NSW POLICE FORCE

STRIKE FORCE PARRABELL

Bias Crimes Indicators Review Form

Investigation No:	68
Date of Review:	10 February, 2016
Victim/Deceased:	James MEEK
Date of death:	07 March, 1995
Investigation Status:	Solved
Offender/s:	Michael HEATLEY
Investigative Unit:	Surry Hills LAC
Description:	Bashed
Case File Items:	S/F FIREWEEK / E756754
e@gle.i reference:	N/A
Name of Reviewer:	Detective Senior Constable Cameron BIGNELL
Signature:	

Indicator 1 – 9 taken from the 'Responding to hate Crime – A multidisciplinary Curriculum for Law Enforcement & Victim Assistance Professionals. National Centre for Hate Crime Prevention, United States Department of Justice Office for Victims of Crime, 2000. Indicator 10 developed by NSWPF Bias Crimes based on research and cases.

1. Differences	
Prompts	Comment
Immutable characteristic differences between victim and POI's sexual orientation The property of the	James MEEK was known by friends as a homosexual male. Evidence suggests he was living an 'out' homosexual lifestyle. Artur BUBIS, a friend of MEEK stated, "I knew he was gay. He didn't hide this. I knew that he was HIV positive." (ST-229) MEEK was extremely well know around the Northcott Department of Housing Complex in Surry Hills, as someone who preferred younger men, often seen trying to solicit sex from the younger boys around the building or in Ward Park, next to the housing complex. William COFFEY, an employee of the Department of Housing grew to know MEEK over time following MEEK moving into the Northcott building and becoming a "tenant's activist involved in local tenancy issues on behalf of the tenants living in the complex." COFFEY stated, "There had been times when complaints had been made that MEEK was attempting to solicit sex from young male tenants who reside in the complex." (ST-230). Michael HEATLEY was charged with the murder of MEEK, however, was later found not guilty. There is no evidence to suggest HEATLEY was homosexual. During record of interview, HEATLEY was asked if he had ever had a "homosexual relationship with Jim MEEK?" HEATLEY replied, "No, never." (TR-41). HEATLEY'S sister, Karen HEATLEY, was friends with MEEK and participated in a record of interview following MEEK'S murder. During record of interview Karen HEATLEY was asked to make comment on her brother and MEEK'S homosexuality. Karen HEATLEY was asked to make comment on her brother and MEEK'S homosexuality. Karen HEATLEY explained her brother, and their family, were not homophobic "we're very open. We're a very open bunch and it's never — basically, no one's homophobic in our family." (TR-43)
Victim is a member of a group which is outnumbered by members of another group in the area where the incident occurred	MEEK was a member of a number of different groups involving himself with the Mardi Gras and Clover Moore's Campaign. (ST-232). MEEK was also known to attend luncheons with the organisation called 'People Living with and affected by HIV/AIDS Luncheon Club' (ST-234). MEEK did not appear to hide the fact that he was a homosexual male. living with HIV. Dr. Wayne

It appears unlikely that sexuality or other bias was involved in the death	Yes
There is no evidence that sexuality or other bias was involved in the death	No

MEEK on all accounts was living an 'out' homosexual lifestyle and often utilised 'beats' to meet men. He was known around the Northcott Department of Housing Complex as a man who preferred younger men, often seen trying to solicit sex from the younger boys around the building or in Ward Park, next to the housing complex. William COFFEY, an employee of the Department of Housing grew to know MEEK over time following MEEK moving into the Northcott building and becoming a "tenant's activist involved in local tenancy issues on behalf of the tenants living in the complex." COFFEY stated, "There had been times when complaints had been made that MEEK was attempting to solicit sex from young male tenants who reside in the complex." Michael HEATLEY was charged with the murder of MEEK however was later found not guilty. There is no evidence to suggest HEATLEY was homosexual. During record of interview, HEATLEY was asked if he had ever had a "homosexual relationship with Jim MEEK?" HEATLEY replied, "No, never."

2. Comments, Written Statements, Gestures

Prompts	Comment
Bias related comments, written statements or gestures were made by the POI	During record of interview, HEATLEY denied having any involvement in the murder of MEEK. HEATLEY gave a an account of what occurred on the evening he stayed, presumably the evening before or of MEEK'S death. HEATLEY stated "we [MEEK and HEATLEY] sat up at the table, me and the security guard, Jim, talking, just laughing and joking. I was smoking Marijuana, Jim's Marijuana, watched a few movies. I can't actually remember what the movies were cause we weren't paying much attention to them – and then that was it. We went to bed. The security guard left, the security guard come back, the security guard left, the security guard come back, the security guard left, the security guard come back." (TR-41) There is no information to suggest HEATLEY had any issue with MEEK'S sexuality. As such there is no evidence of HEATLEY making any bias related comments or gestures towards MEEK at any point in time. During the investigation, a letter addressed to MEEK from 'Daewoo Australia' was seized from within his unit. On the rear of the letter was a number of "scribbling patterns" were observed (ST-301). During record of interview, HEATLEY was asked about the presence of such drawings, specifically the letters 'ST' and what that represented. HEATLEY stated, "I might've did some of the heavy black stuff. That's all, I reckon, 'cause it was sitting on his table." In relation to being asked what the 'ST' stood for, HEATLEY

	stated, "I wouldn't have a clue; I didn't do it." (TR-41)
 Comments and gestures can occur before, during and after the incident 	There is no evidence to suggest any comments or gestures occurred before, during or after the murder of MEEK.
Victims may not be aware of the significance of gestures made	There is no evidence to suggest any comments or gestures occurred before, during or after the murder of MEEK. HEATLEY did not provide evidence during record of interview, indicating he made any adverse comments or gestures during to HEATLEY on any occasion. He denied having any involvement in MEEK'S murder.
Indicators	(y/n)
There is evidence that sexuality or other bias was involved in the death	No
It appears likely that sexuality or other bias was involved in the death	No
It appears unlikely that sexuality or other bias was involved in the death	No
There is no evidence that sexuality or other bias was involved in the death	Yes

During record of interview, HEATLEY denied any involvement in the murder of MEEK. HEATLEY gave a recount of what occurred on the evening he stayed, presumably the evening before or of MEEK'S death. There is no information to suggest HEATLEY had any issue with MEEK'S sexuality. As such, there is no evidence of HEATLEY making any bias related comments, written statements or gestures towards MEEK at any point in time.

3. Drawings, Markings, Symbols, Tattoos, Graffiti

Prompts	Comment
Bias related drawings, markings, symbols or graffiti were left at the scene or were seen on the POI	Thirty two (32) photographs were taken of the scene by crime scene officer, Plain Clothes Constable Suzana CATHERINE. No photos of the scene were viewed during this review. PCC CATHERINE in her statement provided a detailed description of the scene and the deceased during the crime scene processing. PCC CATHERINE makes no mention of any bias related drawings, markings, symbols or graffiti being left at the scene (ST-226). Two (2) photographs of HEATLEY were reviewed. No bias related markings were observed on the face and neck

	area of HEATLEY. The photographs did not depict HEATLEY'S body (PH-31). A description of tattoos on HEATLEY'S body was given in the 'Violent Crime Linkage Analysis System' Form describing HEATLEY as having a 'mythical figure – dragon and china man' on his right upper arm, a 'viking' on his left upper arm and the word 'Wendy' on his left breast. (OD-162)
Before discounting symbols, ensure that you understand the meaning of the symbol	No drawings, markings, symbols or graffiti were described as being present at the scene or on the body of MEEK or HEATLEY.
Indicators	(y/n)
There is evidence that sexuality or other bias was involved in the death	No
It appears likely that sexuality or other bias was involved in the death	No
	No No

No bias related drawings, markings, symbols or graffiti were described as being present at the scene or on the body of MEEK or HEATLEY.

4. Organised Hate Groups (OHG)

Prompts	Comment
Objects or items that represent the work of an OHG were left at the scene, e.g. business cards, flyers, burning cross	No foreign objects that may have been introduced to the scene during the murder of MEEK were recovered during processing. As such, there is no evidence available that indicates any objects that represent an OHG were left at the scene by HEATLEY following the murder.
An OHG claimed responsibility	HEATLEY was arrested three months later in Tasmania having been identified as the probable person responsible for the murder of MEEK. No admissions were made by HEATLEY with him denying any involvement in MEEK'S death. HEATLEY was eventually found not guilty of all charges. There is no evidence to suggest HEATLEY was affiliated with an OHG.
There are indications that an OHG was involved	There are no indications that an OHG was involved or active in the area.

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or active in the area	
MO is similar to known MO of an OHG	HEATLEY died as a result of receiving blunt force trauma to his head. It is unknown what was used to inflict such injuries. The MO used does not possess any unique characteristics that may be liked to or known to be similar to that of an OHG.
Indicators	(y/n)
There is evidence that sexuality or other bias was involved in the death	No
It appears likely that sexuality or other bias was involved in the death	No
It appears unlikely that sexuality or other bias was involved in the death	No
There is no evidence that sexuality or other bias was involved in the death	Yes

HEATLEY was the only offender identified as being responsible for the murder of MEEK. He was arrested three months after the murder, and charged however, later found not guilty. HEATLEY made no admissions to the murder denying any involvement. There is no evidence to suggest HEATLEY was affiliated with an OHG. There is no evidence available that indicates any objects that represent an OHG were left at the scene. The MO used being blunt force trauma to the head by unknown means is not unique or representative of any known OHG'S.

5. Previous existence of Bias Crime Incidents

Prompts	Comment
Victim was visiting a location where previous bias crimes had been committed against members of the victim's group	MEEK was murdered in his Department of Housing unit within the Northcott Building in Surry Hills. A considerable amount of crime is known to have occurred within the Northcott Building however, it is unknown if any of these crimes were motivated by bias.
Several incidents occurred in the same area and the victims were members of the same group	No previous incidents of bias related crime or homicide are recorded against MEEK'S address.
 Victim has received previous harassing mail, email, social media posts or phone calls or has been the victim of verbal abuse (anti-gay) based 	There is no evidence or previous reported incidents that suggest MEEK had been receiving harassing mail, email or phone calls because of his

GENERAL COMMENT	
There is no evidence that sexuality or other bias was involved in the death	Yes
It appears unlikely that sexuality or other bias was involved in the death	No
It appears likely that sexuality or other bias was involved in the death	No
There is evidence that sexuality or other bias was involved in the death	No
Indicators	(y/n)
 Recent bias incidents or crimes may have sparked retaliatory bias crime 	MEEK and HEATLEY, are not known to have been victim to or engaged in any recent bias incidents or crimes that may have sparked retaliatory bias crimes. HEATLEY is not known to have been involved in other bias related crimes or incidents that may have caused him to murder MEEK
on his/her affiliation with a targeted group	sexuality, HIV status or affiliation with various GLBTIQ organisations.

There is no evidence that suggests any previous existence or incidents of bias related crime having occurred towards MEEK. As such, it is unlikely that the murder of MEEK was a retaliatory attack.

Prompts • Witnesses (actual) perceive that the incident was motivated by bias Indicators Omment There were no actual witnesses to the murder of MEEK. A number of MEEK'S friends and acquaintances provided statements during the investigation. There is no mention by any persons that they believed this incident to have been motivated by bias. Indicators (y/n) There is evidence that sexuality or other bias was involved in the death

It appears likely that sexuality or other bias was involved in the death	No
It appears unlikely that sexuality or other bias was involved in the death	Yes
There is no evidence that sexuality or other bias was involved in the death	No

There were no actual witnesses to the murder of MEEK. A number of MEEK'S friends and acquaintances provided statements during the investigation. There is no mention by any persons that they believed this incident to have been motivated by bias.

7. Motive of Offender/s

7. Motive of Officiacity	
Prompts	Comment
POI was previously involved in similar incident or is a member/associates with members of an OHG	Prior to the date of MEEK'S murder, HEATLEY had not been involved in any incidents involving such high levels of violence. There is no evidence to suggest HEATLEY was associated with or a member of an OHG.
The victim was in company of a member of the targeted group	MEEK was believed to be alone at the time he was murdered. During record of interview, HEATLEY explained that he had stayed at MEEK'S unit in the days prior to MEEK'S murder. During his time in the unit a security guard only known to HEATLEY as 'Michael.' The sexuality or Michael is not known. There is no evidence to suggest MEEK was definitively targeted because of his sexuality.
The victim was perceived to be breaking from traditional conventions or working non-traditional employment	"MEEK was unemployed and received a disability support pension. MEEK had recently received a large compensation pay out as a result of an incident which occurred when he was previously employed as a security guard." (ST-230) MEEK frequented 'beats' at Ward and Centennial Park where he would often meet other men. Quite often, MEEK would invite these men to his unit to engage in sex with him. It was not uncommon for MEEK to be seen around the Northcott Building with young boys from about the age of 12. Kevin MARSH stated, "I also saw him [MEEK] in the park at night time. I knew that Mr MEEK was gay and he liked young boys from 12 years old upwards. I have seen Mr. MEEK with several young men, including people from the flats." (ST-236). MEEK'S method of meeting other

	men and his desired age could have been frowned upon, by both the GLBTI and broader community at the time of his murder.
The POI has a history of previous crimes with similar MO and involving other victims of the same group The POI has a history of previous crimes with similar MO and involving other victims of the	Prior to MEEK'S murder HEATLEY had no prior convictions relating to crimes displaying such a high level of violence. HEATLEY was found not guilty of all charges surrounding the murder of MEEK. There is no evidence to suggest HEATLEY ever had any incidents involving homosexual victims.
Indicators	(y/n)
There is evidence that sexuality or other bias was involved in the death	No
It appears likely that sexuality or other bias was involved in the death	No
It appears unlikely that sexuality or other bias was involved in the death	Yes
There is no evidence that sexuality or other bias was involved in the death	No

Prior to MEEK'S murder, HEATLEY had no prior convictions relating to crimes displaying such a high level of violence. HEATLEY was found not guilty of all charges, surrounding the murder of MEEK. There is no evidence to suggest HEATLEY ever had any incidents involving homosexual victims or was a member/associate of and OHG. During record of interview, HEATLEY denied any involvement in the murder of MEEK. It was established HEATLEY had slept on the couch at MEEK'S unit two days prior to him being discovered deceased. HEATLEY denied any sexual advances or activities ever taking place between him and MEEK. Whilst at MEEK'S unit, HEATLEY admits to stealing a 'gents 9 carrot ring', hocking the ring the same day. Robbery was listed as the possible motive in the 'Violent Crime Linkage Analysis System' form (OD-162).

8. Location of Incident **Prompts** Comment MEEK was murdered in his Department The victim was in or near an area or place of Housing within the Northcott Building commonly associated with or frequented by in Surry Hills. MEEK frequented Ward members of a particular group e.g. beat Park which is located next to the building, often using this as a means of meeting young men which he would take back to his unit for sexual favours. There is no evidence to suggest the specific location of an incident has location of the incident had any specific significance to the victim or POI group e.g.

cemetery, religious building, historical landmark, etc	significance to either MEEK or HEATLEY other than being MEEK'S home.
Indicators	(y/n)
There is evidence that sexuality or other bias was involved in the death	No
It appears likely that sexuality or other bias was involved in the death	No
It appears unlikely that sexuality or other bias was involved in the death	No
There is no evidence that sexuality or other bias was involved in the death	Yes

MEEK was murdered in his Department of Housing within the Northcott Building in Surry Hills. MEEK frequented Ward Park which is located next to the building, often using this as a means of meeting young men which he would take back to his unit for sexual favours. There is no evidence to suggest the location of the incident had any specific significance to either MEEK or HEATLEY other than being MEEK'S home.

9. Lack of Motive

Prompts	3		Comment
No clear economic or incident exists	other motive	for the	There were no signs of disturbance in the unit, and no forced entry (ST-226). It was established that HEATLEY had stayed at the MEEK'S unit two days prior to him being discovered deceased. HEATLEY denied any sexual activities or advances ever taking place between himself and MEEK. Crime Scene Officer PCC WHYBRO noted, a used condom on the floor of MEEK'S bedroom during her processing (ST-226). During record of interview, HEATLEY denied any involved in the murder of MEEK. HEATLEY was eventually found not guilty of all charges. Admissions were made in relation to the stealing of a

	'gents 9 carrot ring', hocking the ring the same day which HEATLEY hocked the same day.
Indicators	(y/n)
There is evidence that sexuality or other bias was involved in the death	No
It appears likely that sexuality or other bias was involved in the death	No
It appears unlikely that sexuality or other bias was involved in the death	Yes
There is no evidence that sexuality or other bias was involved in the death	No

No clear motive was established during the investigation into the murder of MEEK. HEATLEY was charged with the murder, however was eventually found 'not guilty.' It was noted that there were no signs of disturbance or forced entry on MEEK'S unit. Investigations revealed HEATLEY, had stayed at the MEEK'S unit two days prior to him being discovered deceased. During crime scene processing, PCC WHYBRO noted the presence of a used condom on the floor of MEEK'S bedroom however HEATLEY denied any sexual activities or advances ever taking place between himself and MEEK. Admissions were made by HEATLEY during record of interview in relation to the stealing of a 'gents 9 carrot ring', hocking the ring the same day which HEATLEY hocked the same day however he denied any involvement in the murder of MEEK.

10. Level of Violence

Prompts	Comment
The level of violence and injuries sustained by the victim/s is greater than would be expected for a crime of that type The level of violence and injuries sustained by the victim/s is greater than would be expected for a crime of that type	Pathologist, Dr. Christopher LAWRENCE was of the opinion that MEEK "died as a consequence of blunt force head injuries." The autopsy revealed "extensive bruising and injury of the head. The pattern of the bruising [was] extensive with almost continuous bruising around the entire head. The contused abrasions show[ed] a pattern which is yet to be identified." "There [was] no skull fractures, however, there [was] subarachnoid and subdural haemorrhage." "in my [Dr. LAWRENCE'S] opinion the pattern of the injuries is consistent with an assault." (OD-139) No clear motive was established during the investigation with robbery listed as the probable motive. Should this be the case, the level of violence displayed involving the assaulting of MEEK to the head in a manner in which such extreme injuries were inflicted ultimately causing his death is not justifiable. A sexual motive was not established despite a used condom being located in MEEK'S

	bedroom during crime scene processing. HEATLEY denied any sexual activities having occurred between him and MEEK.
Weapons of opportunity are used in the incident	A broken crockery dog bowl was located beside MEEK'S deceased body. It is not known if this was used as a weapon. In Dr. LAWRENCE'S medical report it was noted that there was a "confused abrasion show[ing] a pattern which is yet to be identified." Dr. LAWRENCE states that this pattern "may represent a shoe print." (OD-139) No definitive murder weapon was identified during the investigation however MEEK'S injuries were caused as a result of blunt force.
The number of POI's is greater than the number of victims and all POI's take an active role in the assault assault	HEATLEY was the only offender identified for the murder of MEEK. HEATLEY was charged however eventually found not guilty.
Indicators	(y/n)
There is evidence that sexuality or other bias was involved in the death	No
It appears likely that sexuality or other bias was involved in the death	No
It appears unlikely that sexuality or other bias was involved in the death	Yes
There is no evidence that sexuality or other bias was involved in the death	No

HEATLEY was the only offender identified for the murder of MEEK. HEATLEY was charged, however eventually found not guilty. No clear motive was established during the investigation, with robbery listed as the probable motive. Should this be the case, the level of violence displayed involving the assaulting of MEEK to the head in a manner in which such extreme injuries were inflicted ultimately causing his death is not justifiable. A sexual motive was not established despite a used condom being located in MEEK'S bedroom during crime scene processing. HEATLEY denied any sexual activities having occurred between him and MEEK. A broken crockery dog bowl was located beside MEEK'S deceased body. It is not known if this was used as a weapon. In Dr. LAWRENCE'S medical report it was noted that there was a "...confused abrasion show[ing] a pattern which is yet to be identified." Dr. LAWRENCE states that this pattern "...may represent a shoe print." (OD-139) No definitive murder weapon was identified during the investigation however MEEK'S injuries were caused as a result of blunt force.

SUMMARY OF FINDINGS

Indicator: It appears unlikely that sexuality or other bias was involved in the death.

Comment: MEEK on all accounts, was living an 'out' homosexual lifestyle that often utilised 'beats' to meet men. He was known around the Northcott Department of Housing Complex, as a man who preferred younger men, often seen trying to solicit sex from the younger boys around the building or in Ward Park, next to the housing complex. Michael HEATLEY was charged with the murder of MEEK, however, was later found not guilty. There is no evidence to suggest HEATLEY was homosexual. There were no actual witnesses to the murder of MEEK. A number of MEEK'S friends and acquaintances provided statements during the investigation however there was no mention by any persons that they believed this incident to have been motivated by bias. There is no evidence to suggest HEATLEY had ever been involved in any incidents involving homosexual victims or was a member/associate of and OHG. During record of interview, HEATLEY denied any involvement in the murder of MEEK. The investigation established HEATLEY had slept on the couch at MEEK'S unit two days prior to him being discovered deceased. HEATLEY admitted to stealing a 'gents 9 carrot ring' from MEEK, hocking the ring the same day. It was noted, that there were no signs of disturbance or forced entry on MEEK'S unit. During crime scene processing, PCC WHYBRO noted the presence of a used condom on the floor of MEEK'S bedroom however HEATLEY denied any sexual activities or advances ever taking place between himself and MEEK. No definitive murder weapon was identified during the investigation however MEEK'S injuries were caused as a result of blunt force to the head.