

NSW POLICE FORCE

STRIKE FORCE

PARRABELL

Bias Crimes Indicators Review Form

Investigation No:	71
Victim/Deceased:	Scott MILLER
Date of death:	20 December, 1997
Investigation Status:	Unsolved
Offender/s:	N/A
Investigative Unit:	The Rocks LAC
Description:	<p>Scott MILLER was a 21 year old heterosexual male who was about to start University when he died. He was located at the base of a 7 metre cliff at Wharf 5, Hickson Road, Darling Harbour after attending the Mardi Gras Parade with friends earlier in the night. Two suspects were identified due to comments made, one being [NP130] (Case ■) however no persons were charged. The Coroner ruled that his injuries could have been sustained from an assault; from a fall from a height; or a combination of the two.</p>

1. Differences	
Prompts	Comment
<ul style="list-style-type: none"> <i>Immutable characteristic differences between victim and POI's sexual orientation</i> 	<p>Scott MILLER was 21 years old at the time of his death. In the Police statement of PCSC Michael LANE, MILLER was described as a person "...who liked to be the life of the party and had many friends including a steady girlfriend." MILLER "...was a young man who was popular with his peers. He was brought up in the country town or Orange where he was a keen footballer. The deceased was the middle son of three boys and appeared to have a large and loving family. He had completed his electrical apprenticeship whilst in Orange and had just been accepted into the Sports Science degree at the University of Western Sydney which was the reason the deceased had moved to Sydney, in fact the deceased was due to start his university course the day his body was found." (ST-190). Friend of MILLER, Todd WHITE explained "I know he [MILLER] has a girlfriend Bridgette McCAERY who still lives in Orange but was going to move down to Sydney. I think their relationship was pretty stable and they were happy." (ST-195). Shawn KELLY knew MILLER for 16 years. KELLY described MILLER as "...not normally aggressive when he drinks and doesn't go and pick fights. He's definitely not a depressing drunk and he is usually more hyped up. He was in a steady relationship with his girlfriend Bridgette McCLEERY and they had been going out about two or three years. He never mentioned anything about suicide" (ST-197). On all accounts MILLER was a heterosexual male. His friends and he had arranged to go to the Sydney Gay and Lesbian Mardi Gras on the night of his death arriving about 10pm. "They watched the end of the parade whilst standing on crates and then walked to the Rocks..." (ST-195). This case is unsolved with no persons charged for the murder/death of MILLER.</p>
<ul style="list-style-type: none"> <i>Victim is a member of a group which is outnumbered by members of another group in the area where the incident occurred</i> 	<p>MILLER "...was a young man who was popular with his peers. He was brought up in the country town or Orange where he was a keen footballer. The deceased was the middle son of three boys and appeared to have a large and loving family. He had completed his electrical apprenticeship whilst in Orange and had just been accepted into the Sports Science degree at the University of Western Sydney which was the reason the deceased had moved to Sydney, in fact the deceased was due to start his</p>

	<p>university course the day his body was found" (ST-190). MILLER'S body was located at the bottom of a seven metre cliff at Wharf 5, Hickson Road Darling Harbour after attending the Sydney Gay and Lesbian Mardi Gras. "They watched the end of the parade whilst standing on crates and then walked to the Rocks..." (ST-195).</p>
<ul style="list-style-type: none"> • <i>Victim was engaged in activities promoting his/her group</i> 	<p>MILLER "...was a young man who was popular with his peers. He was brought up in the country town of Orange where he was a keen footballer. The deceased was the middle son of three boys and appeared to have a large and loving family. He had completed his electrical apprenticeship whilst in Orange and had just been accepted into the Sports Science degree at the University of Western Sydney which was the reason the deceased had moved to Sydney."</p>
<ul style="list-style-type: none"> • <i>Incident coincided with a holiday or date of particular significance to the victim or POI's group</i> 	<p>The incident occurred in the early hours of the morning following the Mardi Gras Parade in which MILLER and his friends had attended. There is no evidence to suggest MILLER having attended the Mardi Gras Parade had any influence on his death. MILLER was heterosexual and attending the Mardi Gras appears to have nothing to do with his sexual orientation or have any particular significance to him.</p>
<ul style="list-style-type: none"> • <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> 	<p>There is no evidence to suggest that MILLER was a member of, or affiliated with any specific minority advocacy groups or was in the company of a targeted group at the time of his murder. Evidence suggests MILLER was alone at the time of his death.</p>
<ul style="list-style-type: none"> • <i>Historical animosity exists between the victim's group and the POI's group</i> 	<p>No persons have been identified or charged as a result of the death of MILLER. As such, it is unknown if any animosity existed between MILLER and the offender/s. No motive has been established.</p>
Indicators	(y/n)
<p>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>	No
<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>	No

Not 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.	Yes
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.	No
GENERAL COMMENT	
<p>No persons have been charged as a result of the death of Scott MILLER as such the sexual orientation of the offender/s is unknown. It is unclear if any persons did in fact play a role in the death of MILLER. No motive has been established. On all accounts MILLER was a heterosexual male described as a person "...who liked to be the life of the party and had many friends including a steady girlfriend." MILLER "...was a young man who was popular with his peers. He was brought up in the country town of Orange where he was a keen footballer. The deceased was the middle son of three boys and appeared to have a large and loving family. He had completed his electrical apprenticeship whilst in Orange and had just been accepted into the Sports Science degree at the University of Western Sydney which was the reason the deceased had moved to Sydney." The incident occurred in the early hours of the morning following the Mardi Gras Parade in which MILLER and his friends had attended. There is no evidence to suggest MILLER having attended the Mardi Gras had any significance to his death. MILLER was heterosexual and attending the Mardi Gras appears to have nothing to do with his sexual orientation or have any particular significance to him. There is no evidence to suggest that MILLER was a member of, or affiliated with any specific minority advocacy groups or was in the company of a targeted group at the time of his murder. Evidence suggests MILLER was alone at the time of his death.</p>	
2. Comments, Written Statements, Gestures	
Prompts	Comment
<ul style="list-style-type: none"> • <i>Bias related comments, written statements or gestures were made by the POI</i> 	<p>No persons have been identified as being responsible for the death of MILLER. As such it is unknown if any bias related comments or gestures were made by anyone before, during or after the incident. No written statements were observed to have been left at the scene or on MILLER.</p>
<ul style="list-style-type: none"> • <i>Comments and gestures can occur before, during and after the incident</i> 	<p>It is unknown if any bias related comments or gestures were made by any persons before, during or after the death of MILLER.</p>
<ul style="list-style-type: none"> • <i>Victims may not be aware of the significance of gestures made</i> 	<p>There is no evidence to suggest any comments or gestures occurred before, during or after the death of MILLER. There were no witnesses to the death of MILLER and the only victim in this incident is deceased so clarification on this issue was not able to be conducted.</p>
Indicators	(y/n)
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
Not 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.	Yes
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.	No
GENERAL COMMENT	
No persons has been identified as being responsible for the death of MILLER. As such, it is unknown if any bias related comments or gestures were made by anyone before, during or after the death. No written statements were observed to have been left at the scene or on MILLER’S body.	
3. Drawings, Markings, Symbols, Tattoos, Graffiti	
Prompts	Comment
<ul style="list-style-type: none"> <i>Bias related drawings, markings, symbols or graffiti were left at the scene or were seen on the POI</i> 	DSC Lyle Van LEEUWEN photographed and examined MILLER’S body which was located within the premises of “Patricks Stevedoring” located at Wharf 5, Hickson Road Darling Harbour, in the machinery yard of the business. DSC LEEUWEN (ST-191) and PCSC LANE (ST-189) described MILLER and the scene in their statements. No actual photographs were sighted/located during the review. No bias related drawings, markings, symbols or graffiti were described as having been left at the scene or on MILLER’S body. It is unknown if any persons were responsible for the death of MILLER and if so, if they had any bias related drawings, markings, symbols or graffiti on their bodies.
<ul style="list-style-type: none"> <i>Before discounting symbols, ensure that you understand the meaning of the symbol</i> 	No drawings, markings, symbols or graffiti were present at the scene or on the body of MILLER.
Indicators	(y/n)
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
Not 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.	Yes
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.	No

GENERAL COMMENT

DSC LEEUWEN and PCSC LANE described MILLER and the scene in their statements. No photographs were sighted/located during the review. No bias related drawings, markings, symbols or graffiti were described as having been left at the scene or on MILLER'S body. It is unknown if any persons was responsible for the death of MILLER and if so, if they had any bias related drawings, markings, symbols or graffiti on their bodies.

4. Organised Hate Groups (OHG)

Prompts	Comment
<ul style="list-style-type: none"> <i>Objects or items that represent the work of an OHG were left at the scene, e.g. business cards, flyers, burning cross</i> 	No foreign objects that may have been introduced to the scene during the death of MILLER were recovered during Crime Scene processing. As such, there is no evidence available that indicates any objects that represent an OHG being left at the scene by any person during the death of MILLER.
<ul style="list-style-type: none"> <i>An OHG claimed responsibility</i> 	It is unknown if any persons were responsible for the death of MILLER. No persons have claimed responsibility to this date. As such it is unknown if an OHG was responsible.
<ul style="list-style-type: none"> <i>There are indications that an OHG was involved or active in the area</i> 	There are no indications that an OHG was involved or active in the area.

<ul style="list-style-type: none"> • <i>MO is similar to known MO of an OHG</i> 	<p>The exact MO causing MILLER'S death is unknown. Evidence suggests MILLER sustained a head injury which "may represent impact with a heavy object swung against the forehead. Injury to the liver and kidney may similarly have been inflicted by one or more persons either kicking the deceased or hitting him with an object. Wrist injuries in this scenario may be an indication of defensive injury." It should be noted that all injuries sustained could have also been sustained during a fall from a height or a combination of both scenarios (OD-121). The MO used to inflict such injuries if the case that they were caused by an offender is unknown.</p>
Indicators	(y/n)
<p>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>Not 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>Yes</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>No</p>
GENERAL COMMENT	
<p>Two possible suspects were identified through the course of the investigation, ([NP130] (offender in the murder of [I304] (Case []) and [NP131]. Both persons became suspects due to certain comments made to others about being involved in incidents of violence at The Rocks. No persons have been charged as a result of the investigation into MILLER'S death, nor had anyone claimed responsibility. As such it is unknown if an OHG was responsible.</p>	

5. Previous existence of Bias Crime Incidents	
Prompts	Comment
<ul style="list-style-type: none"> • <i>Victim was visiting a location where previous bias crimes had been committed against members of the victim's group</i> 	<p>Prior to MILLER'S death he and his friends had attended the Mardi Gras Parade for a short period of time. "They watched the end of the parade whilst standing on crates and then walked to the Rocks..." (ST-195). MILLER'S body was found at the base of a 7 metre cliff at Wharf 5, Hickson Road Darling Harbour. This location is not known for previous bias crimes.</p>
<ul style="list-style-type: none"> • <i>Several incidents occurred in the same area and the victims were members of the same group</i> 	<p>No previous incidents of bias related crime or homicide are recorded against the location. MILLER was a heterosexual male who was in the area for a night out with his friends.</p>
<ul style="list-style-type: none"> • <i>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</i> 	<p>On all accounts, MILLER was portrayed as "...a young man who was popular with his peers." There is no evidence to suggest MILLER had been receiving harassing mail, email or phone calls or was the victim of verbal abuse for any reason. There is nothing to suggest anyone believed MILLER to be homosexual or to have been receiving any harassment because of a false perception about MILLER'S sexuality.</p>
<ul style="list-style-type: none"> • <i>Recent bias incidents or crimes may have sparked retaliatory bias crime</i> 	<p>MILLER is not known to have been a victim of or engaged in any recent bias incidents or crimes that may have sparked retaliatory bias crimes. Motive was not established during the investigation into MILLER'S death.</p>
Indicators	(y/n)
<p>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>	No
<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>	No
<p>Not 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>	Yes

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.	No
GENERAL COMMENT	
On all accounts, MILLER was portrayed as "...a young man who was popular with his peers." There is no evidence to suggest MILLER had been receiving harassing mail, email or phone calls or was the victim of verbal abuse for any reason. There is nothing to suggest anyone believed MILLER to be homosexual or to have been receiving any harassment because of a false perception about MILLER'S sexuality. MILLER is not known to have been a victim of or engaged in any recent bias incidents or crimes that may have sparked retaliatory bias crimes. Motive was not established during the investigation into MILLER'S death.	
6. Victim/Witness Perception	
Prompts	Comment
<ul style="list-style-type: none"> <i>Witnesses (actual) perceive that the incident was motivated by bias</i> 	There were no actual witnesses to the death of MILLER. During the course of the investigation, a number of witness statements were obtained. There is no mention by any persons that they believed this incident to have been motivated by bias.
Indicators	(y/n)
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
Not 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.	Yes
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.	No

GENERAL COMMENT

There were no actual witnesses to the death of MILLER. During the course of the investigation, a number of witness statements were obtained. There is no mention by any persons that they believed this incident to have been motivated by bias.

7. Motive of Offender/s

Prompts	Comment
<ul style="list-style-type: none"> <i>POI was previously involved in similar incident or is a member/associates with members of an OHG</i> 	No persons have been identified as being responsible for the death of MILLER. As such it is unknown if there were previous involvement in similar incidents or were a member/associate of members of OHG'S.
<ul style="list-style-type: none"> <i>The victim was in company of a member of the targeted group</i> 	It is believed MILLER was alone at the time he was murdered having been asked to leave the Observer Hotel in The Rocks. The group of friends he had been out socialising with did not see him again after being refused from the hotel.
<ul style="list-style-type: none"> <i>The victim was perceived to be breaking from traditional conventions or working non-traditional employment</i> 	MILLER "...was a young man who was popular with his peers. He was brought up in the country town of Orange where he was a keen footballer. The deceased was the middle son of three boys and appeared to have a large and loving family. He had completed his electrical apprenticeship whilst in Orange and had just been accepted into the Sports Science degree at the University of Western Sydney which was the reason the deceased had moved to Sydney, In fact the deceased was due to start his university course the day his body was found." (ST-190). There is nothing to suggest MILLER was breaking from traditional conventions or working non-traditional employment prior to his death.
<ul style="list-style-type: none"> <i>The POI has a history of previous crimes with similar MO and involving other victims of the same group</i> 	No persons have been identified as being responsible for the death of MILLER.
Indicators	(y/n)
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

Not 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.	Yes
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.	No
GENERAL COMMENT	
<p>MILLER "...was a young man who was popular with his peers. He was brought up in the country town of Orange where he was a keen footballer. The deceased was the middle son of three boys and appeared to have a large and loving family. He had completed his electrical apprenticeship whilst in Orange and had just been accepted into the Sports Science degree at the University of Western Sydney which was the reason the deceased had moved to Sydney, In fact the deceased was due to start his university course the day his body was found." There is nothing to suggest MILLER'S lifestyle was breaking from traditional conventions. MILLER was a twenty one year male who was enjoying life. No persons or motive were established during the investigation.</p>	
8. Location of Incident	
Prompts	Comment
<ul style="list-style-type: none"> <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> 	<p>Prior to MILLER'S death he and his friends had attended the Mardi Gras Parade for a short period of time. MILLER'S body was found at the base of a 7 metre cliff at Wharf 5, Hickson Road Darling Harbour. This location is not known to be frequented by members of a particular group.</p>
<ul style="list-style-type: none"> <i>The location of an incident has specific significance to the victim or POI group e.g. cemetery, religious building, historical landmark, etc</i> 	<p>MILLER'S body was found at the base of a 7 metre cliff at Wharf 5, Hickson Road Darling Harbour. This location did not appear to hold any specific significance to MILLER. MILLER had recently moved to Sydney from Orange after being accepted into a Sports Science degree at the University of Western Sydney. MILLER'S knowledge of the area surrounding The Rocks is not known. It is unknown if the location held any significance to any other persons involved in the death of MILLER.</p>
Indicators	(y/n)
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
Not 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.	Yes
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.	No
GENERAL COMMENT	
There is nothing to suggest the location had any specific significance to MILLER. MILLER had recently moved from Orange to Sydney to study at the University of Western Sydney. His knowledge of the area is unknown. It is unknown if the location held any significance to any other persons involved in the death of MILLER.	
9. Lack of Motive	
Prompts	Comment
<ul style="list-style-type: none"> <i>No clear economic or other motive for the incident exists</i> 	MILLER was a twenty one year old male who was out with friends on the night of his death. It is expected MILLER would not have been carrying large amounts of cash or anything of great value for there to be an economic motive. MILLER'S property (credit and personal cards and \$25 cash) was located inside his clothing. As a result Investigators ruled the motive of robbery as 'not likely' (ST-189). No other motive for the death of MILLER was established as a result of the investigation.
Indicators	(y/n)
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

Not 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.	Yes
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.	No

GENERAL COMMENT

The investigation was unable to establish a firm motive for the death of MILLER. MILLER was well liked and "from all reports the deceased liked to be the life of the party and had many friends including a steady girlfriend." PCSC LANE during his investigation "...could find no reason why the deceased would want to commit suicide. He appeared to have no overt personal problems with relationships or otherwise and appeared to be quite excited about his future especially as he was about to start university". "...the deceased appeared to be a happy go lucky type of person and did not seem to have a depressive personality, even when he drank alcohol. When looking at the relatively small size of the cliff I would suggest that a person would not guarantee death if they chose to jump from a cliff or that height and instead would select a much higher cliff". The death of MILLER was determined to be suspicious by investigators. On the 7 October 1997 an inquest was held in relation to MILLER'S death with NSW Senior Deputy State Coroner Mr. John ABERNETHY finding "...Scott MILLER died on 2 March 1997 at Sydney of multiple injuries inflicted by a person or persons unknown. As to the persons or persons who inflicted the injuries and the precise manner in which such injuries were inflicted, the evidence adduced does not enable me to say."

10. Level of Violence

Prompts	Comment
<ul style="list-style-type: none"> <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> 	<p>As no persons have been identified as being responsible for the death of MILLER and no firm motive established, it is unclear what, if anything gave cause for MILLER'S death. Following autopsy a summary of the pathologist's findings included; 1. Multiple Injuries: Massive Skull Fracturing, Contusions of the brain. 2. Laceration of the liver 3. Avulsion of the right kidney 4. Intra-abdominal Haemorrhage 5. Bilateral wrist fractures 6. Pulmonary contusion 7. Previous injury to sternum and left tibia 8. Alcohol intoxication - blood alcohol concentration of 0.220 per 100mL. The following suggestions were made by Pathologist: 1. Inflicted by one or more persons in a homicidal fashion. The head injury may represent impact with a heavy object swung against the forehead. Injury to the liver and kidney may similarly have been inflicted by one or more persons either kicking the deceased or hitting him with an object. Wrist injuries in this scenario may be an indication of defensive injury. 2. Sustained during a fall from a height. The wrist injuries and possibly the head and abdominal injury could have been</p>

	sustained during a fall from a height. Both the head and abdominal injuries, however are somewhat atypical for a fall from a height. 3. A combination of scenarios 1 and 2. (OD-121)
<ul style="list-style-type: none"> • <i>Weapons of opportunity are used in the incident</i> 	It is unclear if any weapons were used to inflict injuries on MILLER.
<ul style="list-style-type: none"> • <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> 	It is unclear how many persons were involved in the death of MILLER.
Indicators	(y/n)
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
Not 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.	Yes
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.	No
GENERAL COMMENT	
As no persons have been identified as being responsible for the death of MILLER and no firm motive established, it is unclear what, if anything gave cause for MILLER'S death. MILLER suffered a raft of injuries as a result of three possible scenarios; 1. Inflicted by one or more persons in a homicidal fashion. 2. Sustained during a fall from a height. 3. A combination of scenarios 1 and 2. If it was the case that MILLER was murdered, the level of violence displayed demonstrates an extreme level of violence for unknown reasons.	

SUMMARY OF FINDINGS

Indicator: Not Bias Crime (NBC)

Comment: No persons have been identified as being responsible for the death of Scott MILLER. As such the sexual orientation of any persons potentially responsible is unknown. On all accounts MILLER was a heterosexual male described as a person "...who liked to be the life of the party and had many friends including a steady girlfriend." MILLER "...was a young man who was popular with his peers." Two possible suspects were identified through the course of the investigation, **NP130** (Case ■) and **NP131**. Both persons became suspects due to certain comments made to others about being involved in incidents of violence at The Rocks. There was insufficient evidence to implicate either in the death of MILLER. The investigation was unable to establish a firm motive for the death of MILLER. The death was determined to be suspicious by investigators. Three probable scenarios were resultant of the investigation and the pathologist report; 1. MILLER'S injuries were inflicted by one or more persons in a homicidal fashion. 2. His injuries were sustained during a fall from a height. 3. A combination of scenarios 1 and 2. As a result of an inquest, NSW Senior Deputy State Coroner Mr. John ABERNETHY found "...Scott MILLER died on 2 March 1997 at Sydney of multiple injuries inflicted by a person or persons unknown. As to the persons or persons who inflicted the injuries and the precise manner in which such injuries were inflicted, the evidence adduced does not enable me to say." The available evidence fails to draw inference to any homosexual link albeit MILLER had attended the Gay and Lesbian Mardi Gras for a short time to watch the end of the parade.