

NSW POLICE FORCE

# STRIKE FORCE PARRABELL

## Bias Crimes Indicators Review Form

<b>Investigation No:</b>	35
<b>Victim/Deceased:</b>	Graham PAYNTER
<b>Date of death:</b>	13 October, 1989
<b>Investigation Status:</b>	Unsolved
<b>Offender/s:</b>	N/A
<b>Investigative Unit:</b>	Unknown
<b>Description:</b>	Graham PAYNTER was located deceased on rocks at the southern end of Tathra beach below a 50 metre high cliff on 13 October 1989. Lacerations were observed on PAYNTER'S back and head. His pants and underpants were down around his knees and his jumper was pulled over his head with arms still in the sleeves. No information is known in regards to PAYNTER'S sexual orientation. No persons have been identified as being responsible for the death of PAYNTER. The available details of the death were noted as being 'brief', recovered from Police occurrence entry pads. Detective Chief Inspector John LEEHMAN conducted a review of the available holdings in 2013 stating, "The occurrence entry does not mention suspicious circumstances or any indication of foul play."

<b>1. Differences</b>	
<b>Prompts</b>	<b>Comment</b>
<ul style="list-style-type: none"> <li>• <i>Immutable characteristic differences between victim and POI's sexual orientation</i></li> </ul>	<p>Graham PAYNTER was 36 years old when he was found deceased at the bottom of a cliff with his jeans around his knees and his jumper over his head, at Tathra Beach on the South Coast. There is no evidence indicating the sexuality of PAYNTER. No persons have been identified as being responsible for the death of PAYNTER. The available details of the death were noted as being 'brief', recovered from Police occurrence entry pads. Detective Chief Inspector John LEEHMAN conducted a review of the available holdings in 2013 stating, "The occurrence entry does not mention suspicious circumstances or any indication of foul play."</p>
<ul style="list-style-type: none"> <li>• <i>Victim is a member of a group which is outnumbered by members of another group in the area where the incident occurred</i></li> </ul>	<p>No information is available in relation to PAYNTER being a member of a specific group.</p>
<ul style="list-style-type: none"> <li>• <i>Victim was engaged in activities promoting his/her group</i></li> </ul>	<p>On the day prior to his death PAYNTER had been drinking heavily with a friend, Russell LONGMORE and in fact had been arrested at 7:45pm on the 12/10/1989 for stealing a bottle of rum from a Bega liquor store. At that stage he was reported to be well under the influence of alcohol. Later, the deceased and LONGMORE were drinking at the Tathra Hotel. LONGMORE left about 10:30pm however the deceased continued until the early hours of 13/10/1989. Hotel staff reported that he was 'totally affected' by alcohol when he left the hotel.</p>
<ul style="list-style-type: none"> <li>• <i>Incident coincided with a holiday or date of particular significance to the victim or POI's group</i></li> </ul>	<p>There is no information indicating the date of PAYNTER'S death had any specific significance to him. No persons have been identified as being responsible for the death of PAYNTER.</p>
<ul style="list-style-type: none"> <li>• <i>Victim, although not a member of the targeted group is a member a member of an advocacy group that supports the victim, or the victim was in company of a member of the targeted group</i></li> </ul>	<p>There is no information to suggest that PAYNTER was a member of an advocacy group. There are no known witnesses to PAYNTER'S death however it is believed that he was alone at the time.</p>
<ul style="list-style-type: none"> <li>• <i>Historical animosity exists between the victim's group and the POI's group</i></li> </ul>	<p>No persons have been identified as being responsible for PAYNTER'S death.</p>

Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim’s and/or witnesses.	Yes
<b>GENERAL COMMENT</b>	
Graham PAYNTER was 36 years old when he was found deceased at the bottom of a cliff with his jeans around his knees and his jumper over his head, at Tathra Beach on the South Coast. There is no evidence indicating the sexuality of PAYNTER. No persons have been identified as being responsible for the death of PAYNTER. The available details of the death were noted as being ‘brief’, recovered from Police occurrence entry pads. “The occurrence entry does not mention suspicious circumstances or any indication of foul play.”	
<b>2. Comments, Written Statements, Gestures</b>	
Prompts	Comment
<ul style="list-style-type: none"> <li><i>Bias related comments, written statements or gestures were made by the POI</i></li> </ul>	No persons have been identified as being responsible for the death of PAYNTER. Detective Chief Inspector John LEEHMAN conducted a review of the available holdings in 2013 stating, “The occurrence entry does not mention suspicious circumstances or any indication of foul play.” As such there is no information to suggest that any persons made bias related comments, written statements or gestures towards SHEIL at the time of his death.
<ul style="list-style-type: none"> <li><i>Comments and gestures can occur before, during and after the incident</i></li> </ul>	There is no evidence to suggest that any comments or gestures occurred before, during or after the incident. There were no known witnesses to the death of PAYNTER and no persons have been identified as being responsible for PAYNTER’S death.

<ul style="list-style-type: none"> <li><i>Victims may not be aware of the significance of gestures made</i></li> </ul>	<p>There is no evidence to suggest that any comments or gestures occurred before, during or after the death of PAYNTER. There were no witnesses to PAYNTER'S death and no persons have been identified as being responsible for his death.</p>
Indicators	(y/n)
<p>Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.</p>	<p>No</p>
<p>Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.</p>	<p>No</p>
<p>No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.</p>	<p>No</p>
<p>Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.</p>	<p>Yes</p>
GENERAL COMMENT	
<p>No persons have been identified as being responsible for the death of PAYNTER. Detective Chief Inspector John LEEHMAN conducted a review of the available holdings in 2013 stating, "The occurrence entry does not mention suspicious circumstances or any indication of foul play." As such there is no information to suggest that any persons made bias related comments, written statements or gestures towards SHEIL at the time of his death.</p>	
3. Drawings, Markings, Symbols, Tattoos, Graffiti	
Prompts	Comment
<ul style="list-style-type: none"> <li><i>Bias related drawings, markings, symbols or graffiti were left at the scene or were seen on the POI</i></li> </ul>	<p>PAYNTER was located on rocks at the southern end of Tathra Beach below a 50 metre high cliff. There is no mention of any bias related drawings, markings, symbols or graffiti being located at the scene. No persons have been identified as being responsible for the death of PAYNTER. There is no indication that PAYNTER was assaulted, murdered, or victim of 'gay hate' related violence.</p>

<ul style="list-style-type: none"> <li>• <i>Before discounting symbols, ensure that you understand the meaning of the symbol</i></li> </ul>	<p>The details of the death of PAYNTER are brief, recovered from Police occurrence records. No other details appear from the Coroner's Office. The occurrence entry does not mention suspicious circumstances or any indication of foul play. There is no information suggesting there to be any bias related drawings, symbols or graffiti at the scene of PAYNTER'S death.</p>
Indicators	(y/n)
<p>Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.</p>	<p>No</p>
<p>Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.</p>	<p>No</p>
<p>No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.</p>	<p>No</p>
<p>Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.</p>	<p>Yes</p>
GENERAL COMMENT	
<p>The details of the death of PAYNTER are brief, recovered from Police occurrence records. No other details appear from the Coroner's Office. The occurrence entry does not mention suspicious circumstances or any indication of foul play. There is no information suggesting there to be any bias related drawings, symbols or graffiti at the scene of PAYNTER'S death.</p>	
4. Organised Hate Groups (OHG)	
Prompts	Comment
<ul style="list-style-type: none"> <li>• <i>Objects or items that represent the work of an OHG were left at the scene, e.g. business cards, flyers, burning cross</i></li> </ul>	<p>There is no evidence to suggest that objects or items that represent the work of an OHG were left at the scene.</p>
<ul style="list-style-type: none"> <li>• <i>An OHG claimed responsibility</i></li> </ul>	<p>No persons have been identified as being responsible for PAYNTER'S death.</p>

<ul style="list-style-type: none"> <li>• <i>There are indications that an OHG was involved or active in the area</i></li> </ul>	PAYNTER was located on rocks at the southern end of Tathra Beach below a 50 metre high cliff. There is no evidence to suggest an OHG was involved or active in the area at the time of PAYNTER'S death.
<ul style="list-style-type: none"> <li>• <i>MO is similar to known MO of an OHG</i></li> </ul>	No suspicious circumstances or indications of foul play are noted in respect to PAYNTER'S death. The exact cause of death has not been established, however from the available information, it would appear PAYNTER fell from a 50 metre high cliff at the southern end of Tathra Beach.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	Yes
GENERAL COMMENT	
No persons have been identified as being responsible for PAYNTER'S death. PAYNTER was located on rocks at the southern end of Tathra Beach below a 50 metre high cliff. There is no evidence to suggest an OHG was involved or active in the area at the time of PAYNTER'S death.	
5. Previous existence of Bias Crime Incidents	
Prompts	Comment
<ul style="list-style-type: none"> <li>• <i>Victim was visiting a location where previous bias crimes had been committed against members of the victim's group</i></li> </ul>	PAYNTER'S body was found on rocks at the southern end of Tathra beach below a 50 metre high cliff. PAYNTER had been drinking heavily with a friend Russell LONGMORE on the day and evening before his body was discovered

	and in fact had been arrested at 7.45pm on 12/10/1989 for stealing a bottle of rum from a Bega liquor store. None of these locations are known to have had previous bias crimes committed.
<ul style="list-style-type: none"> <li>Several incidents occurred in the same area and the victims were members of the same group</li> </ul>	There is no information suggesting the location where PAYNTER'S body was discovered had incidents of assaults against a specific sexual orientation.
<ul style="list-style-type: none"> <li>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/her affiliation with a targeted group</li> </ul>	There is no evidence to suggest that PAYNTER was receiving harassing mail or phone calls prior to his death. There is no evidence to suggest that PAYNTER had an affiliation with a targeted group.
<ul style="list-style-type: none"> <li>Recent bias incidents or crimes may have sparked retaliatory bias crime</li> </ul>	There is no information of bias incidents or crimes that may have sparked a retaliatory bias crime.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	Yes
GENERAL COMMENT	
PAYNTER'S body was found on rocks at the southern end of Tathra beach below a 50 metre high cliff. PAYNTER had been drinking heavily with a friend Russell LONGMORE on the day and evening before his body was discovered and in fact had been arrested at 7.45pm on 12/10/1989 for stealing a bottle of rum from a Bega liquor store. None of these locations are known to have had previous bias crimes committed. There is no evidence to suggest that PAYNTER was receiving harassing mail or phone calls prior to his death. There is no evidence to suggest that PAYNTER had an affiliation with a targeted group.	

6. Victim/Witness Perception	
Prompts	Comment
<ul style="list-style-type: none"> <li><i>Witnesses (actual) perceive that the incident was motivated by bias</i></li> </ul>	There are no known witnesses to the death of PAYNTER. According to the Police occurrence records, there was no mention of suspicious circumstances or any indication of foul play. Detective Inspector LEEHMAN stated, "There is no indication that the deceased was assaulted, murdered or the victim of 'gay hate' related violence.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	Yes
GENERAL COMMENT	
There are no known witnesses to the death of PAYNTER. According to the Police occurrence records, there was no mention of suspicious circumstances or any indication of foul play. Detective Inspector LEEHMAN stated, "There is no indication that the deceased was assaulted, murdered or the victim of 'gay hate' related violence.	
7. Motive of Offender/s	
Prompts	Comment
<ul style="list-style-type: none"> <li><i>POI was previously involved in similar incident or is a member/associates with members of an OHG</i></li> </ul>	As a result of the investigation there has been no persons identified as having involvement in the death of PAYNTER.



<ul style="list-style-type: none"> <li><i>The victim was in company of a member of the targeted group</i></li> </ul>	There were no witnesses identified during the investigation into PAYNTER'S death, therefore it is unknown if PAYNTER was in the company of a member of a particular targeted group.
<ul style="list-style-type: none"> <li><i>The victim was perceived to be breaking from traditional conventions or working non-traditional employment</i></li> </ul>	There is no evidence to suggest that SHEIL was perceived to be breaking from the traditional conventions or working non-traditional employment.
<ul style="list-style-type: none"> <li><i>The POI has a history of previous crimes with similar MO and involving other victims of the same group</i></li> </ul>	Based on the available information, there have been no persons identified as having involvement in the death of PAYNTER.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	Yes
GENERAL COMMENT	
As a result of the investigation there has been no persons identified as having involvement in the death of PAYNTER. There were no witnesses identified during the investigation into PAYNTER'S death, therefore it is unknown if PAYNTER was in the company of a member of a particular targeted group.	

<b>8. Location of Incident</b>	
<b>Prompts</b>	<b>Comment</b>
<ul style="list-style-type: none"> <li><i>The victim was in or near an area or place commonly associated with or frequented by members of a particular group e.g. beat</i></li> </ul>	PAYNTER was located deceased on rocks at the southern end of Tathra beach below a 50 metre high cliff. There is no information suggesting PAYNTER was assaulted, murdered or the victim of 'gay hate' related violence. There is evidence suggesting this location was known as a beat location.
<ul style="list-style-type: none"> <li><i>The location of an incident has specific significance to the victim or POI group e.g. cemetery, religious building, historical landmark, etc</i></li> </ul>	There is no information to suggest the location had any specific significance to PAYNTER.
<b>Indicators</b>	<b>(y/n)</b>
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	Yes
<b>GENERAL COMMENT</b>	
PAYNTER was located deceased on rocks at the southern end of Tathra beach below a 50 metre high cliff. There is no information suggesting PAYNTER was assaulted, murdered or the victim of 'gay hate' related violence. There is evidence suggesting this location was known as a beat location. There is no information to suggest the location had any specific significance to PAYNTER.	

9. Lack of Motive	
Prompts	Comment
<ul style="list-style-type: none"> <li><i>No clear economic or other motive for the incident exists</i></li> </ul>	No persons have been identified as being responsible for the death of PAYNTER. The occurrence entry created for the death of PAYNTER does not mention suspicious circumstances or any indication of foul play.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	Yes
GENERAL COMMENT	
No persons have been identified as being responsible for the death of PAYNTER. The occurrence entry created for the death of PAYNTER does not mention suspicious circumstances or any indication of foul play.	
10. Level of Violence	
Prompts	Comment
<ul style="list-style-type: none"> <li><i>The level of violence and injuries sustained by the victim/s is greater than would be expected for a crime of that type</i></li> </ul>	PAYNTER was found deceased on rocks at the southern end of Tathra beach below a 50 metre high cliff. Lacerations were observed on PAYNTER'S back and head. His pants and underpants were down around his knees and his jumper pulled over his head with arms still in the sleeves.

<ul style="list-style-type: none"> <li><i>Weapons of opportunity are used in the incident</i></li> </ul>	<p>No persons have been identified as being responsible for the death of PAYNTER. It is unknown if any weapons were used. Detective Inspector LEEHMAN stated the occurrence entry does not mention suspicious circumstances or any indication of foul play. There is no indication that the deceased was assaulted, murdered or the victim of 'gay hate' related violence.</p>
<ul style="list-style-type: none"> <li><i>The number of POI's is greater than the number of victims and all POI's take an active role in the assault</i></li> </ul>	<p>It is unclear if PAYNTER jumped, fell or was pushed to his death. No persons have been identified as being responsible for the death of PAYNTER.</p>
Indicators	(y/n)
<p>Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.</p>	<p>No</p>
<p>Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.</p>	<p>No</p>
<p>No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.</p>	<p>No</p>
<p>Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.</p>	<p>Yes</p>
GENERAL COMMENT	
<p>It is unclear if PAYNTER jumped, fell or was pushed to his death. No persons have been identified as being responsible for the death of PAYNTER. No persons have been identified as being responsible for the death of PAYNTER. Detective Inspector LEEHMAN stated the occurrence entry does not mention suspicious circumstances or any indication of foul play. There is no indication that the deceased was assaulted, murdered or the victim of 'gay hate' related violence.</p>	

## SUMMARY OF FINDINGS

**Indicator:** Insufficient Information (II)

**Comment:** Graham PAYNTER was 36 years old when he was found deceased at the bottom of a cliff with his jeans around his knees and his jumper over his head, at Tathra Beach on the South Coast. There is no evidence indicating the sexuality of PAYNTER. No persons have been identified as being responsible for the death of PAYNTER. PAYNTER had been drinking heavily with a friend Russell LONGMORE on the day and evening before his body was discovered and in fact had been arrested at 7.45pm on 12/10/1989 for stealing a bottle of rum from a Bega liquor store. None of these locations are known to have had previous bias crimes committed at them. There is no evidence to suggest that PAYNTER had an affiliation with a targeted group.

There are no known witnesses to the death of PAYNTER. According to the Police occurrence records, there was no mention of suspicious circumstances or any indication of foul play. Detective Inspector LEEHMAN stated, "There is no indication that the deceased was assaulted, murdered or the victim of 'gay hate' related violence.