

A	B	C	D	E	F	G	H	I
Investigation No.	Victim/Deceased:	Date of Death:	Offender/POI:	Summary of Case:	Indicator - Present - SF PARRABELL Assessment	Indicator Present - Bias Crimes Unit Assessment	Summary of Indicator - S/F PARRABELL Assessment	Summary of Indicator - Bias Crimes Unit Assessment
1	63 Mervyn Thomas 'Tom' ARGAEAT	29/10/1993	Steven Craig BONNER	Mervyn 'Tom' ARGAEAT was a 38 year old homosexual male who was open about his sexuality. He was employed as a process worker. ARGAEAT was murdered at [REDACTED] Marrickville Road, Dulwich Hill, the home of Steven BONNER, by BONNER. BONNER was a 24 year old heterosexual male who was friends with ARGAEAT. ARGAEAT was found with a stab wound inflicted by BONNER after BONNER raised neighbours to contact emergency services. BONNER was charged with murder and acquitted by the Jury at trial for self defence.	Yes	Yes	Mervyn Thomas ARGAEAT was a homosexual male who was open about his homosexuality however did not much speak publicly about any personal details such as partners to others. He was often referred to by his middle name as Tom. In a statement from ARGAEAT's close friend of three years, [REDACTED] [REDACTED] she stated, "During conversations we have had in the past Tom told me he was homosexual." Steven Craig BONNER is a straight male whom has always had female partners. During the magistrate's summation, his testimony was read again to the Jury. In his version, he stated, "At the time (of ARGAEAT's death) I was going out with a girl called [REDACTED] [REDACTED] I want to make it clear, I am not homosexual. I never have been homosexual and never had any homosexual experience of any kind. I have always had girlfriends. I hold no prejudices against homosexuals. I have friends who are gay. I treat them the same as anybody else because they are the same as anybody else." Prior to the incident, ARGAEAT and BONNER were drinking at the Gladstone Hotel with their mutual friends, [REDACTED] [REDACTED] [REDACTED] and [REDACTED]'s male cousin, [REDACTED] [REDACTED] [REDACTED] and [REDACTED] are partners and there is no suggestion to the sexuality of [REDACTED]. All these persons went from the hotel to BONNER's address nearby and continued to drink prior to leaving BONNER and ARGAEAT alone at the residence where the incident occurred sometime later. There is no suggestion of ill will between the parties. ARGAEAT and BONNER had an argument 'two or three' weeks before the incident where, according to BONNER, "After a while we are just talking, he started subtly to bend the conversation around to the possibility of having sex. I told him that I was not gay. He seemed to get upset and very cranky. He got up, grabbed his beers and stormed out." Although bringing up this conversation again is said to have started the argument between ARGAEAT and BONNER, there is no suggestion to any physical animosity between the pair.	From the information available, the victim was openly homosexual. A friend of the victim stated, "During conversations we have had in the past Tom told me he was homosexual". The POI identified clearly as heterosexual, with him stating, "At the time (of ARGAEAT's death) I was going out with a girl called [REDACTED] [REDACTED] I want to make it clear, I am not homosexual. I never have been homosexual and never had any homosexual experience of any kind. I have always had girlfriends. I hold no prejudices against homosexuals. I have friends who are gay. I treat them the same as anybody else because they are the same as anybody else". There is no information any other differences that may have impacted on the case. This indicator is assessed as being present.
2	64 Barry WEBSTER	26/11/1993	Phillip CHAPMAN	Barry WEBSTER was a 41 year old homosexual male who had been jailed for sexually assaulting a 17 year old male. He was on welfare benefits and worked for St Vincent's De Paul two days a week. He was murdered at [REDACTED] Little Rudder Street, Kempsey by Phillip CHAPMAN. CHAPMAN was a 25 year old heterosexual male. WEBSTER and CHAPMAN were known to each other. WEBSTER was found months later buried under the verandah of a neighbours unit. He had extensive injuries to his head that were caused by being hit over the head repeatedly by a brick. CHAPMAN was charged with murder, pleaded guilty to manslaughter and received 8 years imprisonment with a non parole period of 5 years. The homosexual advance defence was used.	Yes	Yes	At the time of his murder, WEBSTER appeared to be known by his neighbours and associates as a homosexual male. WEBSTER had been married in the past to [REDACTED] [REDACTED] to whom he had a child with, [REDACTED] [REDACTED] stated, "I am aware that Barry (WEBSTER) is a homosexual [REDACTED] [REDACTED] described a violent interaction the night of their wedding, on 18 February 1982. As a result she stayed with her parents that night. [REDACTED] [REDACTED] stated, "The next morning I went back to Park Avenue (their home at the time) and I let myself in and walked to the bedroom and I found him in bed with a 16 year old boy." [REDACTED] [REDACTED] also went on to say that she was "...aware that since that time he has had a number of affairs with men and boys. He also went to gaol after sexually assaulting Norman [REDACTED] [REDACTED] who was at the time [REDACTED] [REDACTED] was 17 years old." Phillip CHAPMAN, upon his arrest participated in an electronically recorded interview. During this interview CHAPMAN spoke about his knowledge of WEBSTER's sexuality and made comment on him being straight stating, "Well I got told actually that Barry was a homosexual and - and [sic] I made it distinctly clear, you know, that, 'Hey, gays are tolerable but as long as they stay on their side of the fence and I stay on mine'. So, in other words, I'm straight and he's gay, and that's what it was, you know." There is no known historical animosity between CHAPMAN and WEBSTER. During interview CHAPMAN was asked if he had ever had any conversations with WEBSTER in relation to his sexuality. CHAPMAN replied, "Well when Barry was drunk, he - yeah, he brought up - actually brought it up in front of a few people that he was a homosexual and it didn't go down well... it was made clear in - when I first met him, that I was straight and he was a homosexual, so in roundabout terms, I'd say, yeah, yeah" CHAPMAN and WEBSTER often drank together with evidence suggesting that despite CHAPMAN being aware of WEBSTER's sexuality, he did not have issue with this.	It is clear from the information supplied that the victim was homosexual. The victim was caught by his wife with a 16 year old boy in their bed on their wedding night and the victim had been charged with sexual intercourse with a 17 year boy (prior to the age of homosexual consent being dropped to 16 years old). The victim made it publicly known that he was homosexual. The victim also expressed a sexual interest in young boys with the POI stating that whilst watching a movie with the victim he had commented that he would like to have sex with 12 year old in the movie. It is unknown if the victim was a paedophile. The youngest reported sexual partner was 16 years old and their is no information to indicate that the sexual encounter was non-consensual. The POI stated that during the interview that he was heterosexual and that was clear to the victim. The POI stated, "Well I got told actually that Barry was a homosexual and - and [sic] I made it distinctly clear, you know, that, 'Hey, gays are tolerable but as long as they stay on their side of the fence and I stay on mine'. So, in other words, I'm straight and he's gay, and that's what it was, you know." Although the POI states that "gays are tolerable", the follow up comment "but as long as they sat on their side of the fence and I stay on mine." indicates that the POI had some level of bias towards homosexuals. The comment is defensive and the utilisation of the word "fence" suggests the placing of a barrier between homosexuals and the POI, a form of 'othering'. The comment by the POI does not indicate clear animus towards homosexuals but indicates a level of bias. This indicator is assessed as being present.
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	J	K	L	M	N	O	P
	Indicator Present - S/PARRABELL Assessment	Indicator Present - Bias Crimes Unit Assessment	Summary of Indicator - S/F PARRABELL Assessment Copy	Summary of Indicator - Bias Crimes Unit Assessment Copy	Indicator Present - S/PARRABELL Assessment	Indicator Present - Bias Crimes Unit Assessment	Summary of Indicator - S/F PARRABELL Assessment
1	No	No	No direct witnesses were identified or believed to have been at the scene at the time ARGÆT and BONNER fought. There is no evidence to suggest any bias related comments were made from BONNER toward ARGÆT. [1108] lived above BONNER and was the first person BONNER spoke to after in the incident with ARGÆT. [1108] gave evidence at Coroners Court where she recounts what BONNER said to her directly after the assault when BONNER had asked her to call an Ambulance for ARGÆT. "He thanked me and then he said that he'd had an argument with the guy and said he was gay and that he'd tried this on him before and he'd told him not to."	There is no information supplied that indicate that the POI made any bias related comments towards the victim. There is no information supplied that indicates the victim had expressed any bias related comments, gestures or statements prior to the incident (at any stage) or after the event to indicate any animus towards the victim due to his sexuality. This indicator is assessed as not being present.			Five colour photographs were available of the crime scene and knife used to cause the injuries towards ARGÆT. None of these photographs show any bias related drawings, markings, symbols or graffiti. No symbols were identified throughout the investigation.
2	No	Not Determined	The only available information in regards to the events surrounding the murder of WEBSTER is gleaned from the record of interview completed by CHAPMAN following his arrest. CHAPMAN claims that conversation was had between the two in respect to WEBSTER expressing his desire to engage in sexual activity with a child star on the movie they were watching. There is no evidence suggesting CHAPMAN responded adversely to these comments. There is no evidence suggesting CHAPMAN made any bias related comments, written statements or gestures to WEBSTER during the murder.	There is no independent witnesses to the murder of the victim. The POI stated in his interview that the victim made a comment whilst watching the a movie about a desire to have sex with the 12 year old actor. These comments do not appear to have been taken well by the POI with him stating, "didn't go down well with me." No other comments are known to have been made. The comments of the POI in relation to the comments by the victim did not go down well with him were further explored in the interview (ER-34). The investigators in Q 56 (pg 9) asked the POI about his comments. The POI stated, "And it sort of upset me as I don't like child molesters. I think they are filthy individuals, you know. But - yeah, that's - that's what he was going on about to start off with, yeah." The comments of the POI suggest that he was offended more by the paedophilia context than the homosexual aspect of the comments. The links in the POI's mind between paedophilia and homosexuality have not been explored and so it is unknown if the POI linked these concepts or had separated them in his mind. It should be noted that the definition of adversely as stated in the S/F PARRABELL assessment is not explained. In the opinion of the Bias Crimes Unit, being upset by the comments would be considered an adverse reaction to the comments of the victim. Additional lines of enquiry include; * Exploration of the link the POI had made between paedophilia and homosexuality * Exploration of what upset the POI about the comments (the age of the child or the sexual act or both) As the POI's response to being upset (whether a comment was made or a gesture was made) is not known, partially due to the POI's memory lapse due to length of time between crime and interview and the impact of drug/alcohol, an assessment of this indicator cannot be made and as such it is assessed as, "Not Determined".	No	No	41 photographs of the scene and also the skeletal remains of WEBSTER located in situ underneath the building as well as photographs of the post-mortem examination all failed to depict or describe any bias related drawings, markings, symbols or graffiti. No photographs of CHAPMAN were observed during the review.
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	Q	R	S	T	U	V	W	X
	Summary of Indicator - Bias Crimes Unit Assessment	Indicator Present - S/F PARRABELL Assessment	Indicator Present - Bias Crimes Unit Assessment	Summary of Indicator - S/F PARRABELL Assessment	Summary of Indicator - Bias Crimes Unit Assessment	Indicator Present - S/F PARRABELL Assessment	Indicator Present - Bias Crimes Unit Assessment	Summary of Indicator - S/F PARRABELL Assessment
1	<p>There is no information supplied that indicates any bias related drawings, markings, symbols or graffiti at the crime scene or the surrounding area. There is no information to indicate if the POI had any tattoos that would indicate membership in a hate group or affiliation to any extremist ideology. Given previous comments by the POI as to not being having an issue with gays and the fact that all accounts the victim and POI were friends, it is not expected that the POI has any affiliation with hate groups or extremist ideologies towards the LGBTI community.</p> <p>This indicator is assessed as not being present.</p>	No	No	<p>ARGAET was stabbed and died at the home unit of BONNER, located at [REDACTED] Marrickville Road, Dulwich Hill. No objects or items representing an OHG were located at the scene by investigating officers. BONNER admitted to stabbing ARGAET and claimed self defence. There is no evidence to suggest a second offender nor was that BONNER part of an OHG nor were any OHG's identified in the area.</p>	<p>There is no information supplied to indicate any hate group paraphernalia was located at the crime scene. It should be noted that the crime scene was the residence of POI. As stated in indicator 3 there is no information to suggest that the POI was a member or affiliated with any hate group. Given that the POI and the victim were friends and that the victim, POI and other friends had been drinking together earlier in the evening before returning to the POI's premises to continue drinking there is no evidence to suggest that any hate group had access to the POI's premises.</p> <p>This indicator is deemed not applicable and therefore is assessed as not being present.</p>	No	No	<p>The incident occurred at BONNER'S home address at unit [REDACTED] Marrickville Road, Dulwich Hill. There are no recorded incidents of bias crime having occurred at this location. There is no evidence or previous reported incidents that suggest ARGAET had been receiving harassing mail, email or phone calls because of his sexuality. BONNER was not known to have been victim to or engaged in any recent bias incidents or crimes that may have sparked retaliatory bias crimes.</p>
2	<p>There is no information to indicate that any bias related drawings, markings, symbols or graffiti was at the location, on the victim's body or in the surrounding area. There is no information to indicate if the POI had any tattoos that may indicate belief or interest in any extremist ideology.</p> <p>This indicator is assessed as not being present.</p>	No	No	<p>There were no other items left at the scene following the murder. The brick, whilst the weapon used to inflict the injuries to WEBSTER, does not represent the work of an OHG. CHAPMAN was arrested approximately four months after WEBSTER'S disappearance following the discovery of WEBSTER'S remains. CHAPMAN was interviewed during which he made admissions to assaulting WEBSTER before placing him in his bed and leaving the premises [REDACTED] Little Rudder Street, Kempsey). CHAPMAN returned three days later, removed the body and secreted it at the location where it was eventually found. No other persons claimed responsibility for the murder of WEBSTER. There is no evidence to suggest CHAPMAN was affiliated with an OHG or that the MO was that of an OHG.</p>	<p>There is no information to indicate that the POI was a member or associated with any hate group. The murder involved only the victim and POI and there is no evidence of hate group activity at or near the location.</p> <p>This indicator is assessed as not being present.</p>	Yes	Not Determined	<p>Evidence suggests a recurring theme amongst WEBSTER'S neighbours in respect to them not wanting much to do with WEBSTER because of his sexuality and speculation surrounding him being involved with children. Neighbour [REDACTED] stated, "I never myself had a drink with Yowie [WEBSTER], in particular because I learned that he was a bi-sexual so I wanted nothing to do with him." [REDACTED] described an incident, prior to the murder, where he heard WEBSTER being assaulted by an unknown Aboriginal male. He was in the company of Phillip CHAMPMAN; "He was being hit hard and was really screaming out... I was going to go and see how he was but Phillip and [REDACTED] said not to worry about him. I wasn't too concerned because I heard he was a 'rockspider'" It is not known what was the motivator behind the argument with the aboriginal male however it is likely that WEBSTER'S sexuality and the perception that he was involved with underage boys may have been cause for him to be victim of verbal and physical abuse. There is no evidence to suggest CHAPMAN murdered WEBSTER because of a knowledge or perception surrounding WEBSTER'S sexuality or involvement with underage boys.</p>
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	Y	Z	AA	AB	AC	AD	AE
	Summary of Indicator - Bias Crimes Unit Assessment	Indicator Present - SF PARRABELL Assessment	Indicator Present - Bias Crimes Unit Assessment	Summary of Indicator - S/P PARRABELL Assessment	Summary of Indicator - Bias Crimes Unit Assessment	Indicator Present - SF PARRABELL Assessment	Indicator Present - Bias Crimes Unit Assessment
1	<p>As stated previously the incident occurred at the POI's address. There is no information to indicate that the POI was involved in any bias motivated incidents at this location or that the POI was involved in any bias motivated incidents in the past.</p> <p>This indicator is deemed to be not applicable and is therefore assessed as not present.</p>	No	No	<p>There were no direct witnesses to the fight between BONNER and ARGAEET that led to ARGAEET'S death. Shortly after the incident, BONNER spoke to his neighbour [redacted] asking her to call an Ambulance whilst he attended to ARGAEET. During this conversation, he spoke of how ARGAEET had attempted to have sex with him against his wishes. [redacted] gave evidence in Coroners Court and during this; she did not portray BONNER in a homophobic light.</p>	<p>There is no information supplied to indicate there were any witnesses to the altercation between the POI and the victim. A neighbour who the POI spoke to to call an ambulance did not indicate during the Coronial Inquest that the POI expressed any homophobic views and did not paint the POI as being homophobic.</p> <p>This indicator is assessed as not being present.</p>	No	No
2	<p>From the information supplied there is an indication that the lifestyle choice of the victim was not widely accepted by the victim's neighbour's. There is no information supplied to indicate that the victim had been the target of bias motivated incidents or crimes. It is unknown if this was explored by the investigators. Given the circumstances of the crime the involvement of previous bias incidents is not applicable to the crime, unless they were committed by the POI. The information in relation to the crime suggest that the POI was preventing a sexual assault and the incident was not a random attack. There is no information to indicate that the POI had committed any bias motivated crimes previously, however the POI had expressed on previous occasions to the victim that "he would smash him" if he kept touching him, in relation to the occasions when the victim was drunk and would touch the POI and speak dirty to him and get out of hand.</p> <p>It should be noted that the POI was present when an unknown Aboriginal male assaulted the victim for unknown reasons. It is suspected that the assault may relate to the sexuality of the victim and his interest in children. It is unknown what role the POI had in this assault. A neighbour was going to check on the victim, but was told by the POI not to worry about checking on him. The reasons for why the POI would not want the victim checked on in unknown.</p> <p>Additional lines of enquiry include;</p> <ul style="list-style-type: none"> * The role the POI had in the previous assault in the victim * Why the POI told the neighbour not to check on the victim * The reason for the assault <p>Due to the outstanding questions this indicator cannot be determined and is assessed as 'Not Determined'.</p>	No	No	<p>There were no actual witnesses to the murder of WEBSTER. Although a number of the witnesses spoken to were aware WEBSTER had been incarcerated for a sex offence involving a child. There is no information available that suggests a perception that WEBSTER'S disappearance and murder to have been motivated by bias.</p>	<p>There were no witnesses to the murder and there was no approach by any persons to indicate a belief the murder was bias motivated.</p> <p>The indicator is assessed as not being present.</p>	No	Not Determined
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AF	AG
<p>Summary of Indicator - S/F PARRABELL Assessment</p>	<p>Summary of Indicator - Bias Crimes Unit Assessment</p>
<p>1</p> <p>BONNER was originally from New Zealand and had only been in Australia for a few years prior to this incident. In his time in Australia, he had no adverse dealings with Police. From his own admissions in Court, BONNER stated that he had previous convictions when he was younger in New Zealand being at a bar when he was a minor; a willful damage charge and for stealing a motor vehicle. There is no evidence to suggest these crimes were targeted against any particular group.</p>	<p>From the information supplied there is no information to indicate that the POI had any animus towards the LGBTI community. The victim is deemed to be considered to be breaking from traditional conventions, through be homosexual in a heterosexual society where homosexuality is considered immoral. However as previously indicated in Indicator 1 the POI has not expressed any anti-gay bias and stated in Court, "I hold no prejudices against homosexuals. I have friends who are gay. I treat them the same as anybody else because they are the same as anybody else". From the facts of the case as supplied the POI believed that he was going to be sexually assaulted by the victim and defended himself to prevent any such attack from occurring. There is no evidence to indicate that the actions by the POI were either wholly or partially motivated by bias.</p> <p>This indicator is assessed as not being present.</p>
<p>2</p> <p>Prior to the murder of WEBSTER, CHAPMAN had no recorded incidents involving high levels of violence. There is no evidence to suggest CHAPMAN was a member of or associated with an OHG. During interview CHAPMAN "...admitted to being with WEBSTER, in his flat, on or about the 26 November 1993. After consuming an amount of alcohol and cannabis CHAPMAN became aware that he was being dragged by WEBSTER to his bedroom. CHAPMAN picked up a house brick and struck WEBSTER about the head a number of times. He fell to the floor and CHAPMAN placed him in his bed and left the premises. CHAPMAN returned 3 days later, removed the body and secreted it at the location where it was eventually found. Evidence suggests a recurring theme amongst WEBSTER'S neighbours in respect to them not wanting much to do with WEBSTER because of his sexuality and speculation surrounding him being involved with children. There is no evidence to suggest CHAPMAN murdered WEBSTER because of a knowledge or perception surrounding WEBSTER'S sexuality or involvement with underage boys. CHAPMAN justified his actions purely as a result of an unwanted homosexual advance. CHAPMAN during interview recalled WEBSTER "... grabbing me and then we was near the bedroom, I just picked up a brick that was a door stopper and I smashed him on the head with it to stop him touching me because he definitely was taking me in the room for sex and I didn't want no part of that because I'm not a homosexual" CHAPMAN was allegedly saying "I want to take you in to bedroom. I want to take you now" "That's when I [CHAPMAN] sort of snapped out, realised that he was in the raw (nude) and he had me by the arm pretty hard and I was pretty pissed and the only - the only method of escape away from that was me hitting him with a brick. Just to stop him doing that because I didn't want him to do it."</p>	<p>The POI stated that his motive was to prevent being sexually assaulted by the victim. The POI stated, "... grabbing me and then we was near the bedroom, I just picked up a brick that was a door stopper and I smashed him on the head with it to stop him touching me because he definitely was taking me in the room for sex and I didn't want no part of that because I'm not a homosexual" CHAPMAN was allegedly saying "I want to take you in to bedroom. I want to take you now" "That's when I [CHAPMAN] sort of snapped out, realised that he was in the raw (nude) and he had me by the arm pretty hard and I was pretty pissed and the only - the only method of escape away from that was me hitting him with a brick. Just to stop him doing that because I didn't want him to do it."</p> <p>It can be accepted that the POI was fearful of being sexually assaulted by the victim and that he was trying to stop the assault when he hit the victim with a brick, however an understanding of the victim's mindset is unknown. The POI has expressed that although he tolerated the victim's sexuality, the language used suggests a lack of comfortableness about the victim's sexuality. The POI also stated that he found the comments by the victim in relation to child sex upsetting with the POI stating "And it sort of upset me as I don't like child molesters. I think they are filthy individuals...". The question that remains and that is key to determining motive is did the POI make a connection between homosexuality and paedophilia. If so the level of violence and the actions of the POI may indicate that he was at least partially motivated by animus based on sexual orientation.</p> <p>Replacing the victim in this circumstance is a critical consideration to be considered. If the victim was replaced with a heterosexual male would the POI would the have used the same level of violence against the victim. This was not explored.</p> <p>A factor that must be considered is the level of intoxication of the POI and the influence of cannabis on the POI's mindset. Alcohol is a disinhibitor (reduces the inhibitions) which would increase the likelihood that any animus the POI had towards the victim due to his sexual orientation or life style choices would be more likely to be expressed and to influence the POI's actions.</p> <p>The actions of the POI after the incident although questionable may not directly indicate any bias motivation. Fear (anxiety) of what he had done and fear (anxiety) about being caught may be the primary motivator for these actions.</p> <p>Additional lines of enquiry include;</p> <ul style="list-style-type: none"> * Determining the level of animus the POI had towards homosexuals * Determining the level of animus the POI had towards paedophiles * Understanding the connection the POI had made between homosexuality and paedophilia * Determining if the POI struck the victim after the attack had been defeated and if so how many times * Understanding the actions of the POI after he had assaulted the victim <p>The motive of the POI is not a singular question, i.e. did he assault the victim to stop the sexual assault. The motive is more complex and given the issues identified above the question of motive has not been determined. Based on the available information it is not possible to determine if any bias motivation existed and as such the indicator is assessed as, 'Not Determined'.</p>
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AH Indicator - Present - SF PARRABELL Assessment	AI Indicator Present - Bias Crimes Unit Assessment	AJ Summary of Indicator - S/F PARRABELL Assessment	AK Summary of Indicator - Bias Crimes Unit Assessment	AL Indicator - Present - SF PARRABELL Assessment	AM Indicator Present - Bias Crimes Unit Assessment	AN Summary of Indicator - S/F PARRABELL Assessment	AO Summary of Indicator - Bias Crimes Unit Assessment	AP Indicator - Present - SF PARRABELL Assessment	AQ Indicator Present - Bias Crimes Unit Assessment
1 No	No	<p>The incident occurred at BONNER'S address in Dulwich Hill. There is no evidence to suggest that homosexual males attended this address on a frequent basis. Although BONNER appeared to have no aversion against homosexual people, he does not appear to have any sexual preference for males. "At the time (of ARGAEET'S death) I was going out with a girl called [REDACTED] I04 [REDACTED]. I want to make it clear, I am not homosexual. I never have been homosexual and never had any homosexual experience of any kind. I have always had girlfriends. I hold no prejudices against homosexuals. I have friends who are gay, I treat them the same as anybody else because they are the same as anybody else." The location was the home address of BONNER. ARGAEET suggested to the group of friends that they go there to drink more alcohol after the Gladstone Hotel shut. This was a regular occurrence and BONNER'S address was usually chosen as it is very close to the Gladstone Hotel. ARGAEET had been at BONNER'S address on previous occasions.</p>	<p>The location of the incident was the private residence of the POI. The location had no significance to the LGBTI community and was not a place regularly frequented by the LGBTI community.</p> <p>This indicator is assessed as not being present.</p>	No	No	<p>ARGAEET was invited back to BONNER'S residence along with three other friends to consume further beers after the Gladstone Hotel closed for the night. According to BONNER, after asking ARGAEET to leave as he was getting tired, ARGAEET "got to his feet and started screaming. He was almost hysterical, and he said, 'If I want to fuck you I'll fuck you.'" After this comment, BONNER claims ARGAEET grabbed him and they started to wrestle where he believed ARGAEET was about to sexually assault him therefore stabbing him with a knife to the throat. There is no evidence to suggest there was an economic reason or motive in the attack against ARGAEET.</p>	<p>The motive for the incident appears to be self defence on the part of the POI. As outlined above there is no evidence to indicate that the POI had any animus towards the LGBTI community and from all reports the victim and POI were friends. Information supplied by the POI indicates that the POI asked the victim to leave as he was tired and wanted to go to bed. The victim allegedly stood and yelled, "If I want to fuck you I'll fuck you." The victim allegedly grabbed the POI and a wrestle ensued. During the confrontation the POI has grabbed a kitchen knife to defend himself. The POI stated, "I grabbed that (knife) and pushed at him with the knife to get him away from me. I was desperate not to end up on the ground because at that stage I believed he was trying to rape me or hurt me. Also because of the stairway right beside us, I didn't want to fall down that and end up cracking my head" The victim suffered one stab wound to the throat, this level of injury is not consistent with a bias motivated attacks where rage is generally a factor and multiple wounds are sustained to the victim. Research indicates that bias crimes victims generally suffer greater physical wounds than non bias crime victims. From all information available it appears that the incident motivation was self defence from a sexual assault.</p> <p>As a motive has been identified this indicator is assessed as not being present.</p>	No	No
2 No	No	<p>WEBSTER was murdered in his unit at [REDACTED] Little Rudder Street, Kempsey. This location was not commonly associated with or known to be frequented by other homosexual males. There is no evidence to suggest the location of the incident had any specific significance to either WEBSTER or CHAPMAN other than being WEBSTER'S residence.</p>	<p>The location of the murder was the private residence of the victim. There is no information to indicate that location had any significance to either the LGBTI community or the local community.</p> <p>It is assessed that this indicator is not applicable and is therefore not present.</p>	No	No	<p>CHAPMAN provided a clear motive for the murder of WEBSTER during interview justifying his actions purely as a result of an unwanted homosexual advance. CHAPMAN told investigators during interview, I can remember him [WEBSTER] grabbing me and then we was near the bedroom, I just picked up a brick that was a door stopper and I smashed him on the head with it to stop him touching me because he definitely was taking me in the room for sex and I didn't want no part of that because I'm not a homosexual" "That's when I [CHAPMAN] sort of snapped out, realised that he was in the raw (nude) and he had me by the arm pretty hard and I was pretty pissed and the only - the only method of escape away from that was me hitting him with a brick. Just to stop him doing that because I didn't want him to do it." CHAPMAN decided to make "it look like a robbery" by removing a number of personal belonging's owned by the flat mate. [REDACTED] I10 [REDACTED] CHAMPAN describes secreting the body under the house, beneath the veranda"... so I just easily prised them up (floor boards) and just put his body in and then got in and dug a hole, well, just throw dirt and his blanket over him" Whilst property was taken from WEBSTER'S unit, robbery does not appear to be a motive with it being an afterthought in an effort to conceal the murder. There is no evidence to suggest any economic other motive.</p>	<p>The POI stated that the reason for the murder was the attempt by the victim to sexually assault him.</p> <p>The motive is not unknown as one is outlined by the POI, as such this indicator is assessed as not being present.</p>	Yes	Yes
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	Summary of Indicator - S/F PARRABELL Assessment	Summary of Indicator - Bias Crimes Unit Assessment	S/F PARRABELL Classification
1	<p>During the struggle that ultimately led to the death of ARGÆT, BONNER used a 32 centimetre knife from his kitchen block and stabbed him once towards the throat causing the fatal injuries. According to BONNER'S version of events, "I grabbed that (knife) and pushed at him with the knife to get him away from me. I was desperate not to end up on the ground because at that stage I believed he was trying to rape me or hurt me. Also because of the stairway right beside us, I didn't want to fall down that and end up cracking my head." In Justice DOWD'S summation in the Supreme Court to the Jury, he instructed them to consider if the accused [BONNER] actions were proportionate to the threat he felt from ARGÆT. The Jury returned a verdict of not guilty to both murder and manslaughter for BONNER. The knife used appears to have been a weapon of opportunity which BONNER used as self defence against ARGÆT.</p>	<p>As outlined in indicator 9 the motive appears to be self defence. The victim was stabbed once to the throat with a 32cm kitchen knife (weapon of opportunity). From the statement of the POI it is apparent that the victim had expressed a desire to sexual assault the victim and attacked the POI with the apparent intention to have sexual intercourse with the POI. The POI in attempt to defend himself from this unwarranted sexual assault has grabbed a weapon to try and protect himself. The POI stated he was fearful of being brought down to the ground where he believed that he would be sexually assaulted or that he would hit his head if he fell down the nearby stairs. The fear that the POI experienced and the action taken to prevent the assault appears reasonable and not excessive. The victim was stabbed to the throat once, not multiple times. The victim suffered no other injuries that would indicate the POI used excessive force or attacked the victim after he was no longer an immediate threat. Information from a neighbour indicates that the POI sought medical attention for the victim. There is no evidence to indicate that there was anyone present at the location other than the victim and the POI.</p> <p>One piece of information that is not supplied is the comparative sizes of the victim and POI. To assist in either justifying or countering the argument of self defence by the POI it would be important to have an understanding of the physical sizes of the victim and POI. If the POI was smaller than the victim the POI's actions would be reasonable. If the POI was larger and stronger than the victim an argument could be made that the use of a weapon would not be reasonable. Having said that it is important to understand the psychological processes involved in the fight/flight response and that rational thought does not always play a part. The physical size of the POI may be negated if his psychological processes perceived the threat great than what he believed or was experienced to deal with.</p> <p>Additional lines of enquiry identified include:</p> <ul style="list-style-type: none"> * The comparative physical sizes of the victim and the POI <p>Given the available information, it is assessed that excessive violence was not a factor and that this indicator is not present. The above additional line of enquiry may possible change this view but it is important the physiological and psychological processes of fear and fight or flight responses are factored in.</p>	Not Bias Crime
2	<p>After consuming an amount of alcohol and Cannabis CHAPMAN became aware that he was being dragged by WEBSTER to his bedroom. CHAPMAN picked up a house brick and struck WEBSTER about the head a number of times. He fell to the floor and CHAPMAN placed him in his bed and left the premises. CHAPMAN returned 3 days later, removed the body and secreted it at the location where it was eventually found. The direct cause of death was (a) Blunt force injuries to the head. Given the circumstances, as described by CHAPMAN, the level of violence displayed in inflicting such injuries as a result of an unwanted sexual advance is greater than what would generally be expected.</p>	<p>From the interview with the POI it is clear that the POI struck the victim several times to the head with a brick used as a door stop at the location. The POI cannot recall the number of times that he struck the POI to the head but stated in the interview, "No, I can't recall, but it was more than a couple." (ER-34 - Question 73). The POI described the impact of the brick as, "He went down, he went straight down." (ER-34 - Question 74). The POI further stated, "I - I was still hitting him as he went down to the floor. So it was more than a couple of times I hit him, but it wouldn't have been too many." (ER-34 Question 75). The POI cannot recall if he hit the victim once he was on the floor (ER-34 Question 76).</p> <p>Given the information as supplied by the POI that the first hit dropped the victim to the floor and that he continued to strike the victim as he fell and it is unknown if the POI struck the victim once on the floor, it would appear that the level of violence was greater than required to prevent the attack on the POI by the victim.</p> <p>It is assessed that this indicator is present.</p>	Suspected Bias Crime
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	AU	AV	AW
<p>S/F PARRABELL Reasoning:</p>	<p>Bias Crimes Unit Assessment - Areas for Further Investigation:</p>	<p>Bias Crimes Unit Classification:</p>	
<p>1</p> <p>Mervyn Thomas ARGAE was a homosexual male who was open about his homosexuality however did not much speak publicly about any personal details such as partners to others. He was often referred to by his middle name as Tom. In a statement from ARGAE's close friend of three years [REDACTED] [1103] she stated, "During conversations we have had in the past Tom told me he was homosexual." Steven Craig BONNER is a straight male whom has always had female partners. During the magistrate's summation, his testimony was read again to the Jury. In his version, he stated, "At the time [of ARGAE's death] I was going out with a girl called [REDACTED] [1104] I want to make it clear, I am not homosexual. I never have been homosexual and never had any homosexual experience of any kind. I have always had girlfriends. I hold no prejudices against homosexuals. I have friends who are gay. I treat them the same as anybody else because they are the same as anybody else." Prior to the incident, ARGAE and BONNER were drinking at the Gladstone Hotel with their mutual friends [REDACTED] [1105] and [REDACTED] [1106] and [REDACTED] [1107] All these persons went from the hotel to BONNER's address nearby and continued to drink prior to leaving BONNER and ARGAE alone at the residence where the incident occurred sometime later. There is no evidence to suggest any bias related comments were made from BONNER toward ARGAE. [REDACTED] [1108] lived above BONNER and was the first person BONNER spoke to after in the incident with ARGAE. [REDACTED] [1108] gave evidence at Coroners Court where she recounts what BONNER said to her directly after the assault when BONNER had asked her to call an Ambulance for ARGAE. "He thanked me and then he said that he'd had an argument with the guy and said he was gay and that he'd tried this on him before and he'd told him not to."</p> <p>The incident occurred at BONNER's home address at unit [REDACTED] Marrickville Road, Dulwich Hill. There are no recorded incidents of bias crime having occurred at this location. There is no evidence or previous reported incidents that suggest ARGAE had been receiving harassing mail, email or phone calls because of his sexuality. BONNER was originally from New Zealand and had only been in Australia for a few years prior to this incident. In his time in Australia, he had no adverse dealings with Police. From his own admissions in Court, BONNER stated that he had previous convictions when he was younger in New Zealand being at a bar when he was a minor- a wilful damage charge and for stealing a motor vehicle. There is no evidence to suggest these crimes were targeted against any particular group. ARGAE was invited back to BONNER's residence along with three other friends to consume further beers after the Gladstone Hotel closed for the night. According to BONNER, after asking ARGAE to leave as he was getting tired, ARGAE "got to his feet and started screaming. He was almost hysterical, and he said, 'If I want to fuck you 'll fuck you.'" After this comment, BONNER claims ARGAE grabbed him and they started to wrestle where he believed ARGAE was about to sexually assault him therefore stabbing him with a knife to the throat. There is no evidence to suggest there was an economic reason or motive in the attack against ARGAE. During the struggle that ultimately led to the death of ARGAE, BONNER used a 32 centimetre knife from his kitchen block and stabbed him once towards the throat causing the fatal injuries. According to BONNER's version of events, "I grabbed that (knife) and pushed at him with the knife to get him away from me. I was desperate not to end up on the ground because at that stage I believed he was trying to rape me or hurt me. Also because of the stairway right beside us, I didn't want to fall down that and end up cracking my head." In Justice DOWD'S summation in the Supreme Court to the Jury, he instructed them to consider if the accused [BONNER] actions were proportionate to the threat he felt from ARGAE. The Jury returned a verdict of not guilty to both murder and manslaughter for BONNER. The knife used appears to have been a weapon of opportunity which BONNER used as self defence against ARGAE.</p>	<p>Additional lines of enquiry identified include;</p> <p>* The comparative physical sizes of the victim and the POI</p>	<p>Not Bias Crime</p>	
<p>2</p> <p>At the time of his murder, Barry WEBSTER appeared to be known by his neighbours and associates as a homosexual male. It was established that over the years, WEBSTER had been involved with younger boys and was sent to gaol after sexually assaulting a 17 year old boy by the name of [REDACTED] [1112] Phillip CHAPMAN, upon his arrest participated in an interview during which CHAPMAN spoke about his knowledge of WEBSTER's sexuality and made comment on him being straight stating, "Well I got told actually that Barry was a homosexual and - and [sic] I made it distinctly clear, you know, that, 'Hey, gays are tolerable but as long as they stay on their side of the fence and I stay on mine'. So, in other words, I'm straight and he's gay, and that's what it was, you know." There was no known historical animosity between CHAPMAN and WEBSTER. The only available information in regards to the events surrounding the murder was gleaned from the record of interview completed by CHAPMAN following his arrest. CHAPMAN told investigators during interview, I can remember him [WEBSTER] grabbing me and then we was near the bedroom, I just picked up a brick that was a door stopper and I smashed him on the head with it to stop him touching me because he definitely was taking me in the room for sex and I didn't want no part of that because I'm not a homosexual" "That's when [CHAPMAN] sort of snapped out, realised that he was in the raw (nude) and he had me by the arm pretty hard and I was pretty pissed and the only - the only method of escape away from that was me hitting him with a brick. Just to stop him doing that because I didn't want him to do it" He fell to the floor and CHAPMAN placed him in his bed and left the premises. CHAPMAN returned three days later, removed the body and secreted it at the location where it was eventually found. CHAPMAN decides to make "it look like a robbery" by removing a number of personal belonging's owned by the flat mate [REDACTED] [1110] Evidence suggests a recurring theme amongst WEBSTER's neighbours in respect to them not wanting much to do with WEBSTER because of his sexuality and speculation surrounding him being involved with children. Neighbour [REDACTED] [1111] stated, "I never myself had a drink with Yowie [WEBSTER], in particular because I learned that he was a bi-sexual so I wanted nothing to do with him." CALEY described an incident, prior to the murder, where he heard WEBSTER being assaulted by an unknown Aboriginal male. He was in the company of CHAPMAN; "He was being hit hard and was really screaming out... I was going to go and see how he was but Phillip and [REDACTED] said not to worry about him. I wasn't too concerned because I heard he was a 'cockspider'" It is not known what was the motivator behind the argument with the aboriginal male however it is likely that WEBSTER's sexuality and the perception that he was involved with underage boys may have been cause for him to be victim of verbal and physical abuse. There is no evidence to suggest CHAPMAN murdered WEBSTER because of a knowledge or perception surrounding WEBSTER's sexuality or involvement with underage boys. Prior to the murder of WEBSTER, CHAPMAN had no recorded incidents involving high levels of violence. There is no evidence to suggest CHAPMAN was a member of or associated with an OHG. CHAPMAN justified his actions purely as a result of an unwanted homosexual advance. The direct cause of death was (a) Blunt force injuries to the head. Given the circumstances, as described by CHAPMAN, the level of violence displayed in inflicting such injuries as a result of an unwanted sexual advance is greater than what would generally be expected.</p>	<p>Additional lines of enquiry include;</p> <ul style="list-style-type: none"> * Exploration of the link the POI had made between paedophilia and homosexuality * Exploration of what upset the POI about the comments (the age of the child or the sexual act or both) * The role the POI had in the previous assault in the victim * Why the POI told the neighbour not to check on the victim * The reason for the assault * Determining the level of animus the POI had towards homosexuals * Determining the level of animus the POI had towards paedophiles * Understanding the connection the POI had made between homosexuality and paedophilia * Determining if the POI struck the victim after the attack had been defeated and if so how many times * Understanding the actions of the POI after he had assaulted the victim 	<p>Insufficient Information</p>	
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	AX	AY	AZ	BA
	Bias Crime Unit Reasoning:	General Comments	Assessed By:	Date Assessed:
1	<p>From the available information it is established that the POI and victim were friends and would regularly socialise, including with other friends. The victim in the past had intimated that he wished sexual intercourse with the POI. The POI was a heterosexual male and had told the victim that he was not interested in a sexual relationship. There is no evidence that the POI had any animus towards the victim or members of the LGBTI community and based on statements made by the POI (he stated, "I hold no prejudices against homosexuals. I have friends who are gay. I treat them the same as anybody else because they are the same as anybody else") he was open to the lifestyle choice of the victim. On the night of the incident both the victim and POI had been drinking had had returned to the POI's address to continue drinking after the pub closed with friends. The other friends left and at a stage in the evening the POI asked the victim to leave as he was tired and wanted to go to bed. At this point the victim had stood and yelled at the POI, "If I want to fuck you I'll fuck you." From the account of the POI, a physical altercation ensued and the POI fearing that he would be taken to the ground and sexually assaulted by the victim he has armed himself with a kitchen knife. During the confrontation the POI has stabbed the victim to the throat once before the POI sought medical aid for the victim. From all available information the actions of the POI appear to be consistent with self defence. There is no evidence of excessive or post mortem violence on the victim. There is no evidence of animus towards the victim or members of the LGBTI community. The actions of the POI appear reasonable in the circumstances and appear to be motivated by self preservation and not bias towards the victim due to his sexuality.</p>	<p>The apparent strict adherence to the indicators taken by the investigators indicates a lack of understanding of the process. The information recorded by the investigators clearly record information that is irrelevant to the prompts, based on what appears to be a check list mindset. The investigators fail to understand that the prompts are not a mandatory requirement and given the circumstances of individual cases, prompts and or indicators may or may not be present. The approach of the investigators to utilise the indicators as check list continues to flag issues with the approach taken by the investigators.</p> <p>There is continued misunderstanding of the prompts in relation to what information they are designed to elicit, with same prompts being misunderstood. The prompts that are continued to be misunderstood include;</p> <ul style="list-style-type: none"> * Victim is a member of a group which is outnumbered by members of another group in the area where the incident occurred * Incident coincided with a holiday or date of particular significance to the victim or POI's group * Historical animosity exists between the victim's group and the POI's group * Recent bias incidents or crimes may have sparked retaliatory bias crime * The victim was perceived to be breaking from traditional conventions or working non-traditional employment 	Sgt STEER	11/30/2016
2	<p>This incident is classified as insufficient information. A number of questions remained unanswered in regards to the POI's level of animus towards the victim. The language used by the POI to describe his level of acceptance of the victim's sexuality suggest an underlying animus towards homosexuals. The POI states, "Hey, gays are tolerable but as long as they stay on their side of the fence and I stay on mine". So, in other words, "I'm straight and he's gay, and that's what it was, you know." The use of the word "tolerable" suggests toleration of the victim's sexuality but not acceptance. In addition the use of the phrase "as long as they stay on their side of the fence and I stay on mine" suggests that the POI is not comfortable with homosexuality through use the symbolism of a 'fence' to put a barrier between homosexuals and the POI. The level of animus the POI felt towards the homosexuals is critical is assessing if the murder was either wholly or partially motivated by sexual orientation bias.</p> <p>A further question that needs to be determined is the link the POI makes between homosexuality and paedophilia. There is a general myth that homosexuals are paedophiles and vice versa. If the POI believed this link existed then any animus the POI felt towards paedophiles (clearly stated by the POI in his interview) would also be reflected onto the victim regarding his homosexuality. The POI stated that he felt upset when the victim was talking about sex with the 12 year old actor on the movie they were watching. The POI stated, "And it sort of upset me as I don't like child molesters. I think they are filthy individuals." If the POI linked homosexuality and paedophilia together, the attempted sexual assault by the victim may have triggered the animus the POI felt towards paedophiles and may have led to a more violent resistance than may have been carried out.</p> <p>The POI had previously indicated a willingness to use violence against the victim. The POI stated that on previous occasions the victim had touched him and made filthy comments to him and that he had told the victim that he would smash him if he didn't stop. These comments suggest that the POI was willing to use violence to stop the actions of the POI and indicate a level of animus towards the victim.</p> <p>The language used by the POI to refer to the his actions to prevent the sexual assault suggests an underlying animus felt towards the victim. The POI stated in his interview, "I just wanted just to belt him, just to get him away from me, you know, with the alcohol on top of it and what he was trying to do and the implication sort of woke home and give me the adrenaline to hit him and I just." (ER-34 Question 72). The use of the word 'belt' suggest a greater level of violence and potential animus towards the victim. If the actions of the POI were truly defensive in nature a softer form of the word would be expected e.g. 'hit' or 'strike'. The use of 'belt' suggests hostility towards the victim e.g. 'I just wanted to belt him'. Another interesting statement by the POI, "... the implication sort of woke home..." suggests that the implication of the victim's actions would be that the POI would be gay as he had sex with a male (whether willingly or not). The use of the word 'implication' strongly suggests a negative view by the POI. The final point is the statement of the POI suggests that an unfinished thought was made. The response to the question by the POI finishes with, "and I just" but does not finish the statement. This indicates an unfinished thought. It is unknown if the POI was cut off by the investigators or just stopped his thought. If the POI stopped his thought it is an indication that the POI is either being deceptive or is with holding information. Given the context of the question and the POI's response to that point, it would be suggested that the POI was with holding information with regard to the level of violence used by him on the victim and his true feelings about the victim.</p> <p>There is no question that trying to prevent being sexually assaulted is justified, however the level animus the POI felt towards the LGBTI community is not known. Without knowing the level of animus the POI felt towards the homosexuals and without understanding the linkage between homosexuals and paedophiles in the POI's mind is not possible to suggest a level of bias motivation, especially given the self defence factor involved. The involvement of fight & flight hormones and the threat the victim was perceived to be to the POI are crucial information in determining any level of bias motivation. Bias crimes are conscious actions, where self defence (fight or flight) is primarily a unconscious response. Without knowing the answer to the questions highlighted above the level of bias motivation cannot be assessed and as such the incident is classified as insufficient information.</p>	<p>There appears continued misunderstanding of the prompts utilised in the indicators. The prompts are suggested questions that should be explored, not mandatory questions and should not limit the range of questioning. In this case the prompts appear to have been utilised as a checklist, with an answer having to be placed next to each prompt and no other questioning explored outside the prompts. In this case there are several prompts that are not applicable to the situation and do not require attempts to answer them.</p> <p>The information supplied in the S/F PARRABELL review suggests that the focus is on the prompts and not the indicator and what the question trying to be answered is. As an example, the indicator for Motive of Offender the information supplied only relates to answering the prompts and does not go to answer the indicator, i.e. what was the motive of the offender. In this case the motive expressed by the POI was clearly self defence, however this is not explored by the S/F PARRABELL investigators.</p> <p>Again the process of making a determination utilised by the S/F PARRABELL investigators is not clear and is confusing. At no stage do the investigators explain the reasoning for their findings in a clear manner to allow an assessment of the process and their outcome. In addition information that would be deemed relevant or that may assist in a bias crimes assessment is either not included or not highlighted in the review by the investigators. This should not be seen as a criticism of the investigators or there level of commitment but more a clear example of the different approaches taken in a bias crimes investigation as compared to a non bias crimes investigation and the importance of understanding the bias crimes approach.</p>	Sgt STEER	12/3/2016
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