NSW POLICE FORCE	P190B

STATEMENT OF POLICE

In the matter of:	Special Commission of Inquiry into LGBTIQ Hate Crimes
Place:	Missing Persons Registry - State Crime Command
Date:	19 May 2023

Name:	Ritchie SIM	**Tel. No:**	▮▮▮▮▮▮
Rank:	Detective Inspector		
Station/Unit:	Manager, Missing Persons Registry, SCC		

STATES:

1. This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief, and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution if I have wilfully stated in it anything that I know to be false, or do not believe to be true. In this statement, if there is any information I have obtained from a particular source, I set out the source of that information.

2. I am 53 years of age.

3. I make this statement in respect of the Request for Statement issued by the Special Commission of Inquiry into LGBTIQ Hate Crimes (**Inquiry**) on 13 April 2023, specifically requesting information concerning the recommendations of Deputy State Coroner Milledge in the context of the inquest into the deaths of Ross Warren, John Russell and Gilles Mattaini in 2003-2005 (**Taradale Inquest**) (**Request for Statement**). A copy of the Request for Statement is attached as '**Annexure 1**'.

Witness: ▮▮▮▮▮▮	Signature: ▮▮▮▮▮▮
Kirsty Hales Detective Inspector 19 May 2023	Ritchie Sim Detective Inspector, Manager Missing Persons Registry, SCC 19 May 2023

Statement of Detective Inspector Ritchie SIM
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4.   In this statement, I specifically address the following recommendation made in the Taradale
Inquest:

4.1.   Undertake a review of the current case management and monitoring systems to ensure
that all investigations are pursued with due diligence (**Recommendation 4**).

5.   This is the first statement I have made in the context of the Inquiry.

6.   At the time of signing this statement, I have been shown a zipfile of electronic documents
marked with electronic document IDs in the format '**NPL.XXXX.XXXX.XXXX**'. Where I refer
to a document in this statement, I refer to it by its document ID.

7.   The Request for Statement contains five questions. I respond to each of the questions
below. The questions cover the time from the date of the Taradale Inquest
recommendations (2005) to today. At the time of the Taradale Inquest, I was a Detective
Leading Senior Constable (**DLSC**), performing the role of Team Leader, Detective Sergeant,
with the Homicide Squad, State Crime Command (**SCC**). I was not involved in the Taradale
Inquest, or with any subsequent actions taken by NSWPF.

8.   In the time I have been at NSWPF, there have been substantial changes in the way that
investigations are managed. Upgrades have been applied to systems used by NSWPF. I
describe a number of key changes in this statement.

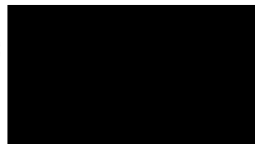## ROLE AND POLICING EXPERIENCE / QUALIFICATIONS & TRAINING

9.   I am a Detective Inspector and the Manager of the Missing Persons Registry (**MPR**), SCC. I
was appointed to this role on 20 November 2022. I have been a member of the NSWPF
since October 1988 and attested from the Academy in April 1989.

10.   I have worked in the field of criminal investigation for approximately 30 years, with
approximately 25 years specialising in the field of major crime and I have significant
experience in the management of information in the context of the investigation of major
crime investigations. I have worked in various squads, including the Homicide Squad.

Witness: ███████████████

Kirsty Hales
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RECOMMENDATION 4

11. In this section of my statement, I address Recommendation 4 which recommended that the Minister for Police and the Police Commissioner:

> *Undertake a review of the current case management and monitoring systems to ensure that all investigations are pursued with due diligence.*

12. Read literally, the terms of Recommendation 4 appear to be very broad. It is difficult to determine, from the words of the recommendation alone, exactly what the intended scope of the review was. I have reviewed the submissions made by Counsel Assisting the Taradale Inquest in support of what eventually became Recommendation 4 (Exhibit 6, Tab 323 of the Inquiry's Tender Bundle). Having reviewed those submissions (and in particular what is said at pages 13 and 14 of the transcript), it appears to me that the recommendation concerns the implementation of NSWPF's major crime management tool, 'E@gle.i'. I will respond to the questions in the Request for Statement on the basis of that understanding. I will also refer to the 'COPS' system, which does not appear to have been the direct subject of the recommendation.

a) Whether and by what means the NSWPF accepted the recommendation

13. As stated above, I was not involved in the Taradale Inquest, or any steps taken by NSWPF following the recommendations being made.

14. I have been shown document NPL.0100.0009.0073. I am advised that this document was located by the Professional Standards Command (**PSC**) and has previously been produced to the Inquiry. I do not know who produced this record to the Inquiry.

15. The document appears to be a report prepared by SCC for the PSC for the purpose of providing 'comment' regarding 'a series of recommendations' made by the Taradale Inquest. The recommendation is that the 'advice be forwarded' to the PSC. The document appears to be noted by the Manager, Operations SCC and supported by the Commander, SCC. I have not seen a version of the document endorsed by the Commander, PSC.

Witness: ▮▮▮▮▮▮

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16.   Regarding Recommendation 4, the document states:

> *Major investigations are now managed within the 'e@glei' [sic] information*
> *management system. This permits greater accountability and allows for easier*
> *supervision via the system's reporting components. Further, the COPS case*
> *management system is overseen by a new Crime Management Units and Crime*
> *Managers within the Local Area Command environment. State Crime Command*
> *also has a strict review process which is applied to all major investigation lead by*
> *this Command.*

17.   The description of major investigations being managed within E@gle.i around 2005 is
consistent with my recollection of investigative practices at that time.

18.   I have also been shown document NPL.0100.0009.0066. I am advised that this document
was located by officers assisting NSWPF to respond to the Inquiry and that it has previously
been produced to the Inquiry. I do not know who produced this record to the Inquiry.

19.   The document states that it is a 'response to the recommendations of the State Coroner'
following the Taradale Inquest. The 'recommendation' identified on the document is that the
'Ministry be advised'. The version of the document that I have been shown indicates that the
contents were noted by the Director, Strategic Support and the Assistant Commissioner,
Professional Standards. I have not seen a version of the document endorsed by the Deputy
Commissioner, Specialist Operations or Operations, the Commissioner, or Minister.

20.   Regarding Recommendation 4, document NPL.0100.0009.0073 contains substantially the
same content as is set out at paragraph 15 above relating to document
NPL.0100.0009.**0066**. The document ending in .0073 includes the additional line:

> *There have also been significant changes in the manner in which Forensic Services*
> *Group investigates major crime and suspicious deaths.*

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21. I have not been part of the Forensic Services Group and am unable to comment on changes in the manner in which that group investigates major crime and suspicious deaths.

b) Whether, by what means, and to what extent, the NSWPF has implemented the recommendation

22. I describe below changes to the case management and monitoring systems at NSWPF prior to and including E@gle.i. This demonstrates how NSWPF have upgraded their case management and monitoring systems to ensure investigations are pursued with due diligence.

Crime and incident reporting
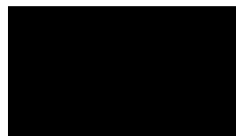
23. When I commenced my training in October 1988, NSWPF used a 'Crime Reporting Form', which was a hardcopy form with four carbon fibre duplicates and prepared using a typewriter.

24. In around 1993, COPS (also now known as WebCops) was introduced. Its primary function is to record crime, operational occurrences, criminal intelligence, and case management of criminal investigations. It is the principal information repository for operational police and the primary source of information. As an investigation management system, it permits information gathering, recording, categorising and tasking. I was a COPS facilitator in 1993, meaning I trained police in the use of the new COPS system. COPS has undergone substantial changes, enhancements and expansion since 1993. It remains in use today.

25. From a case management perspective, COPS:

    25.1. Is used to manage investigations referred to as 'minor' investigations. This differentiates them within the NSWPF from 'major' crime investigations, which are managed on E@gle.i. Homicide investigations fall into the category of 'major' crime investigations.

    25.2. Records investigation information including narratives, victim liaison and notifications, exhibit and forensic analysis, briefs of evidence, case history, links to E@gle.i (where

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relevant), case file items including statements, details of persons of interest,
investigation progress, case progress, case status, and case oversight.

25.3. Permits supervision and oversight. Supervisors are able to monitor outstanding work
for their staff and command, depending on their access level (relevant to rank or
position within the Command). This includes being able to view incomplete actions,
and monitoring cases, jobs and briefs.

25.4. Provides automated reminders for actions within a case or event. For example, victim
notifications; case follow up notifications; and outstanding actions. Reports of
outstanding actions can also be prepared from the information in COPS, which would
include details of the person responsible for the action, the description of the action, the
date it was created and the date the action is due.
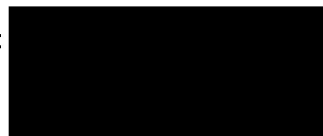
<u>Major crime management</u>

26. Again, when I commenced with the NSWPF, this was prior to the use of computers in the
management of information. Hard copy index cards were used to record information, which
could be searched and cross referenced. Index cards were prepared by the Officer in
Charge (**OIC**) of an investigation, sometimes with the assistance of an Analyst.

27. The Task Force Investigation Management System (**TIMS**) was introduced in the mid-1990s.
It was a 'WordPerfect 5.1' system which used macros to create 'running sheets'. TIMS
enabled NSWPF to task, record and categorise information, intelligence and evidence in
major crime investigations. This was reflected in the running sheets which were reviewed by
the OIC. Jobs or tasks were often reflected by the OIC in a 'Job Book', which were then
categorised back into the TIMS running sheet either by the OIC or a TIMS 'operator'
assisting them. Information in the running sheets was saved onto floppy disks and in
hardcopy as the investigation progressed.

Witness: ███████████ Signature: ███████████

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28. Prior to the introduction of E@gle.i, I had extensive experience using TIMS, as an investigator, operator and OIC.

29. E@gle.i is the current, corporately recognised (endorsed) major crime information management system. It was specifically designed to be used in all major crime investigations.

30. I have been heavily involved in the development and use of E@gle.i since it was introduced in late 1999. I was a member of the investigative team that first used the system to record the first murder investigation undertaken using the system. Since then, I have been involved in more than 170 investigations using E@gle.i. I have variously performed the role of investigator, OIC and Investigation Supervisor in those investigations.

31. E@gle.i is a system that enables police to record, review and categorise information, intelligence, and evidence. It has an internal auditing function which provides a robust and transparent record of the entirety of an investigation. It has evolved since its original implementation and has been subject of several upgrades, releases, and enhancements. For the most part, these upgrades have focussed on improving user capability and streamlining processes.

32. I have set out detail of how the system currently operates in response to part (c) of the Request for Statement from paragraph 33 below.

c) Whether the NSWPF's current practices are consistent with the recommendation

33. NSWPF is continuing to use E@gle.i (subject to various upgrades and enhancements that have been made over time) today. It acts as the formal information recording repository for major crime investigations and includes investigative and administrative records. An 'investigative' record is anything that may be used in evidence. An 'administrative' record is, generally, anything that is not an investigative record and includes, for example, progress

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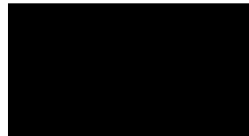
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reports and status updates. For the reasons I set out below, I consider NSWPF's current practices are consistent with Recommendation 4.
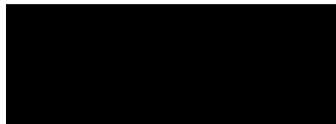
34. Generally speaking, E@gle.i is a defendable, accountable and transparent system which assists the NSWPF to progress major crime investigations. By this I mean:

    34.1. Defendable: The audit trail and transparency of the information flow and how the information is recorded has withstood detailed scrutiny by judicial oversight. Complete briefs of evidence or items contained in the brief of evidence, compiled with the assistance of E@gle.i, have been admitted into evidence in the criminal and coronial jurisdictions, including the Local, District and Supreme Courts of NSW.

    34.2. Accountable: E@gle.i has three main layers of accountability. The first is through the reviewing process of all the information relating to the investigation referred to as a 'Products' in the system. The record is then submitted by the Officer, it is reviewed by the OIC, and the product is categorised. Once the product has an 'Accepted' status, the contents cannot be changed and there is a permanent record of that information in the system. These products cannot be deleted, they can only be given the status of 'Cancelled'. The accountable aspect being the product remains a permanent record. The accountability is also reflected through the User's ability to see the history of a product and task. For example, the product history shows what stages the product has been through from the point of creation, to when it was reviewed and given the 'accepted' status. The term 'Accepted' is a term assigned as the 'product status'. It means that the product has been read and, where necessary, actioned by the OIC. For example, the OIC may have created a task relating to that product. Having been accepted, the product is then categorised, or indexed in with all the investigation records. The history would show when the product was created, submitted, if it was rejected (at the time of quality review by the OIC), and when it is accepted and categorised. E@gle.i also has an audit trail which is only visible to management.

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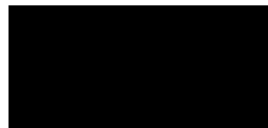
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34.3. Transparent: Information is recorded in E@gle.i with the knowledge that investigations may be subject of judicial oversight at any time. The users of E@gle.i also know that the information recorded in E@gle.i, once 'accepted', is a permanent record. This process encourages and goes a long way to ensure that the information contained in those records are as detailed and accurate as possible at the time the record is created.

Investigative records
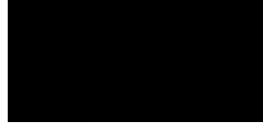
35. E@gle.i is a very flexible system because the functionality enables the OIC to manage the investigation based on their experience, their preferred information management style, and the complexity of the investigation being recorded in the system. For example, the nature of investigations differs depending on the crime type. Murder investigations often differ from fraud investigations. A murder investigation contains very sensitive and graphic information. This investigation type also records information excluding persons of interest from possible involvement in the incident and often contains much more detail due to the mandatory judicial review in either the criminal or coronial jurisdictions. Subsequently they both require a robust information gathering system due to the large amounts of information obtained during the investigations, and the complexities of investigating the specific crime types.

36. Regardless of the investigation type, there are general 'product workflow' and 'task flows' in E@gle.i. Attached to my statement and marked NPL.9000.0010.0001, is a document which sets out those product work flows, including the review processes required to be completed in order to 'accept' a product or task.

37. The main 'product types' are text documents (this is the broadest category, and can include statements, call charge records, notes and other types of documents), transcripts, audio-visual files, and physical objects.

38. A 'Product' is the generic term used to describe the screen of the E@gle.i system used to record information, as described above. The user selects the product type they wish to create, and they are presented with a blank form on the computer screen. The user then

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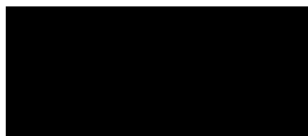Detective Inspector
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inputs the information into the sections of the form and the record is saved. The user is also provided the opportunity to attach another file to that product called an 'Attachment' (for example a signed statement), and that attachment is then permanently linked to the product. The Product is then submitted by the user and the product undergoes the reviewing process as described above.

39. Once a product has been 'created' by an investigator, an officer attached to the investigation with reviewing capability (most commonly the OIC) reviews the content of the product. The reviewer then 'accepts' or 'rejects' the product. If rejected, the product is returned to the officer who created the product, with a comment explaining the rejection. The officer who created the product then addresses the issue and resubmits the project. If accepted, the product is assigned to a category (see paragraph 40 below). An example of a product is a statement. The product contains a high-level explanation as to the relevance of the statement and attached to the product is the signed document for inclusion in a brief of evidence.

40. Categories are created to store the products. E@gle.i has the capability to create a 'Parent Category' and 'Sub-categories' under each parent. For example, the Parent Category may be 'Statements'. The subcategories might be 'Statements from Police who attended the scene'; 'Statements of Investigating Police'; 'Identification Statements'; and 'Statements of witnesses at the scene'. Again, the capability to create categories is flexible to meet the requirements of categorising information relevant to the crime type being investigated. Categorising information has multiple purposes. Generally, those purposes are:

40.1. To search for information

40.2. To assist in brief preparation

40.3. To provide a high-level view of the direction an investigation is taking.

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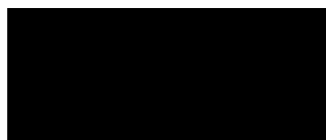Kirsty Hales
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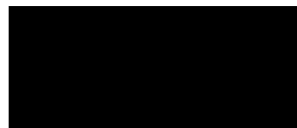
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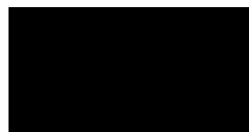*LGBTIQ Hate Crimes*

41. When tasks are created, they are assigned to specific individuals. A due date is established by the OIC and if the due date is not met, tasks are labelled 'overdue'. When the user accesses the investigation (or Strike Force), they can filter for tasks and products. For example, the OIC accesses the tasks within a strike force, they can then filter for all the task status types (allocated, unallocated, overdue, completed, in progress etc). This filtering capability also relates to Products (entered, submitted, rejected, cancelled, or accepted).

42. Tasks are automatically assigned a particular status in E@gle.i: allocated (as in, to the officer responsible), allocated as an assisting officer (other officers allocated to the task to assist in completing the task under the instruction of the officer responsible), unallocated (yet to be allocated), in progress (allocated, viewed, but no products have yet been submitted in response to the task), partially completed (at least one product has been submitted to answer the task but the task is not yet complete), completion proposed (the allocated officer has submitted the task for review), completed (the OIC has reviewed and accepted what has been done by the allocated officer(s)), cancelled (in which case, a record of why the task was cancelled is retained on the file), incomplete, or overdue.

43. This process ensures a robust process to track the progress of an investigation, assess the work that is being done, and ensures oversight by the OIC and Senior Supervisor. Relevant to the investigative aspect of the strike force, the information flow and review processes relevant to Tasks and Products ensures that all information is reviewed, assessed, and categorised by the OIC. At the administrative level of a strike force, the capability of the system provides the Supervisor, Senior Supervisor, and other managerial positions the capability to oversight the progress of an investigation.

44. All products and tasks created in E@gle.i are automatically time and date stamped. This is also captured in the E@gle.i audit data (as described above), as are the details of the user who created or reviewed the product or task.

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45.   Investigators assigned to a particular Strike Force in E@gle.i also have access to detailed reports to assist with monitoring the progress of an investigation. These reports include summaries of task status, product status, individual staff workload, reviewing staff workload, investigation logs and status reports. I describe the function of status reports and investigation logs below.

Administrative records

46.   E@gle.i has further review and monitoring capabilities. These include Operational Assessments and Status Reports, which are required to be prepared and then saved into E@gle.i.

47.   Progress reports, also referred to as Operational Assessments, are prepared by the OIC and as the name suggests, report on the progress of the investigation. They are prepared based on agreed timeframes established at the beginning of an investigation, which are normally fortnightly, monthly, or three-monthly, however these time frames might be changed on agreement at the commencement of the investigation, or during the course of an investigation. One of the considerations relevant to the timeframes during this reporting process is the nature and seriousness of the investigation. On completion, they are submitted via the chain of command. This reporting is an example of the oversight processes of major crime investigation. Supervisors of the investigation, including Management, review the progress of the investigation as reported, and if necessary, provide comment. Generally, examples of the comments can relate to timeframes relevant to the investigation, intended investigative strategies, or simply for the investigation to continue.

48.   Status reports include situation reports (SITREP), which are required to be completed on the occurrence of new or existing incident (for example, execution of a search warrant). These are also saved into E@gle.i.

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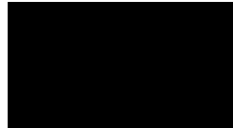
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49.   The investigation log relates to administrative decisions made during the course of an investigation and is normally maintained by the OIC. The Investigation Log is generally used to record decisions, including the rationale, as well as administrative aspects impacting on the investigation. For example, resourcing, legislative implications / shortfalls, etc.

50.   Through the accountability I have identified above, including the review processes around products and tasks, as well as the administrative oversight through reporting, including progress reports, the E@gle.i system ensures investigations are pursued with due diligence.

d) Results of any reviews undertaken by the NSWPF as a result of the recommendation

51.   As described above, E@gle.i has been the subject of numerous reviews and upgrades to ensure it remains fit for purpose.

e) Any other action undertaken by the NSWPF as a result of the recommendation
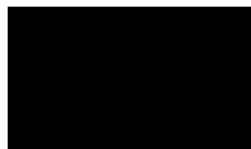
52.   Beyond the matters addressed above, I am not aware of any further reviews as a result of Recommendation 4.

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