



NSW POLICE FORCE

P190B

STATEMENT OF POLICE

In the matter of: Special Commission of Inquiry into LGBTIQ Hate Crimes -
 Place: Transformation Office
 Date: 19 September 2023

Name: Andrew HURST Tel. No: [REDACTED]
 Rank: Superintendent
 Station/Unit: Transformation Office

STATES:

1. This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution if I have wilfully stated in it anything that I know to be false, or do not believe to be true.
2. I am 47 years of age.
3. In this statement, where I refer to documents I also include their document ID number for identification purposes, in the form **NPL.XXXX.XXXX.XXXX**.
4. I make this statement in respect of a letter the Office of the General Counsel of the New South Wales Police Force (**NSWPF**) received from the Special Commission of Inquiry into LGBTIQ hate crimes (**Inquiry**) dated 10 August 2023 (**Letter**), requesting the NSWPF to provide a statement from a witness able to speak to *"the accuracy or otherwise of Sergeant Steer's claims that he was 'forced out' of the Bias Crimes Unit"*.
5. The Letter noted that sections of the submissions of Counsel Assisting the Inquiry in relation to the second public hearing of the Inquiry (**Public Hearing 2**) concern the restructuring of the

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Witness:

[REDACTED]
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Bias Crimes Unit (**BCU**) in 2017 and Sergeant Geoffrey Steer (**Sgt Steer**)'s assertion that he was 'forced out' of the BCU at the time.

6. The Letter identified sections of the submissions of Counsel Assisting the Inquiry (**CA submissions**) and the Commissioner of NSW Police (**CoP submissions**) that had been identified as relevant to those topics and invited the NSWPF to provide a statement to the Inquiry.
7. In preparing this statement, I have reviewed parts of the transcript from Sgt Steer's evidence given before the Inquiry on 12 December 2022 on pages 1126 and 1127, where Sgt Steer made the claim that he was 'forced out' of the BCU (**NPL.9001.0001.0498**).

Structure of this statement

8. The structure of my statement is as follows:
 - (a) **Section A:** provides background on my role and policing experience;
 - (b) **Section B:** sets out my qualifications and training; and
 - (c) **Section C:** comments on the assertions made by Sgt Steer.

SECTION A: MY ROLE AND POLICING EXPERIENCE

9. I am a Superintendent at the Transformation Office in the NSWPF and the Commander of the Transformation, Strategy and Design Command.
10. I have held the rank of Superintendent since 2019 and have been in my current role since May 2022.
11. As part of my role at the Transformation Office, I lead the strategy and design of transformational programs for the NSWPF which is a corporate role. The Transformation Office was established by the Commissioner of the NSWPF in January 2022.

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12. I have been a sworn officer of the NSWPF since attesting from the Police Academy on 19 May 1995.
13. In 1995, I commenced general duties as a Constable at the Penrith Patrol (now referred to as the Nepean Police Area Command (**PAC**)).
14. Later in 1995, I transferred to the Mount Druitt Patrol (now referred to as the Mt Druitt PAC) where I continued with general duties and remained until 1999.
15. In 1999, I transferred to the Darling River Local Area Command (**LAC**) based in Bourke where I continued with general duties and remained until 2002.
16. In 2000, I was promoted to Senior Constable attached to the Darling River LAC.
17. In 2002, I transferred to the Coffs/Clarence LAC (now referred to as the Coffs Clarence Police District) based in Maclean where I continued with general duties and remained until 2004.
18. In 2004, I was promoted to Sergeant and commenced a supervisory role at Bourke (Darling River LAC).
19. In 2005, I was promoted to Senior Sergeant, Sector Commander at Wellington (Orana LAC) and transferred to Wilcannia in 2009 (Barrier LAC) where I remained until 2011.
20. In 2011, I commenced duties as Inspector Duty Officer at Orana LAC based in Dubbo until 2014, when I was transferred to perform the same duties at Bourke (Darling River LAC) until 2019.
21. From 28 April 2017 to 10 June 2017, I relieved as Acting Commander of Operational Programs. The Command included the Bias Crimes Unit (BCU), Domestic and Family Violence Team, Mental Health Intervention Team, Crime Prevention Team, the Policy and Programs Team and the Eyewatch Unit.
22. In 2019, I was promoted to Superintendent at the Central North Police District (Bourke) until 2021, when I was transferred to the Crime Prevention Command where I remained until 2022.

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SECTION B: QUALIFICATIONS AND TRAINING

23. I have obtained a number of formal qualifications including:
- (a) Graduate Diploma in Police Negotiations (Charles Stuart University) obtained in 2004;
 - (b) Master of Business Administration (Charles Stuart University) obtained in 2017; and
 - (c) Master of Studies, Applied Criminology and Police Management (University of Cambridge) obtained in 2020.
24. I have also participated in a number of internal police training programs.

SECTION C: SGT STEER'S EVIDENCE

25. As referred to in paragraph 21 above, I relieved as Acting Commander of Operational Programs between 28 April 2017 and 10 June 2017.
26. On 11 May 2017, I was copied into an email from Acting Assistant Commissioner Kyle Stewart (**Acting AC Stewart**) informing me that the BCU was being integrated into the Fixated Persons Investigation Unit (**FPIU**) and indicated that the BCU staff would need to be engaged during that week regarding the integration into the FPIU (**NPL.9000.0030.0006**).
27. Operational Programs (which included the BCU) was based in Charles Street, Parramatta, and the FPIU was based at the Emergency Services Complex in Hurstville.
28. Acting AC Stewart called me a short time after sending the email referred to in paragraph 26 above and confirmed the information in that email and asked me to speak to the BCU staff. At no stage did anyone have a conversation with me that indicated that the role of the BCU would change.
29. Immediately after receiving the email referred to in paragraph 26 above, I called the BCU staff into a meeting room and advised them that their unit would be transferring into the FPIU. I further advised them that I did not have any more detail at that stage and that I would contact

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the Inspector in charge of the FPIU to identify the next steps and get more information for the BCU team. Sgt Steer's reference to being "*told by my commander to come and see him*" at lines 15-16 of page 1126 of the transcript of his evidence is a reference to me and the meeting I had with the BCU, including Sgt Steer, to notify them about the re-structure.

30. The sentiment from the team when they were advised that they were moving was that they were concerned about the distance and time required to travel to Hurstville each day to attend work. Two of the staff in particular, Sgt Steer and Intelligence Analyst Aaron Gallagher (**IA Gallagher**), lived in Western Sydney and had both indicated that Hurstville was not desirable as a work location. I committed to Sgt Steer and the team that I would support them throughout the transition process.
31. Following my discussion with Sgt Steer and the rest of the BCU staff, I spoke to Chief Inspector Adam Barwick (**CI Barwick**), who was the Commander of the FPIU, about the transfer of the BCU and made arrangements for the BCU team to travel to Hurstville and meet CI Barwick to receive more information about the new command. The BCU team met CI Barwick at Hurstville on 19 May 2017.
32. On 19 May 2017, Sgt Steer emailed CI Barwick to confirm the day and time of their weekly team meetings. On 22 May 2017, CI Barwick replied and stated that he had just attended a meeting with Assistant Commissioner Mark Murdoch (**AC Murdoch**), the Commander of the Counter Terrorism and Special Tactics Command, and that AC Murdoch confirmed that the BCU would be working out of Hurstville. On the same day, Sgt Steer forwarded CI Barwick's email to me and Chief Inspector Matthew Hanlon (**CI Hanlon**). In forwarding CI Barwick's email, Sgt Steer wrote: "*Based on this advice, the unit will need to find alternative positions*" (**NPL.9000.0030.0003**). My understanding was that this was based on the issues that the staff had raised with me on 11 May in relation to the distance to Hurstville and increased travel time.
33. On 22 May 2017, the BCU organisationally transferred into the FPIU. From that day, the staff were still working in Parramatta, however, organisationally they had transferred to the FPIU and were reporting to the new command structure.

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34. I then arranged for Acting Superintendent David Lenzo (**A/Supt Lenzo**), the Commander of the FPIU at the time, to attend the Operational Programs Office in Charles Street, Parramatta.
35. A/Supt Lenzo attended the office on 26 May 2017 and met the BCU team privately in a meeting room to talk about the move and to speak with the BCU about their concerns regarding the work location. I was not present during that meeting.
36. I spoke with the BCU team after that meeting, who indicated that they wanted to transfer into other roles because they did not want to travel to the Hurstville office of the FPIU. I indicated to the team that I would support them to find alternative positions. I spoke with CI Hanlon and we agreed he would make inquiries regarding vacant positions.
37. Later on 26 May 2017, I was copied into an email from CI Hanlon, to Tracey Middleton, the Human Resources Manager for our Command, requesting assistance on behalf of three officers to locate suitable positions for them to be transferred to, which included Sgt Steer. Sgt Steer indicated to CI Hanlon and I that his first preference was to be transferred to the Hawkesbury LAC because it was close to where he lived. This preference was also included in the email from CI Hanlon (**NPL.9000.0030.0001**).
38. CI Hanlon then called the Human Resources Manager for the North West Metropolitan region to see if there were any vacant positions for Sgt Steer. It was identified that a vacant position was available in the Hawkesbury LAC for Sgt Steer.
39. After identifying a vacant position for Sgt Steer, on 26 May 2017, Sgt Steer notified me that he wanted to transfer to the vacant position in the Hawkesbury LAC. Sgt Steer then completed a Transfer Application / Nomination Form, which was a self-initiated transfer from the Operational Programs Command to the Hawkesbury PAC, which was supported by me and signed in my capacity as Commander of Operational Programs.
40. In the Transfer Application / Nomination Form, Sgt Steer requested to be transferred to the Hawkesbury PAC, stating that it was not feasible for him to travel to Hurstville and that he had no interest in the new role that had been established within the FPIU (**NPL.0217.0001.0001**).

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41. The Transfer Application Form then work-flowed to the North West Metropolitan Region and was supported by the North West Metropolitan Region. A transfer date of 16 July 2017 was later arranged. CI Hanlon and I then spoke with Sgt Steer when that was confirmed, who was happy that he was able to transfer to his first preference of location.
42. During this same period, CI Hanlon and I were able to find a suitable location for IA Gallagher to transfer to in the State Crime Command, Robbery Squad. This was at the request of IA Gallagher.
43. At no time during the BCU's restructure was Sgt Steer "forced out" of the Unit. Instead, the whole of the BCU was moved to the FPIU and rather than travel from Western Sydney to Hurstville, Sgt Steer voluntarily decided to seek a transfer to another position in the Hawkesbury LAC.
44. I am unable to comment on the circumstances for the BCU's restructure such that it was transferred to the FPIU. During this time, the NSWPF was undergoing a re-engineering process. I am unable to comment on the rationale for the re-engineering process, which I was not part of. During the six-week period of my relief in the Operational Programs Command, a decision was made by the NSWPF Executive to relocate the Eyewatch Unit to another command in the NSWPF, being the Public Affairs Branch.
45. At the end of my period of relief the Operational Programs, the command staff held a lunch to farewell me upon returning to my substantive position at Bourke. Prior to my last shift at Operational Programs, Sgt Steer thanked me for my support to him and to the team whilst I had worked at Operational Programs.

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