for classifying the cases that are prosecuted as hate crime. She noted further that 'there are no empirical studies in which the typology has been systematically applied to a universe of cases forwarded to prosecutors in a particular jurisdiction' (Phillips 2009: 887). Otherwise, although the BCIF has been widely used as a training instrument, there are no empirical studies that have tested the typology against 'a universe of cases' (Phillips 2009: 887).

Professor Asquith (2022: 29) has charged that not exploring the research on the typology demonstrates a limited understanding of the hate crime typologies on our part. As evidenced in remarks in all three expert reports, there is no strong evidence that the determination of bias crime via the BCIF has been subjected and stands up to robust scrutiny of its methods and assumptions. This was our position and it is the conclusion of others who have researched in the field (eg. Phillips 2009; Gerstenfeld 2004). We also made the general point that there is altogether too much that is asserted with confidence on the foundation of a bias crime literature that is too thin in scientific and evidentiary support.

1. What is the purpose of the BCIF?

According to the expert report of Martha Coakley the BCIF is to serve a number of purposes and is variously described as a set of 'clues that professionals could look for' and allow investigators to 'rule in or rule out' that a crime was motivated by bias' (Coakley 2022: 12). 5 primary reasons for the use of the tool are noted, namely:

1. 'successful prosecution,
2. proper law enforcement and victim assistance response to victims and communities,
3. development of effective prevention programs and strategies,
4. accurate data collection to inform research, legislation, and public policy,
5. victim community awareness and understanding' (Coakley 2022: 9).

To the extent that the NSWPF adopted the BCIF and its multiple purposes, the consequence may include an invitation to be at cross-purposes. For instance, a sound prosecution and 'proper' law enforcement is a different objective than victim community awareness. Yet, Martha Coakley (2022: 10) observes that 'only with a conviction (by trial or by plea) are the indicators useful for the reporting of statistics.' She (2022: 16) also observes that 'recognising the bias and hate in our communities that often leads to threats, harassment, and violence is the first step in developing multi-pronged strategies to prevent and hold accountable those who act with bias and hate.'

In the exercise of assigning a finding of bias crime to a case it is best that there is a clear demarcation of audience and stipulation of purpose. It is problematic to think each audience and purpose can or ought to be similarly satisfied. In practice the discovery of bias crime is not at present hard science, and the multiplication of purposes only makes the question of attribution more parlous. It is my belief that placing a burden of multiple purposes for multiple constituencies on a tool that is not robust is not a recipe for public confidence.

2. What is its applicability?

There are amongst the expert reports a variety of views regarding the applicability of the BCIF. In a summary sentence by Associate Professor Lovegrove, 'there is good reason to doubt the reliability and validity of the BCIF as an indicator or measure of hate crime.' In contrast, Martha Coakley (2022: 12) states that the US-based BCIF is 'applicable to the universe of hate/bias crimes, not just LGBTIQ hate/bias crimes, nor just homicides.' Professor Asquith (2022: 26) contends that there is a large body of hate crime

motivation theorisation on, largely, the features of the Levin and McDevitt and Gruenewald and Kelley typologies.

However, Martha Coakley also states that ‘certain of the factors that might be relevant for race/national origin bias or bias based on religion would not necessarily be helpful in the gay hate/bias crime investigation, at least at the relevant time in NSW’ (Coakley 2022: 12). As she suggests, the use of US based indicators (cross burnings and organised hate groups) for purposes of discovering hate or bias crime in Australia is to stretch their utility. Professor Asquith (2022: 20) observes that ‘there is no consensus on how best to assess a crime as a hate crime’ given that there is much inter jurisdictional difference. Professor Asquith also observes that Levin and McDevitt is found wanting in ‘utility and meaning’ (Asquith 2022: 26, citing Gerstenfeld 2004).

Martha Coakley appears to criticise the use of the tool to categorise unsolved cases. Task Force Parrabell had deemed 23 of the cases unsolved, of which 19 were found to have insufficient information to categorise, but 2 of which were found to be consistent with anti-gay bias (the other two finding no evidence of bias). According to Martha Coakley (2022: 13), for unsolved cases,

‘the use of the BCIF alone would not assist the SFP police reviewers in identifying, or even categorising, gay hate/bias crime. A hate/bias crime requires proof of intent or motive; where no perpetrator and/or suspect has been identified, the SFP cannot address a crucial element needed for categorisation. It is thus not surprising that both the police summaries of investigations, and the review of just those summaries by the academic team, would result frequently in the conclusion that there was no evidence, or insufficient evidence that it was, or may have been a gay hate/bias crime.’

Here, Martha Coakley’s interpretation of the form appears to be at odds with other views of how the BCIF is to be used. For instance, it is also characterised as the ‘model protocol for bias crime *investigation*.’ It may be observed that the term ‘investigation’ by definition refers to cases that are in the process of being ‘solved.’ If the case file of an unsolved homicide includes indication or evidence of anti-gay bias on the part of an unknown perpetrator it may be categorised as such. In both unsolved *and* in solved crimes, there is a caveat that such a designation may be being made lacking strong evidence.

In this regard, Coakley (2022: 9, emphasis added) cites the Massachusetts model protocol in defining these indicators ‘as objective facts, circumstances, or patterns attending a criminal act’ ‘which standing alone or in conjunction with other facts or circumstances, *suggest* that the offender’s actions were motivated, *in whole or in part, by any form of bias.*’ She adds that they are ‘meant to help address the totality of the circumstances of the crimes, to allow investigators to follow evidence that could rule in, or rule out, that a crime had been motivated by hate/bias.’

Accordingly, it would seem that the use of the BCIF for a finding of a possible bias crime does not require a prior finding of the proof of intent or motive. The tool *may* be inadequate for classifying cases prosecuted as hate crimes, but *may* be useful for understanding cases in which bias is motivational (Phillips 2009).

3. How are indicators or factors weighed or scored?

Associate Professor Lovegrove (2022: 19) expressed the problem of weighing as follows:

‘With respect to each of the BCIF’s ten constituent elements (indicators), no consideration is given as to how each indicator or the accompanying prompts has the potential to inform the judgement about whether the homicide was motivated by hate.’

As described briefly in our report, we were unable to follow the NSWPF in applying the BCIF to score the cases. We encountered the following problems in that exercise. We found that the 10 dimensions lacked clear delineation. For instance, we found indicator 9, ‘lack of motive,’ unhelpful as a dimension, particularly where indicator 7, ‘motive of offenders’, is also a dimension and where other dimensions are additionally meant to suggest presumable motive.

The relationship of the 10 indicator categories to bias crime is identified by prompts. We found the use of gross descriptors under 'prompts' often unhelpful and occasionally incorrectly designated as prompts.

These included the following:

Prompt in 1: 'a group which is outnumbered' (outnumbered being unhelpful to get at the key term 'vulnerable')

Prompt in 2: 'victims may not be aware of the significance of gestures made' (how is this a 'prompt'?)

Prompt in 3: 'before discounting symbols, ensure that you understand the meaning of a symbol' (again, this is an instruction, not a prompt)

Prompt in 5: 'Victim has received previous harassing mail, email, social media posts or phone calls or has been the victim of verbal abuse (anti-gay) based on his affiliation with a targeted group' (this should simply be placed under communications)

Associated Professor Lovegrove (2022:20) asks us to 'consider the following components of the BCIF:

- (1) Differences': 'Victim is a member of a group which is outnumbered by members of another group ... ', 'Incident coincided with a holiday or date of significance ... ';
- (5) 'Previous existence of bias crime indicators ... ', 'Victim was visiting a location ... ';
- (7) 'Motive of offender/s: 'victim perceived to be breaking from traditional conventions or working non-traditional employment';
- (8) Location of incident: 'victim was in or near an area or place commonly associated with or frequented by members of a particular group', 'location of an incident has specific significance to the victim or POI group';
- (9) 'Lack of motive': 'No clear economic or other motive for the incident exists';
- (10) 'Level of violence': 'level of violence ... is greater than would be expected for a crime of that type'; 'weapons of opportunity are used ... ', 'The number of POI is greater than the number of victims and ... '.

As he observes, 'it is not clear that each of these components is, in fact, a useful and valid identifier of hate crime. And if any of these are useful and valid identifiers of hate crime, it is also not clear that they have been stated appropriately so that they can be easily and consistently applied by an investigator using the BCIF' (Lovegrove 2022: 20). As he very helpfully suggests, since they describe circumstances in very gross dimensions that may just as easily describe non-bias homicides this leaves a great deal open to subjective interpretation concerning the attribution of hate crime in the particular case.

Professor Lovegrove's opinion here does not appear to be shared by Martha Coakley or Professor Asquith, but regarding these views it is worth repeating that whilst the instrument may be adopted widely, that wide adoption is not evidence of its fitness for purpose.

There has been representation from Sergeant Geoffrey Steer to this Commission that the BCIF should have been used to instigate the 'reasoning out' of the evaluation of the incident as a bias crime. According to Sgt. Steer, the BCIF is to be used by front line police as 'just that trigger.' He also observed that 50% of submitted BCIF's from the investigating officers as potential bias are found not to be worthy of pursuit as such by the Bias Crime Unit.

This process of reasoning out is certainly what we were looking to see, but we did not see it in action, although I have no doubt that it occurred. We didn't see a write up or the exercise as it was undertaken. It is regrettable that the NSWPF was not able to resolve the hierarchy question between the Hate Crimes Unit Coordinator and SFP so that each party could participate to the best of their capacity. According to my memory of events, we were not informed that there was significant non-concordance between Sgt. Steer and

the TFP regarding a sample of cases. Again, this would have been information that would have been helpful to us.

I agree with Sgt. Steer's criticism that there was not enough discursive information given as to how a determination was arrived at in each indicator and then in coming up with the total or conclusion. Does the two tier system of scoring improve the chances that the tool discriminates with good reliability between true and false positives? This depends on consistency of its use and the soundness of its measures.

I believe more could have been provided to us regarding the use of the BCIF, particularly a demonstration of a determination through an illustration of the use of the tool. The genesis of Operation Parrabell through the work of Sgt. Steer and his stewardship of the instrument would have been something to consider; at least a lengthy meeting with Sgt. Steer would have been helpful, although it is not necessarily the case that we would be in complete agreement, it would have been especially useful to liaise with someone who has worked with this tool for many years.

In the absence of a nuanced discussion on the shortcomings of the BCIF with the contribution of all relevant parties, we developed a tool that we felt is more consistent with the thrust of Sgt. Steer's contention that it should not be a 'tick box' exercise.

4. Our evaluation instrument

The tool we developed was derived from an examination of the literature on bias regarding sexual identity, as set out in our report. It draws from conceptualisations of the terms that are also found in other tools like the BCIF. In the effort to distinguish the presence of this bias it refers to denunciatory non-identification by association with others and/or by proactive expression. These key elements are more or less present, producing a weighing into Type A, Type B and Type C. The types of bias crime delineated reflect some of the key distinguishing features of this violence.

There are mischaracterisations of our evaluation instrument in the expert reports.

First, as also observed above, we developed the tool because of significant problems with the NSWPF BCIF. Some of these were unique to the NSWPF SFP, but some were not. It is not correct to say that the problem is solved by simply applying that device, as suggested by Professor Asquith (2022: 68).

Second, Professor Asquith (2022: 65) makes reference to a lack of engagement with 'the international literature.' There are indeed multiple literatures that intersect on the questions of bias crime, sexual and gender identity, lethal violence, etc., some from the location Professor Asquith prefers and, of course, not all of which is cited in the brief review for the report.

Professor Asquith (2022: 70) observes, with emphasis, that if we or the NSWPF had deployed

'conventional typologies (such as those of McDevitt et al, or Gruenewald & Kelley 2014) or had access to the more recently developed heterosexist and cissexist risk assessment indicators created by Vergani et al, 2022 some of the determinations by the NSWPF SFP officers and the academic team *may* have been different.'

Obviously, we did not have access to work published subsequent to the publication of the Parrabell Report. As for the deployment of conventional typologies, there is much more criticism that can and has been levelled at the BCIF, not only by the commissioned expert, Associate Professor Lovegrove, but also by others who are cited by Professor Asquith (eg. Gersenzfeld 2004 and Phillips 2009). As Professor Asquith also notes, whilst Levin and McDevitt is found wanting in 'utility and meaning' (Asquith 26 citing Gerstenfeld 2004) our typology has certain consistencies with the work of Levin, McDevitt and Bennett (2002). Accordingly, and following the literature on bias motivation, we thought it best to review cases in terms of associations and relative proactivity. The indications of place, situation or communications assist to the discover more or less proactive and associative animosity that is expressed in the act.

Third, Professor Asquith (2022:62) provides an incorrect synopsis of our typologies. For example, she asserts that a Type C bias is restricted to a reaction a perceived slight on identity only. It includes but is not limited to these, as is clear from our description on page 133.

Fourth, a delineation and discovery of intention and/or motive is important to any categorisation that involves crime, particularly hate crime, and in the first instance, these concepts require a social or psychological designation, not a strictly legal definition, as appears to be assumed by Professor Asquith in part of her discussion (2022: 65).

Fifth, in this instance we restricted this exercise to the evaluation of bias/hate-crime homicides. A discussion of non-lethal targeted violence was out of scope. In our report we opted to be brief and to the point.

Sixth, it would have been preferable to subject the tool to the kind of reliability and validity exercises necessary in the development of such a device, as elaborated by Associate Professor Lovegrove. This was not possible with the time and resources available. We reiterate our recommendation that this is done. As we pointed out above, the BCIF also lacks this at present or did so at the time of the publication of the report.

Seventh, with respect to the retrospectivity of categories of bias crime across several decades, we have made the point that this is a very strong limitation on any attempt to evaluate the presence or absence of bias. In this regard, the term ‘LGBTIQ’ is not fixed but is dynamic or fluid in its denotation across place and time.

Eighth, there is a criticism that we did not sufficiently take advice from the ‘LGBTIQ community.’ We did receive and review information received from ACON. This is described in Appendix A of the Parrabell Report. This is not the only constituency interested in the factual record, nor is it presumed by us that any and all individuals in this constituency may be presumed to prefer a particular outcome regarding findings.

5. Over and under recording

Professor Asquith (2022: 6) observes that in her analysis of 100,000 hate crimes that were recorded by the Metropolitan Police Service between 2003 and 2008, she:

‘found no over-reporting. While some scholars are critical of the recording of hate incidents by police organisations, I believe that when these are dealt with as information-only (as is the case with NSWPF), then there is no attendant increased criminalisation. Rather, recording hate incidents enables police organisations to better map patterns and to intervene earlier when incidents become crimes.’

First, there is indeed a relation between reporting, recording and criminalisation. Social problems are understood on a finding of incidence and dangerousness (McNamara and Quilter 2016: 4-12) and these rely upon systems of measurement. The constituent phenomenon needs to be represented in interpreted data, or data that is made meaningful. That process is both objective and subjective. As we can see from comparative measurement across jurisdictions in which social and political measures are not dissimilar (or otherwise comparable), there will be a measurement artefact. Findings of numbers will vary (sometimes considerably) due to reporting and recording practice. This, in turn, is influenced by personnel training, resource commitments, unit configuration, leadership style or orientations, etc.

Second, as noted by McNamara et. al (2021), police intervention, stimulated by the capture of incidence as above, will naturally *not exclude* the question of criminal prosecution, amongst other potential remedies. For law enforcement, each incident is not ‘information only,’ nor should it be. Over-reporting and over-recording is not without consequence, but that is not to say under-reporting or under-recording is not without consequence.

D. Moral Panic

We wrote an academic paper subsequent to the publication of the Parrabell Report. The subject of the paper was the treatment of ‘the 88’ in the NSW and national media. It was a consequence of reflections concerning how established media received the publication of the report. It refers to the generation of facts and figures

regarding the extent of gay bias homicides in NSW. It reflects on how such facts and figures become totemic. It refers to the process by which a representation or mediated contention - that there are extraordinary levels of gay hate homicide in a jurisdiction (Sydney) - can be generated on a recycling of the factoid against the grain of known facts.

The number '88' and the relative quantity of unsolved cases suggests that there is an 'iceberg' of gay hate homicide. To be factually extraordinary, this figure must be sound comparatively and longitudinally. It must be more than what is found in comparable jurisdictions. It must use measures that are consistent and robust over time. That comparison with those measures has not been made. The NSW SFP did not support that there were 88 such cases. Claims-making that overreaches the facts to inflate the urgency with which an issue must be addressed is consistent with a constituent element of the moral panic concept.

A final point, which I reiterate, is that social norms are not stationary and values are not uniformly held or expressed by denizens of NSW. Multiculturalism involves tolerance of values across diverse normative constituencies. Police practices are mandated to be responsive to that democratic diversity and to the multiple value preferences of their constituent communities. The constituency of bias crime units and bias crime evaluators likewise ought to reflect the diversity in and of multicultural communities.

References

- Asquith, Prof. Nicole. 2022. Special Commission of Inquiry into LGBTIQ Hate Crimes Expert Report Professor Nicole L Asquith. Special Commission of Inquiry into LGBTIQ Hate Crimes.
- Coakley, Martha. 2022. Special Commission of Inquiry into LGBTIQ Hate Crimes Expert Report Martha Coakley. Special Commission of Inquiry into LGBTIQ Hate Crimes.
- Dalton, Derek and Willem de Lint. 2018. Strike Force Parrabell Final Report. New South Wales Police.
- Gruenewald, Jeff and Kristen Kelley, 2004 'Exploring Anti-LGBT Homicide by Mode of Victim Selection ' *Criminal Justice and Behavior* 41(9): 1130–1152.
- Gerstenfeld, Phyllis B 2004. Hate crimes: Causes, controls, and controversies. Sage
- Lovegrove, A/Prof Austin. 2022. Special Commission of Inquiry into LGBTIQ Hate Crimes Expert Report Associate Professor Austin Lovegrove. Special Commission of Inquiry into LGBTIQ Hate Crimes
- Levin, Jack and Jack McDevitt. 1993. Hate crimes: The rising tide of bigotry and bloodshed Westview.
- Levin, Jack, J. McDevitt and S. Bennett. 2002. 'Hate Crime Offenders: An Expanded Typology ' *Journal of Social Issues* 58(2): 303-17.
- McLaughlin, K. A., Malloy, S. M., Brilliant, K. J., & Lang, C. 2000. Responding to hate crime: A multidisciplinary curriculum for law enforcement and victim assistance professionals. Newton, MA: National Center for Hate Crime Prevention, Education Development Center.
- McNamara, Luke., Quilter, J., Hogg, R., Loughnan, A., Douglas, H., Brown, D. and Farmer, L., 2021. Understanding processes of criminalisation: Insights from an Australian study of criminal law-making. *Criminology & Criminal Justice*, 21(3): 387-407.
- McNamara, Luke. and Quilter, J., 2016. The 'bikie effect' and other forms of demonisation: the origins and effects of hyper-criminalisation. *Law in Context*, 34(2): 5-35.
- Phillips, Nickie D. 2009. 'The prosecution of hate crimes: The limitations of the hate crime typology ' *Journal of Interpersonal Violence* 24(5): 883-905.

