



Special Commission of Inquiry into LGBTIQ hate crimes

20 September 2022

Patrick Hodgetts
 Senior Lawyer
 Office of the General Counsel, NSW Police Force
 Locked Bag 5102
 PARRAMATTA NSW 2124

By email: [REDACTED]

Dear Mr Hodgetts,

Special Commission of Inquiry into LGBTIQ hate crimes: request for statements

As you are aware, I assist the Honourable Justice John Sackar in the Special Commission of Inquiry into LGBTIQ hate crimes (the **Inquiry**).

The Terms of Reference for the Inquiry require the Commissioner to have regard to, *inter alia*, the report and findings of Strike Force Parrabell (the **Parrabell Report**). Summons NSWPF12 requires production of various documents relevant to that Strike Force and other Strike Forces.

It is anticipated that there will be public hearings in relation to these matters in December 2022. At this stage, the tentative commencement date for those hearings is 5 December 2022.

In preparation for this hearing, the Commissioner requests that signed statements be provided from the following persons, in relation to the subjects referred to below, by **21 October 2022**:

- Assistant Commissioner Tony Crandell (Commander of Strike Force Parrabell);
- One or both of Professor Willem de Lint, and/or Professor Derek Dalton, of Flinders University (academic reviewers of the work of Strike Force Parrabell);
- Sergeant Geoff Steer (former Bias Crime Co-ordinator), and/or the appropriate officer who can address the topics outlined below in respect of Sergeant Steer; and
- Detective Sergeant Steve Morgan (Investigation Supervisor, Strike Force Neiwand), and/or Detective Senior Constable Michael Chebl (Officer in Charge, Strike Force Neiwand).

Where a statement refers to a document, please annex a copy of that document to the statement.

If you anticipate any difficulty in providing these statements by the requested date, 21 October 2022, please inform me in writing as soon as possible.

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Statement from Assistant Commissioner Crandell

The Commissioner requests that the statement by Assistant Commissioner Crandell address at least the subjects set out below. If a particular topic falls outside the knowledge of Assistant Commissioner Crandell, please provide a statement from the appropriate officer to address that topic (notifying me in advance of the identity of that officer). If Assistant Commissioner Crandell, or such other officer, considers that other topics are relevant and should be addressed, please do so.

1. His educational and professional qualifications and experience, annexing a *curriculum vitae*.

Prejudice Related Crime Data Collection Project

2. Whether the NSWPF collected bias crime data prior to 1999, and if so, how such data was collected and used?
3. The state-wide "Prejudice Related Crime Data Collection Project" (which the Inquiry understands was integrated by the NSW Police Force (**NSWPF**) into its Computerised Operational Policing System (**COPS**) in around October 1999) (the **Project**), including:
 - (a) an outline of what that Project involved
 - (b) what kind of data was integrated from the Project into COPS
 - (c) how that data was collected by the NSWPF
 - (d) how the data was used by the NSWPF
 - (e) what arrangements have subsequently been in place, from 1999 to the present, with respect to such data – taking into account, among other things,
 - the establishment of the Bias Crime Unit in about 2015 – see below
 - the subsequent relocation of that Unit to the Fixated Persons Investigation Unit.

Bias Crime, Bias Crime Co-ordinator, and Bias Crime Unit

4. The background to and reasons for the establishment of the position of Bias Crime Co-ordinator within the NSWPF (which Inquiry understands was in about 2007).
5. Whether, and by whom, the position of Bias Crime Co-ordinator was filled in each of the years from its inception to the present.
6. The functions and responsibilities of the Bias Crime Co-ordinator, from the inception of the position to the present, including
 - (a) the unit or other organisational arm of the NSWPF in which that position was placed,
 - (b) the numbers and seniority of staff attached to or reporting to the holder of the position, and
 - (c) the procedures and protocols, including reporting lines, relating to interaction between the Bias Crime Co-ordinator and other arms of the NSWPF including the Homicide Squad and the Unsolved Homicide Team.
7. The background preceding, and reasons for, the establishment of the Bias Crime Unit (which the Inquiry understands was in about 2015).
8. The functions and responsibilities of the Bias Crime Unit, from its inception to the present, including
 - (a) the unit or other organisational arm of the NSWPF in which the Bias Crime Unit has been placed,

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- (b) the numbers and seniority of staff attached to the Unit,
 - (c) the procedures and protocols, including reporting lines, relating to interaction between that Unit and other arms of the NSWPF including the Homicide Squad and the Unsolved Homicide Team,
 - (d) any changes to any of (a) – (c) since the inception of the Bias Crime Unit, including by reference to the Unit’s relocation to the Fixated Persons Investigation Unit, and the reasons for those changes.
9. The relationship between the role of Bias Crime Co-ordinator and/or the Bias Crime Unit on the one hand, and the role of Gay and Lesbian Liaison Officer (a role which the Inquiry understands was held at various times by Sue Thompson) on the other.
 10. The creation and use of Bias Crime Standard Operating Procedures (by that name or any similar or related name) within the NSWPF at any time, whether before or after the inception of the Bias Crimes Unit.
 11. The current use by the NSWPF of the term “hate crime” rather than “bias crime”, and the reasons for and timing of that change.
 12. The origins and history of the selection, creation and use, by the NSWPF, of the “Bias Crime Indicators Review Form” (**BCIRF**), being the tool later utilised by Strike Force Parrabell (as set out in its Co-ordinating Instructions).
 13. Whether the BCIRF is still used by the NSWPF in relation to assessing and/or recording whether a crime is a “bias crime” (or a “hate crime”).
 14. Whether any other tool or method is now used in such cases, instead of or as well as the BCIRF, and if so the reasons for and timing of any such changes.

Engagement and Hate Crime Unit (EHCU), Counter Terrorism and Special Tactics Command

15. The background to and reasons for the establishment of the Engagement and Hate Crime Unit, and the functions and responsibilities of that Unit, including:
 - (a) when it was established;
 - (b) the numbers and seniority of staff attached to the Unit;
 - (c) its procedures and protocols, including reporting lines, relating to interaction between that Unit and other arms of the NSWPF including the Homicide Squad, the Unsolved Homicide Team, the Bias Crime Unit and/or the Fixated Persons Investigation Unit;
 - (d) the methods and procedures by which bias in crimes is identified, recorded, classified, analysed and kept by the EHCU;
 - (e) what is meant by “best practice investigative standards for hate crimes”, referred to in the Hate Crime Policy Statement, and how such “standards” are identified, communicated, and implemented.

Please refer to and annex any relevant policies, guidelines and Standard Operating Procedures associated with the EHCU.

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Training

16. The nature and extent of current training of officers in identifying and recording bias in crimes, including
 - (a) the format and content of such training
 - (b) whether the training is mandatory for all or any officers
 - (c) by whom the training is provided.
17. The history of training in such matters prior to the present time, identifying significant changes over time between 1970 and the present.

Operation Parrabell

18. The background to and reasons for the establishment of Operation Parrabell (which the Special Commission understands to have been in or about 2013), including (where appropriate) by reference to the origins and content of any
 - (a) Co-ordinating Instructions and/or
 - (b) Terms of Reference and/or
 - (c) Standard Operating Procedures
 for Operation Parrabell.
19. The personnel who comprised, or participated in, Operation Parrabell; the qualifications and experience of each of them; and the criteria by which, and the persons by whom, they were chosen.
20. An outline of the work of Operation Parrabell from the time of its inception to the time of the establishment of Strike Force Parrabell.

Strike Force Parrabell

21. The background to and reasons for the establishment of Strike Force Parrabell (which the Inquiry understands to have been in or about 2015), including (where appropriate) by reference to the origins and content of any
 - (a) Co-ordinating Instructions and/or
 - (b) Terms of Reference and/or
 - (c) Standard Operating Procedures
 for Strike Force Parrabell.
22. The reasons why “Operation” Parrabell became “Strike Force” Parrabell in or about 2015, and the differences between an “Operation” and a “Strike Force”.
23. The nature and extent of any enquiries made by the NSWPF, either
 - (a) when Operation Parrabell began, or
 - (b) when Strike Force Parrabell began, or
 - (c) at any other time,
 as to whether the 88 deaths referred to in the Parrabell Report represented all, or only some, of the deaths in the relevant period where there may have been a “sexuality or gender bias” factor, or “anti-gay bias” factor, or “bias crime” factor, or “gay hate crime” (all of those terms being used in the Parrabell Report). If no such enquiries were made, the reasons why that course was adopted.

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24. The reasons for the selection of the BCIRF as the tool which Strike Force Parrabell was to use, and who made that selection.
25. The personnel who comprised, or participated in, Strike Force Parrabell; the qualifications and experience of each of them; and the criteria by which, and the persons by whom, they were chosen.
26. The reasons for the decision to obtain an academic analysis of the review carried out by Strike Force Parrabell.
27. The procedures by which Flinders University personnel came to be selected and engaged to carry out that academic analysis, including the financial and other terms of that engagement.
28. The methodology, protocols and arrangements pursuant to which
 - (a) the Strike Force Parrabell personnel
 - (b) the Flinders University academic team
 were to, and/or did, carry out their respective tasks.

Statement from Professor de Lint, and/or Professor Dalton

The Commissioner requests that the statement by Professor de Lint, and/or Professor Dalton address at least the following topics. If either Professor de Lint or Professor Dalton considers that other topics are relevant and should be addressed, please do so.

1. His educational and professional qualifications and experience, annexing any *curriculum vitae*.
2. The procedures by which Flinders University personnel came to be selected and engaged to carry out the academic analysis of the work of Strike Force Parrabell, including the financial and other terms of that engagement.
3. The terms of reference for the academic team, as referred to on page 58 of the Parrabell Report.
4. The methodology, protocols and arrangements pursuant to which
 - (a) the Strike Force Parrabell personnel
 - (b) the Flinders University academic team
 were to, and/or did, carry out their respective tasks.

Statement from Sergeant Geoffrey Steer

The Commissioner requests that the statement by Sergeant Steer address at least the topics set out below. If a particular topic falls outside the knowledge of Sergeant Steer, please provide a statement from the appropriate officer to address that topic (notifying me in advance of the identity of that officer). If Sergeant Steer, or such other officer, considers that other topics are relevant and should be addressed, please do so.

1. His educational and professional qualifications and experience, annexing any *curriculum vitae*.
2. The background to and reasons for the establishment of the position of Bias Crime Co-ordinator (which the Inquiry understands was in about 2007).

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3. Whether, and by whom, the position of Bias Crime Co-ordinator was filled in each of the years from its inception to the present.
4. The functions and responsibilities of the Bias Crime Co-ordinator, from the inception of the position to the present, including
 - (a) the unit or other organisational arm of the NSWPF in which that position was placed,
 - (b) the numbers and seniority of staff attached to or reporting to the holder of the position, and
 - (c) the procedures and protocols, including reporting lines, relating to inter-action between the Bias Crime Co-ordinator and other arms of the NSWPF including the Homicide Squad and the Unsolved Homicide Team
5. The background to and reasons for the establishment of the Bias Crime Unit (which the Inquiry understands was in about 2015).
6. The functions and responsibilities of the Bias Crime Unit, from its inception to the present, including
 - (a) the unit or other organisational arm of the NSWPF in which the Bias Crime Unit has been placed,
 - (b) the numbers and seniority of staff attached to the Unit,
 - (c) the procedures and protocols, including reporting lines, relating to inter-action between that Unit and other arms of the NSWPF including the Homicide Squad and the Unsolved Homicide Team,
 - (d) any changes to any of (a) – (c) since the inception of the Bias Crime Unit, including reference to the introduction of the Fixed Persons Investigation Unit, and the reasons for those changes.
7. The relationship between the role of Bias Crime Co-ordinator and/or the Bias Crime Unit on the one hand, and the role of Gay and Lesbian Liaison Officer (a role which the Inquiry understands was held at various times by Sue Thompson) on the other.
8. The creation and use of Bias Crime Standard Operating Procedures (by that name or any similar or related name) within the NSWPF at any time, including since the inception of the Bias Crimes Unit.
9. The origins and history of the selection, creation and use, by the NSWPF, of the BCIRF.
10. The current use by the NSWPF of the term “hate crime” rather than “bias crime” and the reasons for and timing of that change.

Statement from Detective Sergeant Steve Morgan and/or Detective Senior Constable Michael Chebl

The Commissioner requests that the statement by Detective Sergeant Steve Morgan and/or Detective Senior Constable Michael Chebl address at least the following topics. If either officer considers that other topics are relevant and should be addressed, please do so:

1. His educational and professional qualifications and experience, annexing any *curriculum vitae*.

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2. The reasons for the establishment of Strike Force Neiwand (which the Inquiry understands to have been in or about May 2016).
3. The personnel who comprised, or participated in, Strike Force Neiwand; the qualifications and experience of each of them; and the criteria by which, and the persons by whom, they were chosen.
4. An outline of the work of Strike Force Neiwand from its inception to the present.
5. The creation and date/s of any interim or final report or reports by Strike Force Neiwand, and to whom and by what means, and when, such reports were published or disseminated.

Thank you for your assistance to the Inquiry.

Please do not hesitate to contact Kate Lockery at (02) 9372 8600 if you have any queries in relation to this matter.

Yours faithfully,



Kate Lockery
Principal Solicitor