New South Wales Police

## Strike Force Neil

# Cronulla Riots




## Review of the Police Response

# Report and Recommendations

Volume 1 of 4

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# Introduction

Following the events in Sydney between the 11th and 13th December 2005 commonly referred to as 'The Cronulla Riots', the NSW Commissioner of Police, Ken Moroney AO, APM, MA directed that a review be undertaken in relation to the initial response by the NSW Police.

He requested the review be conducted by then Assistant Commissioner for Counter Terrorism and Public Order Management, Norman Hazzard APM.

In order to facilitate the review, Strike Force 'Neil' was established. The strike force, under the direction of Mr Hazzard consisted of an experienced frontline duty officer, two experienced investigators, an intelligence analyst and a solicitor from the NSW Police Legal Services Branch.

It was evident that because of the magnitude of the incident, the review would not be concluded prior to the pending retirement of Assistant Commissioner Hazzard. A decision was then taken to contract Mr Hazzard after his retirement to complete the review.

Assistant Commissioner Hazzard had a number of meetings with the Commissioner of Police and members of his senior executive regarding the terms of reference. It was agreed that the review was to be completed by 31th August, 2006 and a report prepared for Cabinet.

It was agreed that the review was to examine current operational police practices in response to public order management and to provide the Police Executive with advice through recommendations on ways in which the NSW Police Force could enhance its response to public disorder. This was to be achieved by reviewing four key areas:

1. Operational response
2. Command and control
3. Education and training
4. Equipment

It was made clear that the strike force would not review the criminal investigation being conducted by Strike Force 'Enoggera' which had been established to investigate the criminal activities of those involved in the incidents.

It was also made clear that the review was not an investigation into the actions of individual police officers. The review was to examine the overall police response and determine what improvement, if any, was necessary to deal with public disorder. This was not to be interpreted as ignoring or overlooking any significant neglect of duty by individual police officers. If such incidents came to the notice of the strike force, the matter would be referred to the appropriate command for investigation.

The approach taken by Strike Force 'Neil' to the review was to collate an extensive amount of material and carry out a proper analysis of that information. This would place the strike force in a position to provide evidence to support any of its recommendations. Any recommendations would be based on factual evidence as opposed to people's perceptions or bias.

Support of the Police Association of New South Wales was sought and the President, Secretary and members of the executive met with members of the strike force.

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In conjunction with the Police Association a memorandum and circular was distributed to all members of the NSW Police Force seeking written submissions on any aspect of the so called 'Cronulla Riots'.

It was also planned that consultation would take place with members of the community, local government, councils, relevant community committees, academic subject matter experts, international public order management specialists and media to gather information from a variety of public officials and individual members of the community.

Research would be conducted on relevant crime statistics, crime trends and intelligence to establish if the community and police could have been in a better position to predict and respond to an incident of the magnitude of that which occurred across the south eastern suburbs of Sydney between the 11th and 13th December, 2005.

It was also realised that a close examination of the reports into the Redfern and Macquarie Fields public disorder matters would need to be carried out to establish any emerging pattern in policing response to such incidents which may need to be addressed.

# Terms of Reference

## 1. Operational Response Capability

Identify critical issues with the initial response by police on 11 December 2005 and the tactics and strategies employed, and equally the response, tactics and strategies used on 12 and 13 December 2005.

## 2. Command and Control

What Command and Control arrangements were put in place to deal with the incident/s and whether the planning and preparation for those arrangements was appropriate in the circumstances.

## 3. Education and Training

What education and training implications arise from the policing response to the events of 11- 13 December, 2005.

## 4. Equipment

To determine the availability of equipment, the effectiveness of procedures for its deployment and whether the equipment was adequate for the prevailing circumstances.

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# Executive Summary

Violent public disorder has increased across the world over recent years on a scale that planned police response has found it challenging in keeping pace.

The riots involving ethnic tension in France in October, 2005 are perhaps the best example of how the magnitude of an event expanding almost daily made it increasingly difficult for police to keep pace in providing the necessary resources to restore public order. There have been many such riots in history, notably in the United Kingdom and the United States of America which all presented similar problems.

Modern technology and the ease with which rioters can communicate through the proliferation of mobile telephones in the community is another dimension adding to the policing problem. Rioters use this technology during incidents to plan and co-ordinate resources as well as re-directing people to change the point of attack and avoid police.

Public disorder in New South Wales has come to prominence over the past three years with the Redfern and Macquarie Fields riots creating considerable concern.

Since that time and following the reviews and recommendations relevant to those incidents, the NSW Police have made positive changes and dedicated significant resources to preventing and combating public disorder.

Since the Redfern and Macquarie Fields riots the Major Incident Management System has been introduced, the concept of a Major Incident Response Team has been realised and an operational management system, the NSW Police 'Incident Command and Control System' was developed.

The Public Order and Riot Squad was created and is now operational for response state-wide.

Based on the terms of reference, this review focused upon the overall police response in conjunction with the recently introduced policy and practice for public order management. Recommendations from this review have been made to further improve the NSW Police capability to prevent and respond to serious public disorder.

Racial violence adds yet another dimension to public disorder as it is charged with emotion brought about by perceived discrimination. Pride in one's background or a sense of loyalty to a particular race or culture can be the motivating factor for people with no previous criminal convictions or history of violence becoming involved in a riot. In addition, racial tension has the potential to bring into conflict opposing groups within a community which again adds to the problems of police in trying to restore order.

The Cronulla riot on the 11th December, 2005 and the reprisal attacks during the nights of 11th and 12th December, were similar in nature to previous overseas incidents. These riots carried with them a clear message to the Australian community that our multicultural society has now entered a new phase of its development, similar to what has manifested itself overseas.

The message to authorities, particularly those charged with the responsibility of ensuring public order, is the need to keep pace with the emerging threat from significant civil disorder. There is an identified requirement to have a robust infrastructure with practical solutions in the area of community relations between people of different racial backgrounds. At the same time there is a need to have appropriate legislation and law enforcement capability to deal with serious public disorder when it arises.

During the course of the 'Cronulla Riots' legislation was passed through the New South Wales Parliament which brought about a significant improvement in the capacity of the NSW Police to respond to public disorder. The swiftness with which the legislation was enacted played a major part in the restoration of public order.

The terms of reference of this review did not require that the cause of the Cronulla riots be established. It was widely accepted that the riot was caused by racial conflict. It was necessary for the purpose of reviewing police response to gain an understanding of the level of ethnic tension in the Sutherland Shire community.

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It was claimed that the problem of ethnic tension in the community, particularly in the beach environment was prevalent over the past decade. It allegedly involved gangs or people of Middle Eastern appearance travelling to Cronulla from the western suburbs of Sydney and creating conflict with the local community.

Crime trends and police interaction with persons of interest did not identify any significant trend for involvement by people of Middle Eastern background in local incidents. Research also indicated that the majority of crime in the local area command is committed by people who live in the Sutherland Shire.

The review was assisted greatly in this research by the fact that the NSW Police use ethnic descriptors when reporting crime and incidents. There has been strong opposition to the use by police of racial descriptors, however, in this review the use of racial descriptors was of considerable benefit to the ethnic community.

When seeking an explanation for the statistics obtained not aligning with community perception, local community leaders, business people and the surf life saving club in the area were consulted. The consensus of opinion was that incidents are not recorded as they were not reported to police, but dealt with locally at the time.

The review also established that historically there have been incidents of public disorder in Cronulla that did not involve ethnic tension, but were brought about by the atmosphere of an occasion and excessive consumption of alcohol. This behaviour was of such concern to the community that the Cronulla Safety Action Group consisting of police and local community leaders was formed in May, 2005.

Incidents of ethnic tension involving people of Middle Eastern background and the local community at Cronulla appeared to be escalating from early October, 2005. A warning was given in a police report of the potential for this behaviour to escalate. The Cronulla Safety Action Group put strategies in place to deal with this concern.

An incident involving a group of Middle Eastern men and life savers took place at North Cronulla Beach on the 4th December, 2005. It was this matter that led to the public disorder on the 11th and 12th December.

The review examined the circumstances of that event closely. By comparison, it was not of any greater significance than other events around the same time involving Middle Eastern and Caucasian Australians. The difference between this incident and others and how it led to riotous behaviour was the colourful, exaggerated and inaccurate way it was described over the following days.

The image portrayed to the community was that two young Caucasian Australian life savers were just completing their work at North Cronulla Beach when they were, without provocation, confronted by a group of young men of Middle Eastern background who told them to get off their beach. These men had been harassing the life savers all afternoon. The life savers were then assaulted and the attackers used mobile telephones to call in reinforcements. A large group of Middle Eastern men converged on the area and the life savers were punched and kick unconscious, after which the assailants fled.

During the following days the incident was publicly described as being an attack on an Australian institution. Life savers were described as heroes and likened to Anzacs.

The situation was that there is no evidence of harassment of the victims prior to the assault. There is evidence of provocation from both sides. Mobile telephones were not used to call in reinforcements and no additional people became involved. The Middle Eastern group did not increase in number from those who were in the immediate vicinity at the time.

The life savers and the Middle Eastern men were spoken to by police at the scene and their personal particulars were recorded. Included amongst those men, was one who was later charged in relation to this incident.

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The incident was started by two young men who objected to the other staring at him. An argument took place, insulting and indecent remarks were made by both young men. A fight followed and was over in a short space of time. The reporting and later publicity given to the incident was significantly out of proportion with what actually occurred.

Over the following week this incident and others that preceded it at Cronulla were described publicly in a way that was inaccurate and a distortion of fact. This distortion of the event led to a significant amount of publicity on radio, television and in the print media. The interest aroused in the community caused the issues of racial tension, ethnic gangs and related matters becoming the topic of discussion and comment on talk-back radio programs.

Comment made by the broader community relating to the incidents was at times racist, exaggerated, inaccurate and advocated vigilante behaviour. Text messages transmitted on mobile telephones over the following days promoted a racially motivated confrontation at North Cronulla Beach on the 11th December. Investigations reveal that over 270,000 individual text messages were transmitted.

On the other hand, some comment confirmed the perception that certain elements of the Middle Eastern community were bringing their wider community into disrepute.

The review concluded on the evidence that there were two aspects to the conflict. There is evidence of racism and bias amongst the Cronulla community, but there is also evidence across Sydney of a significant level of violent criminality being committed by an element of the Middle Eastern community. This behaviour includes having no respect for the rule of law, intimidating and harrassing members of the community on a regular basis. This is supported by recorded incidents in The Rocks and Brighton-le-Sands areas. It is confirmed that there were ethnic based incidents taking place in the Cronulla Beach area, although not to the level perceived by some in the community.

Unfortunately some people who are biased or have a subjective view to a particular cause will seize the opportunity to use the media to emphasise their point of view. They will distort fact or repeat hearsay and exaggerate to make their point appear valid. When these views are expressed on talk-back radio programs they in turn have the potential to cause members of the community to be led to believe that the perception of some people is in fact reality.

The Cronulla riots highlight the caution the media must display when engaging public debate on issues that may lead to civil unrest. The Cronulla riots clearly reaffirm the influence the media has in setting community mood. During the six days leading up to the Cronulla riot the media interest in anticipation of public disorder had a continual presence in the Cronulla area. Talk-back radio had the emerging disorder as an important topic on their programs.

The public interest was such that the Premier of New South Wales, the Police Minister, the Commissioner and other senior members of the Police Force visited Cronulla and made statements to the media.

On Sunday 11th December, 2005 the day at North Cronulla Beach started with the presence of a large crowd behaving in an orderly fashion. The prediction of public disorder was realised when the predominantly Caucasian Australian crowd, fuelled by racial prejudice and excessive alcohol consumption became violent. People of ethnic appearance were attacked on sight.

During the course of the day the mobility and unpredictability of the crowd was dynamic in that attacks on people of Middle Eastern appearance were not planned, but responsive in different locations to the appearance of a target.

Police on the street had to respond on many occasions without command direction to intervene and prevent assaults. Visual records of those incidents depict the individual initiative and courage of police officers. The lack of serious or fatal injuries to victims can be attributed to the actions of individual police who appeared to have no regard for their own safety.

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The events of the day received a great deal of immediate publicity because of the large number of media present. By late afternoon there were signs that a reprisal attack from the Middle Eastern community would occur.

By early evening groups of Middle Eastern men started to gather in various locations and then converged into Maroubra, Brighton-le-Sands and Cronulla. Over a period of some five hours, attacks by men of Middle Eastern appearance were carried out in reprisal for what had happened that day in Cronulla.

The attacks were well planned and co-ordinated. They were carried out in the dark of night fuelled by racial prejudice and anger. The rioters showed no fear of authority and no mercy for their unsuspecting victims. Because of the level of co-ordination, mobility and the random nature of attacks responding police had to use initiative and courage to protect victims and stop the attacks. The level of violence displayed in this public disorder was unprecedented in Australia.

The command of such an operation was challenging. Commanders found themselves in a difficult situation because the mobile assailants were changing the location of attacks to avoid police. It was impossible for commanders to predict where the next attack would occur.

The police response at Cronulla during the day, so far as the number of officers on duty, appeared to be adequate in the early stages. Additional resources on stand-by were called out to assist.

The command structure and facilities to assist the commanders during that day were inadequate. The review concluded that the risk assessment to indicate the necessary level of response was flawed. Subsequently, the planning for the event was not adequate and some specialist resources that could have assisted in the management of the operation were not deployed.

On Monday 12th December a potential uprising of public disorder by a local gang in Maroubra was averted by police action and community liaison. As a result of the matter involving Maroubra it was rumoured that the Mosque at Lakemba would be attacked that night. Early that evening some 4000 people gathered at the Lakemba Mosque in a public rally in the belief that the Mosque needed to be protected.

At that time from the surrounding area, gangs of Middle Eastern men gathered after leaving the Mosque and reprisal attacks similar to those of the night before commenced. Over a period of three hours there were a succession of reprisal attacks at Brighton-le-Sands, Arncliffe and Cronulla. The rioters armed with baseball bats, metal bars and firearms randomly assaulted people in motor vehicles, outside their homes and walking on the streets. Some people who were assaulted had gone to the aid of injured people and themselves became victims. Several reports were made of shots being fired at various locations, although there is no evidence of any person being shot. There were two instances of attempts being made to run down police officers manning roadblocks within the Cronulla area. A large number of reports were received of private and business premises, as well as motor vehicles being damaged. At the height of these attacks additional police resources were brought into Cronulla from surrounding areas. Six ambulances were requested to attend Cronulla to treat victims and there was one report of an ambulance requiring urgent assistance as it had come under attack. Transit officers were attacked at Caringbah Railway Station.

On Tuesday 13th December no major public disorder was encountered.

Over the whole period of the 'Cronulla Riots' across Sydney suburbs, responding police in all the circumstances, played a commendable role.

As a result of this review, the areas of improvement include the command and control arrangements and the planning for major operations. The review in making this suggestion was mindful that at the time of the riots the NSW Police 'Incident Command and Control System' which had previously been approved by the Commissioner of Police was in the process of being implemented. As well, the Public Order and Riot Squad which had been approved, did not commence operations until the 12th February, 2006. In that sense, the Cronulla riot was an untimely event.

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The review was of the opinion that the Incident Command and Control System, when implemented, would rectify most of the problems identified, as the system includes the functional areas of Planning, Logistics, Investigation and Intelligence as part of a command team.

The review also identified that similar to many policing organisations around the world, police education and training in the fundamentals of command and control needs improvement.

As such, in the implementation of the Major Incident Management System and the Major Incident Response Team, the command structure in place and used for some time during the Cronulla riot was not in accordance with the intent of the policy resulting from the Macquarie Fields Report.

As a result, recommendations were made to the Commissioner of Police for a project to commence immediately to comprehensively review all police command training and to expedite the training of police in the Incident Command and Control System.

The Police Command Education and Training Project commenced in April, 2006. Five working parties were formed under a steering committee. They have agreed upon a police command program to cover command and control in public order management and a range of other disciplines.

It was also recommended to the Commissioner of Police that the Centre for Policing Excellence in the United Kingdom, which conducts high level training in command and control and public order management be involved in the project.

Assistance was provided to Strike Force Neil by Chief Inspector Michael Homden, Head of the Uniform Operational Support Team, Bramshill College, London who travelled to Sydney between the 1st and 12th May, 2006.

Mr Homden was of valuable assistance and attended the Education and Training Command Forum at the Police College. During his stay he arranged for a NSW Police Commander to participate in the Advanced Public Order Command Program in the United Kingdom. The Commander of the Public Order and Riot Squad will undertake that program at Bramshill College, England during September / October, 2006. In addition, arrangements were also made for the Senior Field Supervisor at the Public Order and Riot Squad and the Chief Public Order Instructor of the NSW Police College to attend the Public Order Training College at Gravesend in England during the same period.

The review has made numerous recommendations covering the areas of improvement in command and control, planning for major public order events including threat and risk assessment.

At the hub of command and control during major operations is the Police Operations Centre. The Police Operations Centre is a well resourced command centre that is designed to assist in providing effective strategic command of a major operation. The centre was enhanced and used during the Sydney 2000 Olympic Games. At the conclusion of the Olympic Games a decision was taken to transfer the management of the centre from the Olympic Command to the City East Region, now known as the Central Metropolitan Region. What is to all intents and purposes a state resource came under the management of a single region. Since that time resources and equipment in the centre not exclusively required for the region's operations, have deteriorated. The review team also established that command teams used during the Cronulla riots other than those from the Central Metropolitan Region, needed to be trained in the operations of the centre during the actual riot.

The Police Operations Centre is a significant state resource that needs to be appropriately managed and resourced on a state-wide basis. The review has made recommendations in this regard.

The prominence of public disorder in New South Wales over the recent years has resulted in the Premier, senior government ministers and the Police Executive becoming involved, particularly in issuing public statements and conducting media interviews.

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Consequently it becomes necessary for these senior public officials to be well briefed on incidents. It has become common practice for those briefings to occur in the Police Operations Centre and potentially disrupt the command of an operation. The review suggests that during incidents of major public disorder consideration should be given to activating the State Co-ordination Centre as currently takes place under the counter terrorism arrangements.

The review identified that the functional area of 'Investigation' in public order management incidents, which is a unique type of investigation, will experience difficulties if investigators, evidence gatherers and mass arrest kits are not used during operations. This issue was examined in conjunction with senior investigators and the Public Order and Riot Squad. It was concluded that an investigation plan specific to public order management needs to be developed and supported by evidence gathering teams and mass arrest kits.

Generally, riot equipment within the NSW Police has improved substantially since the Public Order and Riot Squad was formed. An issue that requires attention is that of the provision of protective equipment for first response officers. The matter is one in which the review found there were differing opinions. In light of occupational health and safety and the recent inquiry into the Redfern riot, a high level working party within the police should review policy and operating procedures as they apply to the issue of protective equipment being provided to first response police.

The perennial problem facing a police commander of where to ideally locate a command post and how quickly it can be appropriately resourced still remains an issue within the NSW Police. A commander holds the most vulnerable position during an operation given the level of responsibility and accountability. This problem could be resolved if the NSW Police was in possession of a suitable mobile command vehicle. The issue of an inadequate command infrastructure at Cronulla on the 11th December would not have occurred if such a vehicle was available. The review has made a recommendation in relation to this issue.

The review is of the opinion that if the operational command, education and training project achieves its objectives the end result will be a further significant enhancement in the NSW Police capability to respond and manage public disorder.

The path the NSW Police are on in relation to response to public disorder is in line with that taken by overseas police following similar situations. The decision to send three police to study education programs overseas is a major step towards raising the level of professionalism long term.

The entire police command education concept will develop a cadre of specialist police commanders with the expertise to manage any type of major incident, including public order management.

The review has made recommendations covering threat and risk management, operational planning, public order intelligence, evidence gathering and investigation. In addition, a number of recommendations are put forward affecting command and control policy, equipment, education and training.

The review believes that implementation of the recommendations will further enhance the NSW Police capability in responding to and managing public disorder.

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# Recommendations

1 It is recommended that the NSW Police continue to use racial descriptors as a law enforcement tool and use the Cronulla riot as an example of how they can be of benefit to ethnic communities.

2 It is recommended that a review be conducted of recording practices in the Computerised Operational Police System (COPS) as it applies to the racial descriptor of 'Mediterranean / Middle Eastern'. For accuracy, the descriptors require separation so that Middle Eastern stands as its own entity.

3 It is recommended that the Communications Group be included in the initial planning stages of major operations so that technical experts can provide advice on communication issues.

4 It is recommended that the Special Services Group be included in the initial planning stages of major operations so that technical experts can conduct site surveys and provide advice on available specialist capabilities.

5 It is recommended that a review be conducted by an appropriately skilled working party of all policy relative to public order management, including the Major Incident Management System and the Major Incident Response Teams. In particular, to ensure that all policy is consistent and in line with the original intent of the Major Incident Response Team concept and the use of experienced commanders in major operations.

6 It is recommended that a review of the policy on the wearing of riot equipment should be conducted. In particular, as to when and at what command level the decision to wear riot equipment should be made.

7 It is recommended that a review be conducted of the Joint Intelligence Group arrangements to broaden it from counter terrorism to public order management and any other major police operations.

8 It is recommended that the review of the Joint Intelligence Group arrangements for use in public order management and emergency management consider the establishment of a Joint Intelligence Group Standing Committee to co-ordinate the response arrangements.

9 It is recommended that the Assistant Commissioner for Counter Terrorism and Public Order Management review the reporting arrangements for intelligence officers working in the area of public order management to ensure consolidation.

10 It is recommended that the review of the Joint Intelligence Group arrangements include a survey of the current Joint Intelligence Group room in the Police Operations Centre and develop a business case for its enhancement taking account of floor space and updated equipment.

11 It is recommended that the policy, documentation and guidelines used by the Counter Terrorism and Public Order Management Command for threat and risk assessment and the recently proposed Threat and Risk Assessment Manual be given in-principle approval by the Commissioner's Executive Team for further development as a service wide policy.

12 It is recommended that a working party comprised of the Counter Terrorism and Public Order Management Command, the Office of the Deputy Commissioner, region and local area commands further develop the Threat and Risk Assessment Model currently used by the Counter Terrorism and Public Order Management Command for use in all police operations.

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13 It is recommended that an investigation plan be developed for response to major public order management operations. The models used by Strike Force Enoggera and Strike Force Eagle could be considered as a model of good practice.

14 It is recommended that the Commander, Public Order and Riot Squad be delegated the responsibility of evidence gathering during public order management operations and that the Squad's Management Operational Guidelines be amended to reflect that role.

15 It is recommended that the Commander, Public Order and Riot Squad be delegated the responsibility of developing policy and operating procedures for the production and use of mass arrest kits during public order management operations.

16 It is recommended during major public order incidents that the State Co-ordination Centre be activated and used for the purpose of briefing the relevant government ministers, as takes place under the current counter terrorism arrangements.

17 It is recommended that media management policy and relevant standing operating procedures for the Police Media Unit be developed for response to public order management operations.

18 It is recommended that the management of the Police Operations Centre be transferred from the Central Metropolitan Region to a specialist command with state-wide responsibilities. The selected command be responsible for the maintenance of the centre, the training of police command teams and support staff in its use.

19 It is recommended that the Commissioner's Executive Team consider re-establishing the State Planning Unit to manage the planning of all major public events and security operations state-wide.

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During the course of the review, the following recommendations ( 20, 21, 22 and 23) were approved by the Commissioner of Police to expedite the education and training of police in command and control and have been implemented.

20 It was recommended that a comprehensive review be conducted of all command and control training delivered within the NSW Police covering the disciplines of public order management, counter terrorism and emergency management by relevant working parties consisting of operational subject matter experts and educationalists. The working parties report to a steering committee to ensure consistency in the delivery of education programs.

21 It was recommended that a forum on command and control be conducted at the Police College under the auspices of the Commander, Education Services and be attended by all members of the working parties, Strike Force Neil and the Police Executive to set the direction and agenda for future command and control education.

22 It was recommended that the Centre for Policing Excellence in the United Kingdom which delivers high level training in public order management be approached to participate in the forum.

23 It was recommended that the NSW Police accept the invitation of the Chief Executive Officer of the Centre for Policing Excellence in the United Kingdom to have an appropriately qualified student on the next Advanced Public Order Program conducted at Bramshill College.

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**24** It is recommended that the Commissioner's Executive Team give in-principle agreement to the proposed police command training program as outlined in the Education and Training section of this report and to note that this program is compatible with the proposed Police Command College initiative.

**25** It is recommended that the education and training model for all training in public order management, with integration between the Public Order and Riot Squad and Education Services continue as a matter of policy. This will ensure that operational subject matter experts and educationalist are engaged in the continued research and development of training.

**26** It is recommended that a training course in threat and risk assessment be developed by an appropriately skilled working party for all police who are responsible for the development of operational threat and risk assessments.

**27** It is recommended that a high level working party be established to review the policy and operating procedures relevant to the issue of protective equipment for first response police to incidents of public disorder.

**28** It is recommended that the Commander, Public Order and Riot Squad research and procure suitable equipment for use in evidence gathering during public order management operations and provide training to Public Order and Riot Squad officers in this role.

**29** It is recommended that the Commander, Public Order and Riot Squad research and develop mass arrest kits for use in public order management operations. That operating procedures be developed for the use of those kits by all police.

**30** It is recommended that the Commander, Public Order and Riot Squad research and acquire the necessary equipment, including photographic equipment necessary for use with mass arrest kits.

**31** It is recommended that the Director, Police Public Affairs develop a portable media kit and acquire the necessary equipment for deployment to incident sites to assist forward Police Media Liaison Officers.

**32** It is recommended that a working party of experienced intelligence officers be established and tasked to develop a portable Joint Intelligence Group kit for deployment to incident sites to assist forward Joint Intelligence Group Officers.

**33** It is recommended that an appropriately skilled project team be established to conduct research and develop a suitable model for a police command vehicle. A business case should be prepared and presented to the Commissioner's Executive Team as a matter of priority.

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# Methodology

The methodology used by Strike Force Neil is descibed below;

- Debriefs of police officers involved in planning for the protest at North Cronulla on Sunday 11th December 2005, those at the actual protest and related incidents across Sydney up until Tuesday 13th December. The ranks of officers debriefed ranged from Assistant Commissioner to Constable and sourced from General Duties, Highway Patrol, Detectives, Dog Squad, Mounted Police, OSG, Vikings, Intelligence, Police Media Unit, Legal Services and key staff at affected local area commands.
- Continual consultation with the Police Association of New South Wales.
- Consultation with Strike Force Enoggera Detectives (tasked to investigate criminal offences arising from the protest at Cronulla and reprisals).
- Meetings with the Mayor and General Manager of Sutherland Shire Council, President of Cronulla Chamber of Commerce, President of Lebanese Muslim Association of Australia and President of North Cronulla Surf Club.
- Review of studies into public disorder events internationally.
- Examination of reviews arising from the Redfern (February 2004) and Macquarie Fields (February 2005) public disorder events.
- Analysis of the Computerised Operational Police System records and police radio audio recordings.
- Reviewing of media (television, radio, mainstream and local print) pertaining to 'Cronulla Riots'. Historical research for reports of ethnic tensions back to 1987 in the area's local newspaper, the St. George and Sutherland Shire Leader.
- Review of Parliamentary speeches (Hansard) by the Member for Cronulla, The Honourable Malcolm Kerr MP, dating back to November 2001.
- Liaison with Human Rights and Equal Opportunity Commission.
- Analysis of minutes from meetings of the Community Crime Prevention and Safety Committee of Sutherland Shire Council, Miranda Police Accountability Community Team (PACT), Cronulla Safety Action Group and the Sutherland Shire Council Community and Crime Prevention Plan 2006 – 2010.
- Inquiries of Sutherland Shire Council regarding correspondence received in 2005, with an ethnic tensions / cultural conflicts aspect.
- Enlisting subject matter experts to independently validate the soundness of research methodology employed by Strike Force 'Neil' and ensuing findings.
- Arranging the visit of an expert in pubic order management from the United Kingdom to review the response by NSW Police and gauge efficiency and effectiveness of current and proposed command and control procedures.

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# The National Centre for Policing Excellence United Kingdom

The strike force sought the assistance of the National Centre for Policing Excellence, (CENTREX) United Kingdom.

Assistance was provided by allowing Chief Inspector Michael Homden, Head of the Uniform Operational Support Team to work with Strike Force 'Neil' between 1st – 12th May, 2006.

The Uniform Operational Support Team is part of CENTREX's, National Centre for Policing Excellence providing services that encompass key policing areas, including public order and incident management.

The team work with police on a local, national and international level. Their experienced officers provide assistance in operational planning and current good practice by attending incidents of a national significance which are by their nature unique. They also provide guidance post-events on good practice for future operations.

The team also developed and manage the Advanced Public Order Commanders Program which it conducts for police students throughout the United Kingdom and overseas.

The program is intended to develop students to effectively command both spontaneous and pre-planned events. It is designed for those police who wish to specialise in the public order field.

## Chief Inspector Michael Homden

Mr Homden is the head of the Uniform Operational Support Team. He has significant international policing experience. He has 10 years experience in planning major public events and advising on how to manage risk.

Mr Homden is involved in the U.K.'s Police National Mobilisation Program. This is a project to develop the standard for how operational policing of incidents and events are organised throughout the United Kingdom.

Mr Homden created the first 'Competent Commanders' Program for training senior police managers of critical incidents.

During his time with Strike Force 'Neil' Mr Homden liaised with operational commanders, including those involved in the SETA operation. He also spent time with the commander and staff of the Public Order and Riot Squad.

He attended and spoke at the Intelligence Officers Annual Conference at the NSW Police College which was focused upon 'Public Order Management'.

Mr Homden also attended a two day conference at the Police College, Goulburn to review and discuss command training in relation to public order management and other critical areas.

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# Issues of Ethnic Tension - Cronulla

The terms of reference for this review did not include establishing the cause of the riotous behaviour. However, it would not be possible to evaluate the police response without having an understanding of the issue of ethnic tension within the community prior to the riot.

In doing so it can be determined if the police and community leaders in general should have been able to predict that this community behaviour would occur.

A great deal has been said publicly about the ethnic tension that has existed in Cronulla, some say over the past ten years. It has been suggested this ethnic tension was between Caucasian Australians and people of Middle-Eastern appearance.

The media, in particular, reported that the 'Cronulla Riots' were the result of police inaction to a history of incidents involving these groups over many years.

In order to gain a clear picture of the extent of the problem the strike force undertook the following:

1 Researched crime statistics

2 Obtained minutes of community meetings

3 Inquired into correspondence received by the local council

4 Interviewed the Mayor and General Manager of the Sutherland Shire Council, the President of the Cronulla Chamber of Commerce and the President of the North Cronulla Surf Life Saving Club

5 Reviewed the local community newspaper

6 Reviewed speeches (Hansard) made to Parliament by the Member for Cronulla, the Honourable Malcolm Kerr MP

7 Interviewed Ms Margaret Donaldson, Director, Race Discrimination Unit, Human Rights and Equal Opportunity Commission and members of her staff

8 Interviewed social workers and members of community liaison groups

9 Reviewed the content of community forums conducted after the Cronulla riot

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# Crime Trends - Cronulla

Recorded crime trend analysis, presentation and interpretation are often a difficult task. The recorded criminal incident data presented in this report is based on the information derived from the New South Wales Police 'Computerised Operational Policing System' (COPS), accordingly only those incidents which are reported to, or detected by, police are included. The trends commented upon within this report will therefore be influenced by underlying factors which include the detection, reporting and the recording of crime, and changes in the true level of crime within the community. The interpretation of trends in official reports of crime can be considerably more difficult than the interpretation of trends in for example, unemployment or inflation statistics. The ease with which reported crime statistics can be misunderstood creates a temptation to offer an authoritative explanation for crime trends.

It was decided to specifically examine public commentary prior to the Cronulla Riots that crime associated with people of Middle Eastern appearance and/or of Lebanese origin had been increasing within Cronulla for more than 10 years. The data reviewed, therefore, confines itself to identifying and describing trends in reported crime, as recorded by NSW Police, in terms of 'Racial Appearance' and 'Country of Origin'.

It is important to understand the issue of 'race' related 'crime' falls within the field of social research and as such has recognised practices and sound research methodologies. The research methodologies typically involve the use of surveys/interviews with carefully structured questions and objective data analysis. The NSW Police COPS database was never intended as a social research tool, thus, data collection methods may not meet the strictly accepted standards found within the field of social research. The NSW Police COPS is somewhat limited in the capture of race related information. Generally 'race' related information is only captured in those instances where an individual, or 'Person of Interest', was identified, which is further limited since the vast majority of volume crime remains unsolved due to insufficient evidence existing to identify the responsible individual(s). In those instances where a 'Person of Interest' (POI) was identified the two racial indicators captured are 'Racial Description' and 'Country of Origin'. This data will therefore be limited to a trend analysis of a person's involvement with NSW police in terms of 'Country of Origin' and 'Racial Description.'

## Country of Origin

Within the NSW Police COPS three areas of information capture exist, being; the 'Person of Interest' (POI) Country of Birth; the POI father's country of birth; and the POI mother's country of birth. The three Country of Birth fields have been mandatory since 2003. [1] The data field provides a range of countries of birth options as well as 'Unknown' or 'Refuse to Answer'.

## Racial Appearance

The 'Racial Appearance' data field is limited to the following categories; [2]

- White/European;
- Black/African;
- Asian;
- Indian/Pakistani;
- Aboriginal;
- Pacific Islander;
- Mediterranean/Middle Eastern; and
- South American.

[1] NSW Police Chief Statistician (2006) – James Baldwin
[2] NSW Police (2004) – Media Policy.

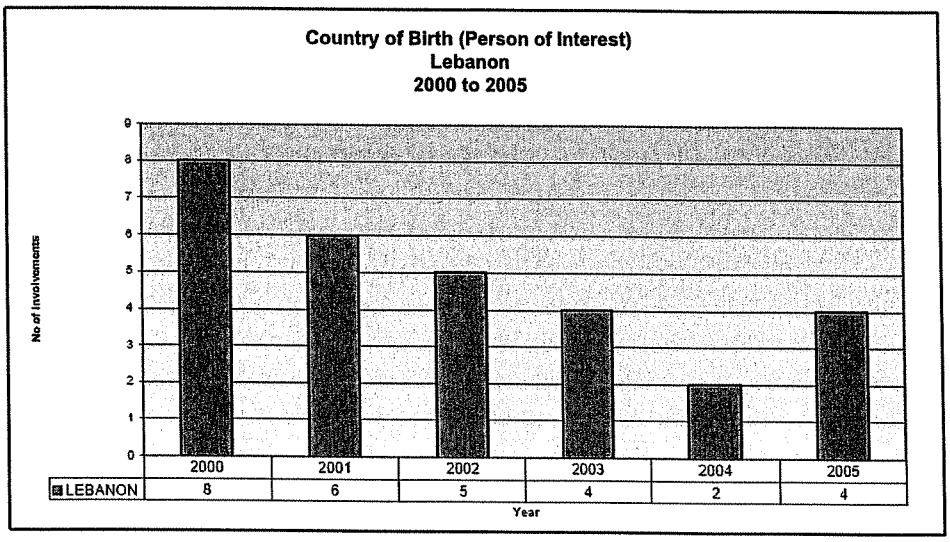
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## Crime Trends within Cronulla

A statistical test for trend was applied to the suburb of Cronulla for the period 1st January 2000 to 31st December 2005.

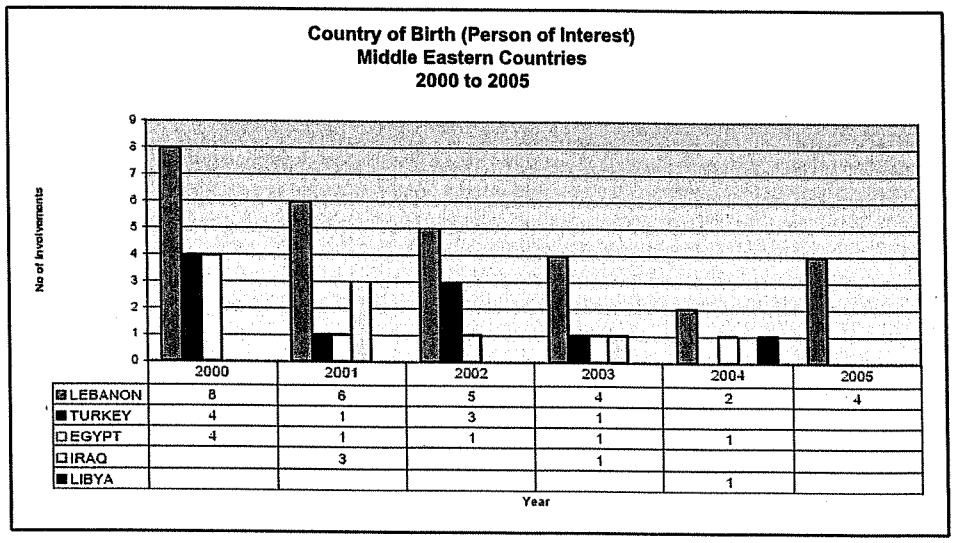
## Country of Birth – Person of Interest

The involvement range is small and is insufficient to identify any significant trend for involvements where the country of birth was 'Lebanon'. Among 'Persons of Interest' whose country of birth was recorded in 2000-2005, 0.5% was born in 'Lebanon'. 40.4% of incidents contained no 'country of birth' data.




*Source: NSW Police COPS – 01/01/2000 to 31/12/2005*

When the 'Country of Birth' field includes a wider collation of Middle Eastern countries the data again, remains small and provides no significant trend.



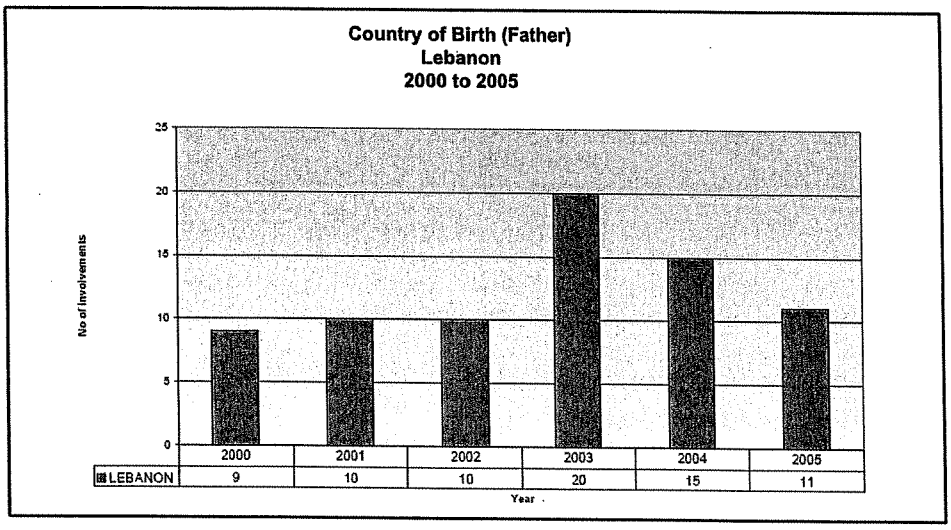

*Source: NSW Police COPS – 01/01/2000 to 31/12/2005*

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## Country of Birth – Father

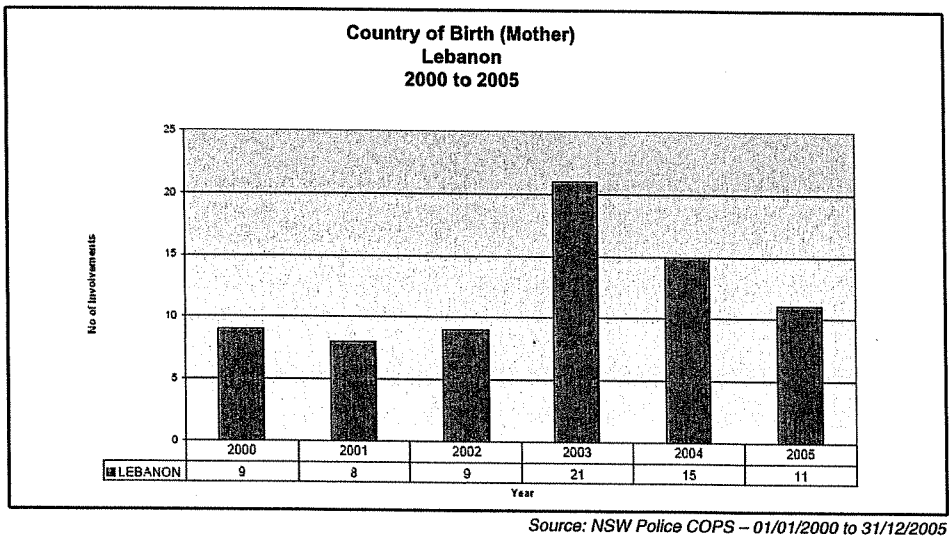
There are no significant trends identifiable from the small data sets. Among POI whose father's country of birth was recorded in 2000-2005 only 1.2% were born in Lebanon. 67.3% of incidents contained no 'Father Country of Birth' data. In 2003 the increase in incidents is attributed to a change in NSW Police recording practices as the 'Country of Birth' data fields became compulsory.




*Source: NSW Police COPS – 01/01/2000 to 31/12/2005*

## Country of Birth – Mother

There are no significant trends identifiable from the small data sets. Among POI whose mother's country of birth was recorded in 2000-2005 only 1.2% were born in Lebanon. 67.3% of incidents contained no 'Mother Country of Birth' data. Again, in 2003 the increase in incidents is attributed to a change in NSW Police recording practices as the 'Country of Birth' data fields became compulsory.




*Source: NSW Police COPS – 01/01/2000 to 31/12/2005*

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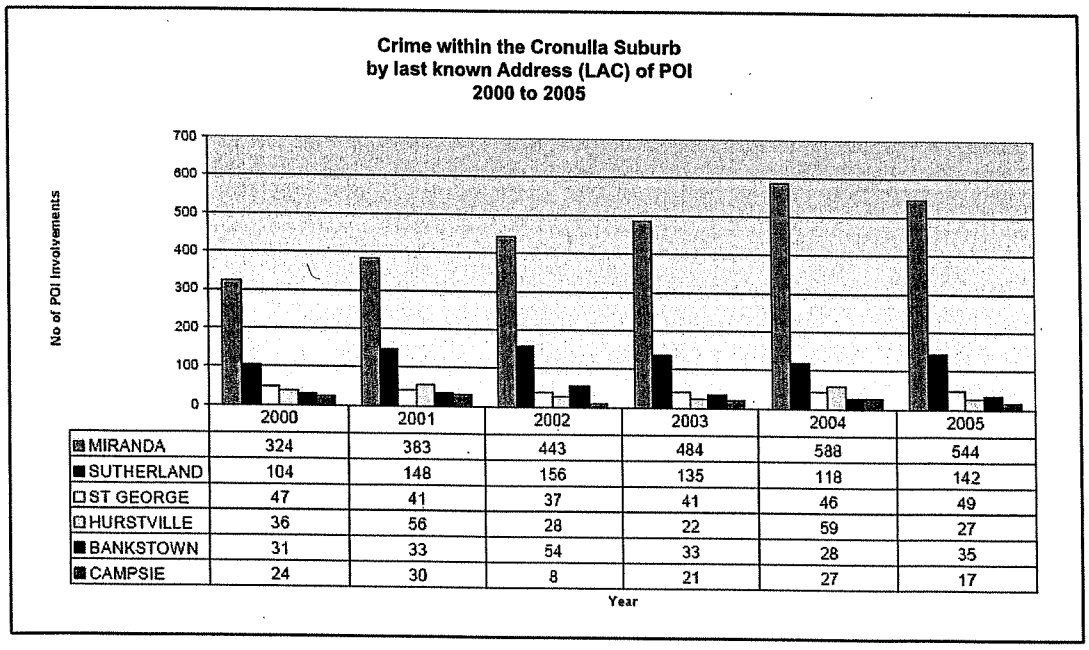
## Last Known Address

The suburb of Cronulla falls within the geographic responsibility of the Miranda Local Area Command. There is evidence, as represented in the table below, of 'Persons of Interests' with a last known address within the Miranda LAC being responsible for committing the majority of crime within that command. Furthermore, there is evidence to suggest an increased level of crime being committed by those residing within this Local Area Command, with a steady rise in local offending being observed each year since 2000. In this case, it is clear that crime within this Local Area Command is a local geographically based phenomenon.

Within the Miranda Local Area Command 76% of the population have a birth place of Australia. There is little evidence of a significant population base who have a birth place of Lebanon or other Middle Eastern countries. In testing the assertion of an increase in Middle Eastern crime within Cronulla a nexus should, if true, exist between reported incidents and the 'Person of Interests' last known address within an area with a high population of people with Middle Eastern background, which in this instance includes the Local Area Commands of Bankstown and Campsie.

Upon review, the proportion of Persons of Interest with a Last Known Address within the Bankstown or Campsie Local Area Commands were 5.5% (2000 n=55; 2001 n=63; 2002 n=62; 2003 n=54; 2004 n=55; 2005 n=52). The evidence does suggest there is a greater likelihood a Person of Interest will have an address within the Local Area Command of Sutherland, St George and Hurstville than a residence within the Local Area Commands of Bankstown or Campsie.

## Last Known Address (LAC) of POI

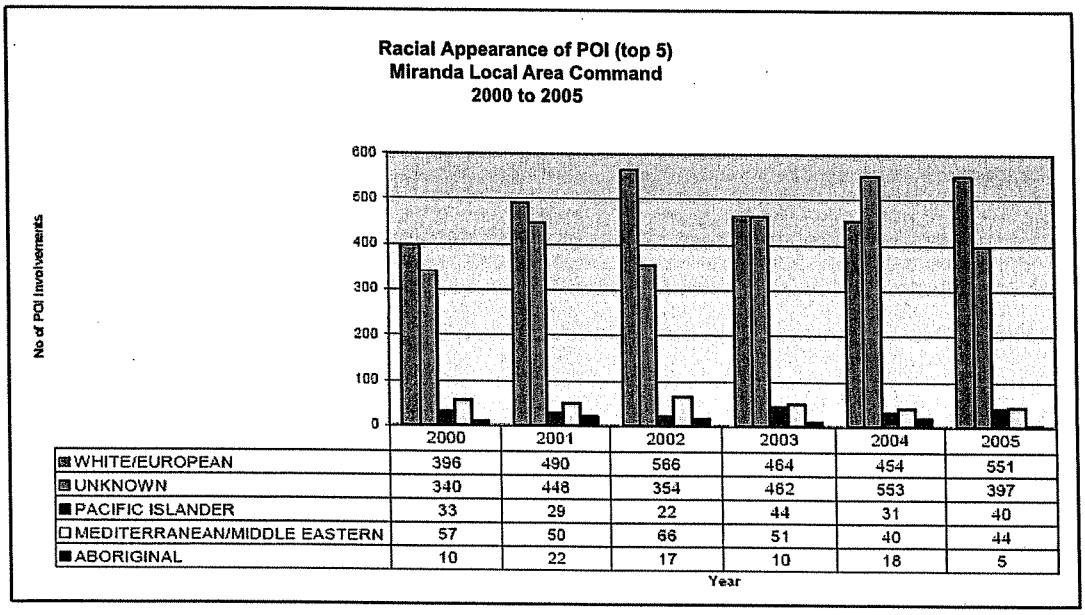



*Source: NSW Police COPS – 01/01/2000 to 31/12/2005*

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## Racial Appearance

Among POI's 5% were recorded as have a Racial Appearance of 'Mediterranean/Middle Eastern'. 47% of POI's were recorded as having a 'White/European' racial appearance and 41% were recorded as having an 'UNKNOWN' racial appearance.




| | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|---|---|---|---|---|---|---|
| WHITE/EUROPEAN | 396 | 490 | 566 | 464 | 454 | 551 |
| UNKNOWN | 340 | 448 | 354 | 462 | 553 | 397 |
| PACIFIC ISLANDER | 33 | 29 | 22 | 44 | 31 | 40 |
| MEDITERRANEAN/MIDDLE EASTERN | 57 | 50 | 66 | 51 | 40 | 44 |
| ABORIGINAL | 10 | 22 | 17 | 10 | 18 | 5 |

*Source: NSW Police COPS – 01/01/2000 to 31/12/2005*

There are no specific incident type trends. The Incident Category 'Assault' for POI with a Middle Eastern racial appearance was the most prominent incident category between 2000 and 2005 (n=69). In comparison, POI's with a 'White/European' racial appearance had an involvement in 535 incidents.

Because the data indicated a far lesser involvement in events by persons of Middle Eastern appearance than the perception held by the community and media, the strike force became concerned that its methodology was perhaps not sufficiently comprehensive. Dr. Don Weatherburn, Director of NSW Bureau of Crime Statistics and Research (BOCSAR) was consulted and reviewed the methodology. Dr Weatherburn concluded that it was not only sound, but was impressive in that it explored alternative sources to corroborate the data on the Computerised Operational Police System (COPS). Dr. Weatherburn agreed to conduct his own research in an attempt to resolve the difficulties faced by Strike Force Neil in confidently being able to validate the data.

The Bureau of Crime Statistics and Research conducted independent research covering a three year period, 2003 to 2005. The trends identified during this research were consistent with that of Strike Force Neil.

Since there were no obvious patterns in the annual data researched, an analysis was undertaken by the Bureau of Crime Statistics and Research of the 2005 monthly data. That analysis covered the search parameters of 'Persons of Interest', 'Country of Birth' and 'Parents Country of Birth' as well as 'Local Government Area of Residence'.

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Of interest in this analysis was what appeared to be an unusual trend in the number of persons of interest (POI's) of Middle Eastern appearance recorded in October 2005. This was the only indication found in COPS of a possible increase of offences committed by people of Middle Eastern appearance. In this research it was stated that this result was weak and could, with further investigation, be found to be irrelevant.

Strike Force Neil conducted further investigation into these statistics. The investigation revealed that the October 2005 recorded involvements of 13 people of Middle Eastern appearance was higher than the monthly recorded average of 3 involvements over the past three years. However, the statistics recorded in January 2005 of 14 were slightly higher than those of October 2005.

These figures still reflect that the overall average of total involvement of people of Middle Eastern appearance as a POI within Cronulla represented approximately 4% in 2005.

The investigation revealed that the identified increase in January and October, 2005 was linked to an increase in the use of police powers for 'Person Searched' and 'Move-On Directions'. This was representative of an increase in police pro-activity rather than an increase in actual crime.

Upon further investigation this increase in January and October 2005 also found that the recording practices within the COPS program can produce inflated statistics. Examples of these recording practices found include:

- **Double recording.** Situations occurred where two police powers were utilised during one interaction, e.g. a person was searched and given a 'Move-On' direction at the same time. These were recorded as two separate involvements on COPS; thereby a single ethnic descriptor is recorded twice.

- **Drug dog detections.** During a drug dog operation in a public place the dog detected the existence of drug residue but no drugs were found. A record was then made of the use of this police power, although no offence was detected. This is then not a true reflection of criminal activity by Middle Eastern people in Cronulla, particularly crime against another person.

- **Incorrect recording of racial descriptor.** In some instances, it was found that the person recorded as being of Middle Eastern appearance was in fact of another racial descriptor. Examples of this was the recording of POI's in Cronulla in 2005 as being of Middle Eastern background who were in fact Caucasian Australian, and others being Greek, Croatian and Serbian

The use of racial descriptors by police is a controversial issue which has received criticism at a national level. The NSW Police in fact, stand alone in their support on the use of racial descriptors as a valid law enforcement tool.

During this review the use of the racial descriptor 'Mediterranean / Middle Eastern' has been of significant benefit in providing some statistics on events involving people so described. The result obtained from the research painted a picture that was in fact favourable to the Middle Eastern community.

On advice of the Bureau of Crime Statistics and Research, the strike force conducted a more detailed investigation of these events. This investigation involved viewing each particular event where a person was described as 'Mediterranean / Middle Eastern'. The result of the research was that some events involved people of strictly Mediterranean background who were obviously not Middle Eastern.

Again, the use of racial descriptors by police in these instances was of benefit to ethnic communities, in particular the Middle Eastern community.

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**It is recommended that the NSW Police continue to use racial descriptors as a law enforcement tool and use the Cronulla riot as an example of how they can be of benefit to ethnic communities.**

**It is recommended that a review be conducted of recording practices in the Computerised Operational Police System (COPS) as it applies to the racial descriptor of 'Mediterranean / Middle Eastern'. For accuracy, the descriptors require separation so that Middle Eastern stands as its own entity.**

In seeking an explanation for the local community's perception of the extent to which Middle Eastern people were involved in incidents at Cronulla Beach and the surrounding areas, the strike force spoke to members of the local council. Their conclusion was that the strike force would not find any evidence of these incidents as they were of such a nature that they were dealt with locally and not reported to police. We also discussed this same issue with a senior member of the North Cronulla Surf Life Saving Club. He was also of the opinion that no evidence would be found within the data as most matters were dealt with locally by the surfing fraternity and not reported to police. A meeting with the President of the Cronulla Chamber of Commerce provided a view consistent with the other mentioned community leaders.

In addition the strike force, in an effort to find evidence of historical racial tension in the Cronulla community, conducted research into the local newspaper dating back to 1987, minutes from meetings in 2005 of the Crime Prevention and Safety Committee of Sutherland Shire Council, the Miranda Police Accountability Community Team (PACT) and the Cronulla Safety Action Group. A local media article in The St. George and Sutherland Shire 'Leader' dated 7th October, 1993 referred to trouble caused by ethnic youths who travel to Cronulla by train from the Western Suburbs. It was also suggested in the article the problem dated back some five years.

It was also established that the Sutherland Shire Council received approximately 61,000 items of correspondence in 2005. Of that number, the strike force could only identify two items that referred to matters of ethnic problems in the community.

The problem involving public disorder in the Cronulla Beach area appears to be broader than just ethnic tension. There is evidence the broader issues and ethnic tension became more pronounced in the months leading up to December 2005.

There is evidence of these broader issues which led to public disorder in this same environment during 2005. One such incident was Australia Day, 2005.

On the 26th January 2005, 34 police were rostered to work in the Cronulla area with particular attention to Dunningham and Cronulla Parks. Late that day a crowd of some 3000 people became involved in riotous behaviour against the police. It was reported that the crowd was 'fuelled' by alcohol, the temperature and the atmosphere surrounding the event. The police were attempting to gain control of the crowd and detain people when the crowd began throwing bottles at the police. Police reinforcements were called and the police attempted to force the crowd from Dunningham Park. This is the same location where the main incidents during the afternoon of the 11th December 2005 took place. Police moved the crowd onto The Kingsway and closed the roadway due to the volume of people. Further violent confrontations took place and the crowd was eventually dispersed in the direction of Cronulla Railway Station.

There was no underlying ethnic tension identified as underpinning this event, however it is clear evidence of the level of public disorder which may be expected in this location when the circumstances as described as causal factors exist.

Following events of the 26th January, 2005 the Cronulla Safety Action Group was formed. This group consists of the Mayor of Sutherland Shire Council, police from the local area command, Shire Wide Youth Services, Cronulla Chamber of Commerce, the Manager of the Cronulla Plaza and staff from the Sutherland Shire Council including engineering, community relations and the community safety officer.

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# Escalating Ethnic Tension - Cronulla

In the period immediately prior to the 11th December, 2005 a number of incidents occurred that had associated ethnic tension or racial prejudice factors. These incidents and the ensuing publicity may have been a contributing factor to what occurred on the 11th December, 2005.

Over the Labour Day Holiday weekend of the 1st – 3rd October, 2005 three incidents occurred. On Saturday 1st October, 2005 police were called to North Cronulla Beach in the mid-afternoon. They found about 30 Middle Eastern men who were allegedly causing trouble attempting to start fights. One of these people refused to comply with a 'move-on' direction by the police and was arrested. At that time there were four police officers dealing with this group. One of the group, dissatisfied with the arrest of his colleague, was subdued by police with capsicum spray and the group dispersed.

On Sunday 2nd October, 2005 a group of Middle Eastern men and local Caucasian men gathered outside the McDonalds restaurant at Cronulla Mall. An altercation occurred, police were called and the groups dispersed.

On Monday 3rd October, 2005 police attended the North Cronulla Surf Club mid-afternoon at the request of a member of the Club. A group of 40 Middle Eastern men and 70 local Caucasian men were at the beach for what was believed to be a gathering for a confrontation. Police attended and established that these groups were made up of the young men who had been involved in the dispute outside the McDonalds restaurant the day before. Both groups were moved on by police. About 30 minutes later, the groups reformed in Prince Street, Cronulla and a confrontation took place. Police attended and again the groups were moved on. During that afternoon, the group of Middle Eastern men increased to in excess of 100 and police were informed that the additional men had arrived to assist their friends who were out-numbered by the local youths. A number of 'move-on' directions were given by police to Middle Eastern men who were wrestling and playing football on the beach. This activity was upsetting families and other beach users.

In the report on the incident, the attending police stated,

> *"It is feared that this may become an on-going problem in the Cronulla Beach area. Many local beach users have the opinion that Cronulla Beach's are for locals only and show an obvious racial prejudice against Middle Eastern males. This area will have to be addressed in coming weeks to prevent occurrences such as this from escalating into more serious incidents".* [3]

The concern raised in this report was discussed at a meeting of the Cronulla Safety Action Group on the 15th November, 2005. The Crime Manager from Miranda Local Area Command advised the meeting of escalating anti-social behaviour between local youths and visitors from outside the Shire. As a result it was resolved that life guards would be advised to contact the duty officer at Miranda Police if they had any concerns of possible anti-social behaviour on the beaches and the relevant telephone number was provided to the meeting. The Sutherland Shire Council Community Safety Officer was to advise the Multi-Cultural Officer of these concerns and the Miranda Crime Manager advised that there would be an increase in police patrols on the beach during summer.

[3] Source: COPS E:26911884

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About 2.15pm on Friday 28th October, 2005 three Caucasian school students were in the toilet/change rooms at the North Cronulla Surf Club after finishing a surfing sports day at their school. At the time four young men of Middle Eastern appearance were in the toilet block. One of the Caucasian students made a remark to a friend about the appearance of one of the Middle Eastern men. He then pushed the school student and a fight ensued with one of the school students falling to the ground. The fight was eventually stopped and police were called. Following an investigation, one of the Middle Eastern youths was arrested and charged and three were given an official caution by police.

On Sunday 4th December, 2005 an incident occurred at North Cronulla Beach which appeared to be the catalyst for what is now referred to as the *'Cronulla Riots'*. [4]

About 3.00pm three Caucasian members of the North Cronulla Surf Life Saving Club named and had just completed duty on North Cronulla Beach and were walking in the direction of the club house. They walked up a ramp leading from the beach. A group of about eight Middle Eastern youths were on the beach at the bottom of the ramp and had been observed there for some three hours. It would appear that as the three members of the surf club passed the group of Middle Eastern men, the members of each group were staring at each other. A verbal exchange took place in which a member from each group accused the other of staring at him. At this time one of the Middle Eastern men said to ., in response to the staring accusation, "I'm allowed to, now f**k off and leave our beach". said during this verbal exchange, "I come down here out of my own spare time to save you dumb c**ts from drowning, now piss off you scum". As this verbal confrontation took place the Middle Eastern group formed a half-circle around the Caucasian males. There was an attempt by one of the Middle Eastern men to calm the situation and it appeared that he had been successful and the confrontation was over. However, at this time the Middle Eastern male who was involved in the initial verbal altercation swung a punch at which missed. Some pushing then occurred between both groups which escalated to a fight.

During the fight fell backwards onto the ground hitting his head. He was semi-conscious shaking with blood coming from his head and appeared to be the most seriously injured. and were assaulted by being punched.

At that time another member of the North Cronulla Surf Life Saving Club named was working on the beach as a life saver. He saw a scuffle taking place between a group of Middle Eastern men and three fellow members of the surf club. He started walking towards the fight and saw punched in the face by a Middle Eastern man. This assailant then ran along the beach in the general direction of who called out to him. This person then turned around and punched to the face. The offender then kept running to the south end of the beach.

Police and ambulance were called to the scene. As police arrived the Middle Eastern men were leaving. A witness identified a suspect to police upon their arrival. Police spoke with the suspect who claimed he was not involved in the assault and that he was assisting the life savers. The suspect left the scene whilst police further investigated the incident. The victims were later treated for bruising and injuries and two were taken to Sutherland Hospital by ambulance for treatment after which they were discharged.

was later arrested and charged with assault.

[4] Brief of evidence – Strike Force Neil Eagle.I: OD-63


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Concerning the behaviour of this group of Middle Eastern men at North Cronulla Beach on the 4th December, told police that he had noticed this group of men in the same area on the beach from about 12.00pm. He alleged they were standing around yelling and swearing in both english and another language. told police that he had been on duty at the beach from 1.00pm and up until 3.00pm, there were no problems with the crowd's behaviour and he had no incidents between these times.

During the course of the day police had not been made aware of any concerns regarding the behaviour of this group of Middle Eastern men on the beach.

On the 5th and 6th December, 2005 a significant amount of publicity was given to the incident at Cronulla Beach on the previous day. Most of the publicity was on various Sydney talk-back radio programs. As a result, in the following days members of the media attended the Cronulla Beach area in considerable numbers.

On the afternoon of the 7th December, 2005 three Caucasian men were in The Esplanade, North Cronulla and having a conversation about the incident that occurred at Cronulla Beach on the 4th December. During this conversation, one of the men made an indecent racial comment to a group of Middle Eastern men who were in the vicinity. The person who made this remark was then assaulted by four of the Middle Eastern men and an altercation took place between the two groups. Police were called and began dispersing the crowd.

Several journalists who were in the area at the time commenced taking video and photographs of police who were speaking with two men from the Middle Eastern Group The two men objected to their photographs being taken and confronted the photographer and an altercation took place. The men were arrested by police.

On the night of the 7th December, 2005 a group of customers including Caucasian and Middle Eastern males were present at the McDonalds restaurant Cronulla when an argument commenced. A Caucasian male approached a man of Middle Eastern appearance and struck him in the face. Police were called and the assailant was arrested. During the interview with police, racial prejudice was identified as an associated factor.

From the research conducted in relation to the events that occurred in the short period before the 11th December, 2005 the blame for the ethnic tension that was evident, could not exclusively be attributed to either the Middle Eastern or Caucasian Australians.

The incident on Sunday 4th December, 2005 involving the life savers at North Cronulla Beach was certainly the event that sparked the Cronulla riot, including the reprisal attacks over the 11th – 12th December.

When this incident was carefully reviewed, it by comparison with other events around the same time involving Middle Eastern and Caucasian Australians was of no greater significance.

The difference between this incident and others and how it led to riotous behaviour was arguably, the colourful, exaggerated and inaccurate way it was described over the following days.

The image portrayed to the community was that two young Caucasian Australian life savers were just completing their work on North Cronulla Beach when they were, without provocation, confronted by a group of young men of Middle Eastern background who told them to get off their beach. These men had been harassing the life savers all afternoon. The life savers were then assaulted and the attackers used mobile telephones to call in reinforcements. A large group of Middle Eastern men converged on the area and the life savers were punched and kicked unconscious, after which the assailants fled.

During the following days the incident was described as being an attack on an Australian institution. The life savers were described as heroes and likened to our Anzacs. This unprovoked attack was the last straw.

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The incident is accurately and comprehensively recorded in this report from written statements taken from the victims and witnesses.

The strike force found no evidence of harassment of the victims prior to the assault. In fact, the strike force found evidence of provocation from both sides. Mobile phones were not used to call in reinforcements and no additional people became involved. The Middle Eastern group did not increase in number from those who were in the immediate vicinity at the time.

Police and ambulance were called. The Middle Eastern men did not abscond and some including one, who was later charged, were spoken to by police at the scene and their personal particulars were taken.

The incident was started by two young men objecting to the other staring at him. An argument took place and insulting and indecent remarks were made by both young men. A fight followed and was over in a short space of time, unfortunately injuries were sustained.

The reporting and later publicity given to the incident was significantly out of proportion with what actually occurred.

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# The Road to Public Disorder

## The Role of the Media

Following the incident at North Cronulla Beach on Sunday 4th December, 2005 involving lifesavers and Middle Eastern youths, a media release was distributed by the Police Media Unit on Monday morning, 5th December, 2005.

Document Owner: Public Affairs Document Author: Media Unit E/N: 45101

**NSW Police** | **Public Affairs**

### Surf lifesavers bashed - North Cronulla Beach

Monday 05 December 2005

**Police are investigating an attack on two surf lifesavers at North Cronulla Beach in Sydney's south.**

About 3pm yesterday (Sunday 4 December), four males of Middle Eastern appearance have confronted the male lifeguards and a verbal altercation has occurred. One of the lifesavers has then been punched in the face. A large number of Middle Eastern males have then converged on the area, surrounding the guards.

The pair was set upon and sustained several blows to their heads. The melee was eventually broken up and the offenders dispersed. The victims, aged 19 and 20, were taken to Sutherland Hospital suffering lacerations and bruising.

Police from Miranda Local Area Command attended the scene and spoke with a large number of witnesses in an effort to identify the offenders.

Inquiries into the incident are continuing.

Source: http://nswpsintranet/mediaRelease/mediaRelease.jsp?id=2005_releases/1205/mr10518

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Strike Force Neil attempted to gain an understanding of the role played by the media in the lead-up and during the events of the 11th December, 2005. This was achieved by reviewing print media articles from mainstream and local newspapers, viewing recordings of television news reports and obtaining recordings of talk-back radio programs.

Following the Police Media Unit release on the 5th December, 2005 the incident involving the lifesavers at Cronulla became a topic of talk-back radio programs from early that morning.

From the outset the incident and others that preceded it at Cronulla were described in a way that was inaccurate and an exaggeration of fact. This distortion of the events led to a significant amount of publicity on radio, television and in the print media.

The interest aroused within the community caused the issues of racial tension, ethnic gangs and related matters becoming the topic of discussion and comment on talk-back radio programs everyday until the Friday preceding the riots.

During that week comment was made by politicians, police officers, former police officers, members of the surfing fraternity, family members of the victims of assault, academics, authors and other members of the community.

Comment mainly from unidentified members of the broader community at times was racist, exaggerated, inaccurate and advocated vigilante behaviour.

On the other hand, some correspondence to talk-back radio programs confirmed the perception that certain elements of the Middle Eastern community were bringing their wider community into disrepute. Two examples of this were read over talk-back radio programs.

On the 6th December, comment was made in relation to an e-mail received at a radio station from a young woman of Middle Eastern heritage who is a law student at university. Her e-mail was read on air:

> *"I am a 20 year old Australian with Lebanese heritage. My mother came to Australia from Lebanon when she was eight; dad was 21 when he came here. There's no doubt there is a problem with young Middle Eastern gangs in Sydney. I believe the issue is with their pride and arrogance which makes them believe they are above the law and therefore can deviate without consequence. Most families immigrated to Australian for a better opportunity at life and now it seems there's an utter lack of respect and appreciation for what this country has provided. I'm a fourth year law student at the University of New England and I'm disgusted with the reputation these deviating Lebanese Australians are giving the rest of this conforming community."* [5]

[5] Strike Force Neil Eagle.i: OD-200

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On Wednesday 7th December, further correspondence was read over a talk-back radio program from a man of Middle Eastern background who claims to have lived in Australia for seven years:

> *"First up I want to say how delighted I am that the police have made their first arrest for the incident that happened at North Cronulla Beach, I am an Australian of Lebanese background I'm 30 years old and have lived here for seven years so you think anybody was going to be influenced by the so called bad Lebanese attitude it would be me. Nothing is more embarrassing to me and my family than the incidents like the one that occurred on Sunday, I've been back to Lebanon over the last two summers there and the people don't believe me when I tell them the bad reputation the Lebanese community has in Sydney because of these idiots. These idiots are just out to be different, they're mostly all born here and never been to Lebanon, I can guarantee you if they did this in Lebanon and acted like they do here they wouldn't survive for too long."* [6]

There were two further examples, a call for vigilante behaviour and the other a warning that if it occurred, what perhaps would be the end result. These issues appear significant given the end result of the riot on the 11th December and the ensuing reprisal attacks. They are noteworthy in that they were prophetic in nature.

On the morning of Wednesday 7th December a comment was made in relation to correspondence that had been received at a radio station and from a person identified as 'John' and read during a talk-back radio program.

> ***Commentator:*** *"John has a good answer he says, it seems the police and council are impotent here, all rhetoric and no action, my suggestion is to invite one of the biker gangs to be present in numbers at Cronulla Rail Station when these Lebanese thugs arrive, the biker gangs will be much aligned, they will do a lot of good things, it will be worth the price of admission to watch these cowards scurry back onto the train for the return trip to their lairs, and wouldn't it be brilliant if the whole event was captured on TV cameras and featured on the evening news so that we their parents, family and some friends can see who these bastards are. Australians old and new shouldn't have to put up with this scum".* [7]

On Sunday 11th December members of a bikie gang were present at Cronulla. Later that day a large group of people, not necessarily the bikies, went to Cronulla Railway Station to meet a train. When some young people alighted from the train they were set upon by the vigilantes. The whole event was captured on television and featured on the evening news. Parents, family and friends could see the victims and the assailants.

The vigilantes at the railway station had no way of knowing who it was they were assaulting. The victims were simply chosen because of their Middle Eastern appearance.

It was not only the parents, family and friends who saw these assailants and their victims. It was a whole nation who, from later media reports, looked on in shame.

[6] Strike Force Neil Eagle.i: OD-200
[7] Strike Force Neil Eagle.i: OD-200

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The same morning, shortly after John's correspondence was read over radio, a call was received from a person identifying himself as 'Faulsi' or similar. Faulsi said, referring to what might be the result of supporting vigilante groups:

> ***"Faulsi:*** *... I would like to throw in some factors to think about in your debate about Middle Eastern gang crime, now it's all well and good that we band together and do something socially against this but we've got to be very careful about vigilante groups as good as they may sound at this particular time, we got to remember is what may happen is these type of rat bags will start to utilise more lethal means to combat such activity.*
>
> ***Commentator:*** *Or just intimidate people or inflame the issue, we've got to have appropriately trained law enforcement authorities to do the job.*
>
> ***Faulsi:*** *Definitely, and allow them to use what ever means necessary...*
>
> ***Commentator:*** *We should feed that information to our authorities and local government and all that sort of thing and we should be saying to the Police Commissioner and Police Minister, Carl Scully, get people out here we need people.*
>
> ***Faulsi:*** *Definitely and those people in those part of society that do want to form vigilante groups, once again we have to be careful because all that may happen is that these gang members because they have no budget or no amount of money, no limit to the amount of money they can spend, they can throw money in the faces of these people and end up turning them...*
>
> ***Commentator:*** *No I think what we're saying is that there is a gang problem and we want Police Commissioner Moroney to direct resources to that problem and if he hasn't got the resources, tell us what he needs and the tax payer will be prepared to stump up extra money. Good to talk to you".* [8]

That prediction was realised on the nights of the 11th and 12th December when gangs of Middle Eastern men retaliating for what occurred at Cronulla went on a rampage, the like of which has never been seen in Australia. As predicted in this call to the radio program the reprisals were more violent (although not lethal) in combating the activity. Innocent people were assaulted and property damaged on a scale far greater than we saw at Cronulla during the day of the 11th December.

On the other hand some members of the community attempted to suggest that what was being advocated at Cronulla Beach on the 11th December was wrong. Attempts were made to suggest that there was another side to the story.

[8] Strike Force Neil Eagle.i: OD-200

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It appeared from the discussions that callers from the community and the commentators were of the opinion that the situation with ethnic gangs had reached a stage where 'enough is enough' and the call (SMS messages) for confrontation was inevitable. The community was taking action and any view to the contrary would not be heard.

An example of this was a call to a talk-back radio program on the morning of Thursday 8th December from a woman named 'Bertha'.

> *"**Bertha:** I have just been listening to this whole issue on Cronulla and I don't condone violence and I am not from a Middle Eastern family, but all I say to you is there are two sides to everything and when I have been down there I've heard really derogatory remarks towards the Middle Eastern people and I've heard a lot of 'egging' going on against them and I think, honestly, there has to be an issue there that has to be fixed up but there are two sides to everything.*
>
> ***Commentator:** We've got police to do all of that.*
>
> ***Bertha:** Well I hope it is brought out as there are two sides to everything.*
>
> ***Commentator:** Lets not get too carried away Bertha; we don't have Anglo-Saxon kids out there raping women in Western Sydney. Let's not get carried away with all this mealy mouth talk about there being two sides I can tell you because my correspondence here from mums and dads I'm inundated and I don't hear people complaining about Catholics and Protestants and Anglicans, I'm sorry but there is this religious element in all of this and we've got to make sure we welcome people into our community but we welcome them in on certain terms and certain standards and those standards are not being met so let's not have this mealy mouth talk about everyone's to blame. All across Sydney there is a universal concern that there are gangs, the gangs are of one ethnic composition and they have one thing in mind and I have read some of the correspondence from here. These people are not stupid so they are actually at the coal face, they see it and they hear it. We have to respond to that and we have a Police Force that is armed and equipped to do that job, we've got to give them the chance to do it".* [9]

On the evidence there are two sides to the conflict. There is evidence of racism and bias amongst the Cronulla community but there is also evidence of a significant level of violent criminality being committed by a small element of the Middle Eastern community. It is confirmed that there were ethnic-based incidents taking place in the Cronulla beach area, although not to the level perceived by some in the community. In addition, there is evidence from police officers and members of the community calling talk-back radio programs advocating that elements of the Middle Eastern Community have no respect for the rule of law, intimidate and harass members of the community on a regular basis. This is supported by recorded incidents at Brighton-le-Sands and The Rocks areas to name just some.

Unfortunately some people who are biased or have a subjective view to a particular cause will seize the opportunity to use the media to emphasise their point of view. They will distort fact or repeat hearsay and exaggerate to make their point appear valid. When these views are expressed on talk-back radio programs, they in turn have the potential to cause members of the community to be led to believe that the perception of some people is in fact reality.

[9] Strike Force Neil Eagle.i: OD-200


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The Cronulla riots highlight the caution the media must display when engaging in public debate on issues that may lead to civil unrest. The Cronulla riots clearly reaffirm the influence the media has in setting community mood.

In an effort to validate Strike Force Neil's perception of the role played by the media discussions took place with Associate Professor Catharine Lumby, Director Media and Communications Degree, University of Sydney. Professor Lumby is a widely published print journalist; she has worked as a news reporter, feature writer and opinion columnist, as well as working in television.

Professor Lumby conducted a close analysis of a key sample of media coverage of the Cronulla riots. In addition, Professor Lumby consulted Professor Graeme Turner of the University of Queensland, who is Professor of Cultural Studies and Director of the Centre for Critical and Cultural Studies. His work is used in cultural and media studies and as well as film and television studies. His current research project is an Australian Research Council funded study of talk-back radio.

Professor Lumby then provided the following comment: [10]

> 'The media does not directly cause events, but it does influence and even accelerate events by shaping the public's understanding of reality. In the days leading up to the civil disturbance at Cronulla some elements of the media fed public debate about ethnicity, religion and antisocial behaviour in ways which undoubtedly encouraged, if not actively caused, the perception that Anglo-Australians were under attack by Lebanese/Middle Eastern gangs and that the police force was unable to protect them. In particular, an analysis of the extensive coverage given to these claims by a number of commercial talkback radio hosts in the week preceding the disturbance arguably reinforced the notion that young men of Middle Eastern appearance were roaming beaches and other public areas in gangs and attacking Anglo-Australians without any provocation, and doing so without any response from the authorities. Demographic data on the audience for such talkback shows suggests that a significant proportion of the senior members of the Shire community are likely to have been influenced by these broadcasts and to have contributed to the broader community perception of the issues in the week leading up to the disturbance.'

The professor went on to comment that while we need to be extremely wary of any claim that the media or media commentators have the power to directly cause real events, there is no question that the media influences public perception and feeds into social behaviours and attitudes. An analysis of a sample of the commercial talkback radio broadcasts demonstrates a framing of events and issues which could only have reinforced existing fears and prejudices about men of Middle Eastern appearance and contributed to the belief that Anglo-Australians were under attack.

[10] Strike force Neil Eagle.i: OD-203

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## Police Response

On Tuesday 6th December, 2005 the Local Area Commander at Miranda conducted a risk assessment and set up an operation on the Computerised Operational Police System (COPS) using the operation name 'SETA'.

The main source of intelligence being received by police was the content of text messages being transmitted over mobile phones. Later investigations revealed that over 270,000 individual text messages were transmitted inciting a racially motivated confrontation at North Cronulla Beach on 11th December, 2005.

The following are samples of the text messages that were being distributed:

> *'Just a reminder that Cronulla's 1st wog bashing day is still on this Sunday. Chinks bashing day is on the 27th & the Jews are booked in for early January"*
>
> *"Every fucking aussie. Go to Cronulla Beach Sunday for some Leb and wog bashing Aussie Pride ok"*
>
> *"All lebo / wog brothers. Sunday midday. Must be at North Cronulla Park. These skippy aussies want war. Bring ur guns and knives and lets show them how we do it"*
>
> *"O fight each Aussie. Yulleh. Lets get hectic and turn gods country into wogs country. Habib will be cookin victory kebabs after. Tell all your cousins"*

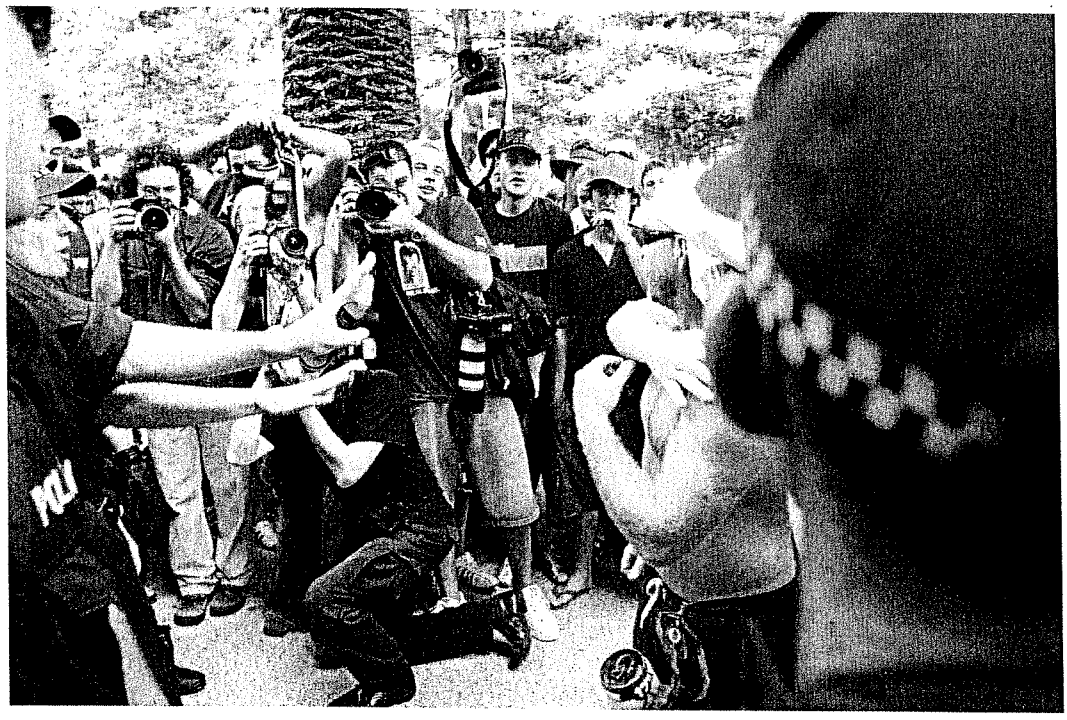
At the same time intelligence was being received by police from a variety of sources that Caucasian males were planning to converge on the Cronulla Beach area on Sunday 11th December. Also, intelligence was received that Middle Eastern males were going to the same area to engage in a riot. A poster was displayed in the Sutherland Shire in the following terms;

> ***'Clean up Australia Day'***
>
> *'As a patriotic Australian, nationalism runs deep within my blood which is currently at boiling point after the recent spark of cowardly attacks at North Cronulla Beach. Our Australian culture is epitomized by our beaches, which have become cesspools of anti social behaviour after the recent and unwelcome influx of young men, of 'middle eastern' appearance from the inner suburbs of Sydney.*
>
> *These young men who sport the inappropriate 'beach' attire of Addidas track pants, Nike sneakers and utterly unforgivable haircuts upon their heads, migrate south every Saturday and Sunday to our Shire, and to our beaches. Perhaps they are here to swim, and to enjoy the warmth of not only the beach but the people of Cronulla. It is apparent that this is not the case: the filth that crawls off the trains and pollutes our beaches has decided to attack an Australian icon. I am of course referring to the spineless attack on our volunteer life guards at North Cronulla Beach. This particular incident has enraged not only myself, but every single Australian with an ounce of nationalism within their bodies.*
>
> *I therefore call on all Australians to unite and strike down upon these invaders with an almighty vengeance that will echo throughout the ages and will forever be imprinted on Shire folklore. It is time to 'take out the trash' and clean up our beaches to restore them to their once peaceful state.*
>
> *North Cronulla Beach on Sunday 11th of December at midday is the time of reckoning where our turf will be reclaimed from the clutches of our common enemy. AUSSIES UNITE.'*

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On Wednesday 7th December, 2005 two incidents occurred involving violence between people of Caucasian and Middle Eastern appearance. In both incidents journalists were in attendance taking video footage and photographs.

In the second incident, a news photographer was assaulted by two Middle Eastern men who objected to having their photographs taken. A person was arrested and charged.



The media in vast numbers on the front line at Cronulla

On Wednesday 7th December, 2005 as a result of the significant publicity and interest by the community in the events that took place at Cronulla Beach on the 4th December, 2005 as well as the intelligence being received, the Local Area Commander informed the Region Commander of the unrest at Cronulla.

Planning commenced at a local level in conjunction with the staff of the Inner Metropolitan Region for a police response to any further incidents of public disorder. At that time Operational Support Group (OSG) Police trained in riot control were deployed to Cronulla.

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The Police Operations Centre (POC) at the Sydney Police Centre was placed on stand-by. In addition, 11 police from the Vikings Street Crime Unit, 2 police dogs and the Police Aviation Support Branch were deployed. 20 police were assigned to Cronulla Beach, Gunnamatta Park and the Cronulla Railway Station. That evening planning took place between the local command and the region command for an operation to be conducted at Cronulla over the forthcoming days.

On the 8th December, the Local Area Commander at Miranda conducted a further risk assessment specifically in relation to 'Riot'. Planning continued and radio interviews were conducted by the Commander, Inner Metropolitan Region.

On Friday 9th December, 2005 planning for a major police operation on Sunday 11th December continued. The Premier of New South Wales, The Honourable Morris Iemma BEc, LLB MP and the Minister for Police, The Honourable Mr Carl Scully, BA, LLB (Hons) MP, were briefed by the Commander, Inner Metropolitan Region. Following this, media interviews were conducted by the Premier in Dunningham Park, Cronulla and by Assistant Commissioner Goodwin at Cronulla Police Station.

The Police Executive was briefed and the tactical plan for the police operation on Sunday 11th December was developed. The tactical commander advised that 52 OSG riot trained police would be deployed on Saturday 10th December, 47 would be deployed on Sunday 11th December and a further 52 were placed on stand-by for immediate deployment on both days if needed.

On Saturday 10th December a further meeting between the Police Commanders Goodwin and Redfern took place at Cronulla and the Tactical Commander finalised the tactical plan for the 11th December 2005.

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# The Cronulla Riot

## Sunday 11th December, 2005

On Sunday 11th December, 2005 in line with the intelligence received, a crowd started to gather in the vicinity of Dunningham Park and North Cronulla Surf Life Saving Club from about 8.00am.

A briefing was conducted for all police at the Cronulla Police Station. At that time 92 police were on duty and a further 68 were on stand-by ready for immediate deployment.



The crowd gathers at North Cronulla Beach

At 10.00am a rally took place at Cronulla in the vicinity of the North Cronulla Surf Life Saving Club. About 5000 people were in attendance with the crowd consisting of mainly young Caucasian males, some of whom were draped in Australian flags. Initially the gathering was peaceful but a number of speakers incited the crowd into a volatile mood that, coupled with excessive alcohol consumption, caused the violence that followed shortly thereafter.

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A prominent speaker addresses the crowd and the media

The violence of the day commenced about 1.00pm when the large crowd who were meeting at Prince Street saw a man of Middle Eastern appearance at the bottom of the street near the surf club. They chased him across Dunningham Park and the man ran into the entrance of the North Cronulla Hotel and was protected by police.



The crowd between Dunningham Park and the North Cronulla Hotel

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About the same time the events of the day commenced to unfold on another front when two pigs' heads were found on the front door step of the Arncliffe RSL Club. About an hour earlier, staff at the RSL had seen a group of Middle Eastern men in the adjoining park poking the pigs' heads with sticks.

The first road closures around the Cronulla Beach area took place to ensure pedestrian safety. The Tactical Commander at that time informed Assistant Commissioner Goodwin that despite the large crowd there were sufficient police officers on the ground to contain the situation.

About 1.30pm three Middle Eastern people (two men and a woman) were sitting on a wall at North Cronulla Beach when three Caucasian women verbally abused them. A large crowd gathered, commenced chanting and throwing sausages at them. Police intervened and afforded protection to those being assaulted.

About 1.35pm staff were called out to open the Police Operations Centre (POC) in a planning and logistics capacity. About 1.45pm the same Caucasian man who was the prominent speaker in Prince Street at an earlier rally was addressing a large crowd at the 'sandpit' in Dunningham Park. At that time two Middle Eastern men were near the 'sandpit' and were verbally targeted by the speaker. The crowd commenced singing 'Waltzing Matilda' and some started throwing objects at the two Middle Eastern men. They were then assaulted by punching and kicking. Police arrived and the men were escorted to safety. As a result a man was arrested at that time and charged with 'Riot' and 'Affray' in relation to the assault upon one of the Middle Eastern men.

Shortly before 2.00pm the Miranda Local Area Commander spoke to the manager at the North Cronulla Hotel and requested that the hotel be closed. At the same time, Assistant Commissioner Goodwin requested the call out of an additional 40 riot trained OSG police.

At 2.30pm two females aged 17 and 18 were near the Cronulla Beach. As they walked past three Caucasian women of about the same age, one of the victims was wearing an Islamic symbol around her neck. They were verbally abused by the other three women with reference made to them as being Lebanese and remarks made about the Islamic faith. Police intervened and the two groups were moved-on. A short time later the same people met up outside the North Cronulla Hotel. On this occasion the Middle Eastern girls were verbally abused by the same three women and the crowd in general with reference being made to them as Lebanese. The two women were then attacked by being punched and kicked. Police intervened and the two women were escorted to a secure location. One of the Caucasian women was arrested and charged and has since been convicted of the assault.



A Caucasian woman assaulting a woman believed to be Lebanese

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About 2.40pm two male university students from Bangladesh, who are studying in Australia, were driving in the Cronulla area when they drove into Mitchell Street and encountered a large crowd. The vehicle in which they were driving was then attacked by the crowd with bottles and one of the rioters jumped onto the bonnet of the vehicle. The victims then drove from the scene and were chased by the crowd with one rioter smashing a side window of the vehicle with his fist. One of the rioters was later identified and charged by police with 'Riot' and 'Affray'.



The crowd attack a vehicle containing two Bangladeshi nationals

About 3.00pm a rumour spread through the crowd in Dunningham Park that Lebanese people would shortly arrive on a train at Cronulla Railway Station. A large crowd of people left the park, went to Cronulla Railway Station and on entering the station they assaulted two men of Middle Eastern appearance. The two victims took refuge inside a train; they were followed by a group and assaulted. Police entered the train and protected the two victims. The railway station was cleared by police using batons and capsicum spray; the railway station was then closed.



A man of Middle Eastern appearance is attacked on Cronulla Railway Station

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Police clearing Cronulla Railway Staion of rioters




Police are successful in having the rioters retreat

About the same time Assistant Commissioner Goodwin contacted the Commanders, Greater Metropolitan Region and South Region requesting them to place on stand-by additional riot trained OSG police and equipment for immediate deployment if necessary. At this time police were dealing with riotous behaviour on three fronts, Dunningham Park/North Cronulla Hotel, Prince Street and Cronulla Railway Station.

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At 3.19pm a Highway Patrol vehicle was stationary at the intersection of Elouera Road and Mitchell Street, Cronulla with the officer performing crowd control duties. The officer saw two young men of Middle Eastern appearance being set upon by a large crowd of people. One of the Middle Eastern men was kicked and punched. The Highway Patrol officer (Senior Constable Gary Smith) intervened and used capsicum spray to subdue the assailants. The officer took the victim to his police vehicle to escort him from the area. The crowd commenced throwing beer bottles at the victim and the officer. Both were struck and the police vehicle was extensively damaged. The victim and the police officer were later treated in hospital for their injuries. As a result of investigations into this incident 17 people were charged.



A Highway Patrol officer rescues a Middle Eastern man as he is struck by a bottle

About the same time a large crowd of people was moving between Cronulla Beach and Cronulla Railway Station when three Middle Eastern men were seen walking from the direction of The Kingsway. A group of people rushed in the direction of these men and police took the men into a nearby restaurant for safety. A group of about 200 people commenced banging on the glass doors and windows of the restaurant breaking a window. The Middle Eastern men were taken to a police vehicle at the rear of the restaurant and removed from the area.

About 3.40pm Assistant Commissioner Goodwin activated the additional riot trained OSG police who had been on stand-by. In addition, two prison vans and the Police Video Unit were requested to attend Cronulla. A discussion also took place with members of the Police Media Unit regarding media management.

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About 4.20pm an ambulance was being used to transport six Middle Eastern people, three who had been injured during earlier incidents and three who had sought refuge inside the North Cronulla Surf Life Saving Club from the riotous crowd. Four Mounted Police and a number of OSG police provided security as the ambulance departed the area. The ambulance travelled from Prince Street into Mitchell Street. At this point the ambulance and escorting police came under attack by the crowd who were throwing beer bottles. Numerous bottles struck the ambulance smashing windows. One bottle passed through the sunroof of the ambulance and struck an ambulance officer in the back of the head. The ambulance was driven to a safe location and the patients were transferred to another ambulance and taken to hospital for treatment. Following an investigation three people were charged in relation to this incident.



An ambulance and escorting police come under attack

After the ambulance was escorted from the area, the escorting police were walking down Mitchell Road towards the North Cronulla Surf Life Saving Club. At this time Mitchell Road was lined with people drinking alcohol and yelling abusive taunts at police. Police observed a young person standing on the roof of a garage with about 20 others. This young person threw a bottle of beer in the direction of police which broke on the roadway near them spraying broken glass. The young person was then chased by police into Prince Street and arrested. He struggled with the arresting police and a crowd of about 500 people surrounded the arresting police and began to taunt and abuse them. The arresting officer was spat on by the crowd. The offender was eventually placed into a caged truck, taken to Sutherland Police Station and charged with assault police and possessing a prohibited drug.

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About the same time a press conference was held on the balcony of the North Cronulla Surf Life Saving Club.

At this point in time 142 police personnel were in attendance at Cronulla and it was reported that the on-call staff had been deployed and were in transit.

At 4.32pm Superintendent Redfern requested that local bottle shops be approached with a view to them closing by consent.

At 5.20pm Superintendent Redfern advised that the dayshift at Cronulla would remain on duty for a further two hours.

During that time intelligence was being received that vehicles with Middle Eastern men on board were travelling southbound towards Tom Ugly's Bridge. At that time there was a strong Highway Patrol presence on Tom Ugly's and Alfords Point Bridges.

At 6.50pm and 7.30pm a further three arrests were made in the North Cronulla Beach area of young Caucasian males who were intoxicated and became involved in altercations.

At this point in time, the Police Commanders conducted a review of the day's activities and commenced planning for the operation to continue until the following weekend.

## The Reprisals – Sunday Night – 11th December, 2005

About 5.20pm the first indication of reprisal activity by Middle Eastern men surfaced when assistance was requested from police by staff of the St. George Hospital. A large group of Middle Eastern males congregated at the hospital in response to those injured during the incidents at Cronulla earlier that day. Bottles had been thrown and vehicles were damaged in the vicinity.

At 7.45pm it was reported that about 20 – 30 Middle Eastern men, some carrying bats, were seen walking along The Promenade, Sans Souci.

At 7.45pm it was reported that 60 Middle Eastern men had gathered in Arncliffe Park.

At 7.48pm Police Radio received calls about a gathering of Middle Eastern men in Punchbowl Park and it was indicated they were contacting other people.

At 8.00pm police attended the area of Punchbowl Park. They noted that the crowd, numbering some 100 Middle Eastern men, were in a volatile mood and shouted profanities at the police. Police did not attempt to speak with the crowd as they were heavily outnumbered. The crowd was observed to enter a number of motor vehicles and dispersed in all directions. It was later reported that they travelled south on King Georges Road and then east on the M5 Motorway. It was suggested that some would be travelling to Cronulla and others to Maroubra. A direction was then given that any anti-social behaviour or traffic offences were to be treated with 'zero tolerance'.

Various convoys of vehicles that left Punchbowl Park and Arncliffe Park appeared to head in the direction of Cronulla, Maroubra, Brighton-le-Sands and one was followed by police down the Princes Highway in the general direction of Wollongong. Some vehicles were stopped and searched on the M5 Motorway, but no offences were detected. At that time the three major inlets into the Sutherland Shire were being monitored by Highway Patrol Police.

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At 8.27pm, it was reported that a group of 60 Middle Eastern men were in Bay Street, Brighton-le-Sands intimidating people in the street. Police attended the scene and shortly after requested further assistance as the number of Middle Eastern men in Brighton-le-Sands generally was increasing.

At 8.40pm a group of Middle Eastern men assisted one of their number to climb a telegraph pole and onto the roof of the Brighton-le-Sands RSL Club. This man then removed the Australian flag from a flag pole on the roof. He and his friends then desecrated the Australian flag by stomping, spitting and urinating on it. The flag was then set on fire. Police were called and the charred remains of the flag were located. From a later investigation into this matter three Middle Eastern men were charged.

At 8.44pm it was reported that 12 vehicles with Middle Eastern men on board were heading towards Maroubra Beach. The occupants were calling out obscenities and racial comments to people walking in the street. Seven of these vehicles were seen in Malabar Road. On one occasion, a flaming object was thrown from one of these vehicles and a parked vehicle caught fire. A police vehicle attempted to stop the convoy, they were successful in containing one vehicle and the other six escaped. No action was taken at the time due to the level of riotous behaviour in the area and the immediate attention that was necessary. However the suspects were photographed and the keys to the vehicle were confiscated as the driver was unlicensed. A later investigation into the incident led to the charging of four Middle Eastern youths aged between 15-17 years.

The public disorder continued in the Maroubra Beach area with some 100 Middle Eastern men involved. They were armed with baseball bats and other weapons and caused damage to over 50 motor vehicles parked in the area. The number of rioters and the violence displayed caused members of the local community to flee from public places and lock themselves in their homes. The level of violence caused the police to urgently request assistance from surrounding areas.

There were a number of people who were unexpectedly caught up in the violence and not able to make it into their homes. Others who were in public places and unaware of the danger and some, who came from their homes to investigate disturbances became victims.

One such incident was at 8.50pm when a man arrived at his home in Maroubra, stepped from his vehicle and was confronted by Middle Eastern men who inquired about his race. When he told them he was Greek, a Middle Eastern man replied "Then you're alright mate". When the Middle Eastern man left and walked towards a vehicle he struck the victim's vehicle with a baseball bat. The victim then ran towards his vehicle that had just been damaged, he was struck in the face with a baseball bat and fell to the ground unconscious.

Another man was entering his vehicle outside a shop in Maroubra when he was assaulted by a group of 6 - 7 Middle Eastern men by kicking and punching him. As well, his vehicle was damaged by baseball bats. In another incident a man using a public telephone was set upon by a group of five Middle Eastern men who assaulted him and stole his mobile phone. Two other men were set upon, one outside the Maroubra Bay Hotel and the other in the vicinity of the beach by groups of Middle Eastern men who assaulted them with baseball bats.

In another incident, a man and a woman left their home in Maroubra to investigate a disturbance outside. They were examining both their motor vehicles which had been damaged when a Middle Eastern man struck the woman on the head with a baseball bat. Her friend came to her assistance and he too was attacked by another Middle Eastern man who kicked him.

All these events occurred at approximately 9.00pm. At the same time reports were coming in that further gatherings were taking place at Punchbowl Park and another location at Punchbowl. In addition, 30 vehicles and about 60 – 70 Middle Eastern men had assembled in Cook Park, Brighton-le-Sands. There were also reports that convoys of vehicles had left the Punchbowl area and were heading to Cronulla. It was reported at this time that Tom Ugly's Bridge had been locked down to one lane, filtering cars through. In addition, it was reported that vehicles were being stopped on Captain Cook Bridge and the bona fides of occupants checked.

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The magnitude of the public disorder across a number of fronts in Sydney was becoming evident and at 9.05pm Assistant Commissioner Goodwin moved from the North Cronulla Surf Life Saving Club to the Police Operations Centre (POC) at the Sydney Police Centre. Shortly after, 50 OSG personnel trained in riot control were deployed from Cronulla to Maroubra. Around this time, the Local Area Commanders from Hurstville, Campsie, Botany Bay, Eastern Suburbs, Eastern Beaches, Miranda, St. George and Surry Hills were all on duty and had been advised to call-out their supporting Major Incident Response Teams (MIRT).

About 9.30pm five police officers began checking motor vehicles that were in Cook Park, Kyeemagh. The crowd of 100 – 150 Middle Eastern men became aggressive and commenced throwing bottles, rocks and lumps of concrete taken from a nearby construction site at police. A number of police vehicles were damaged and OC spray was used to disperse the crowd. At that time OSG police arrived at Cook Park. A number of Middle Eastern men were arrested.

At 9.40pm it was reported that road closures were in place in the Maroubra Beach basin area.

At 9.46pm the Northern Region OSG riot trained police were called out for deployment to Maroubra to maintain order in the area.

At 9.50pm a Channel 9 cameraman was in Cook Park, Kyeemagh filming a group of about 200 Middle Eastern men when he was approached by six of them and assaulted. He was kicked and punched, his camera was taken from him which was later located in another area of the park.

The seriousness of reprisal attacks continued to become evident when it was reported that four people had left the Woolooware Golf Club and they were attacked by a group of Middle Eastern men. They were chased along the street; as two of the females looked behind they saw one of their friends on the ground being kicked by two Middle Eastern men. They sought refuge in nearby homes and police were contacted. When they returned to the area they found their friend with a knife blade embedded in his back.

At the same time, it was reported that 200 Middle Eastern men had gathered at Bay Street, Brighton-le-Sands and were throwing bottles at police. OSG police were deployed and the crowd was moved-on.

A roadblock was established on the Grand Parade and Bay Street, Brighton-le-Sands. A vehicle driven by a Middle Eastern man appeared to swerve sharply in the direction of a constable manning the roadblock. Some hours later the vehicle was stopped at Mascot and the driver arrested.

At 10.20pm it was reported that the situation at Maroubra was under control. The rioters had left the area and it was believed they were on their way to Brighton-le-Sands. The road closures in Maroubra were kept in place until 4.30am the next morning.

The public disorder at Brighton-le-Sands continued. There were reports of police vehicles being damaged, one by having a shopping trolley thrown at it. Several vehicles containing Middle Eastern men were driving around the streets of Brighton-le-Sands, leaning out of the vehicle and damaging parked cars with some form of weapon. It was reported that about 50 Middle Eastern males were armed with pieces of steel and timber and were coming up behind police lines. Police attempting to control the crowd were having projectiles thrown at them.

The reprisals attacks continued in the Cronulla area. About 11.00pm a man went to the front of his home in Elouera Road and saw several Middle Eastern men damaging vehicles with baseball bats. When he attempted to intervene he was struck several times with a baseball bat and eventually took refuge in a nearby house.

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At 11.02pm a member of the community reported hearing a group of about 30 Middle Eastern men in Crawford Road, Brighton-le-Sands talking about re-grouping at Punchbowl Park. About the same time, a report was received that about 25 Middle Eastern men had gathered in Punchbowl Park.

About 11.30pm a police vehicle deployed to Punchbowl Park reported seeing in excess of 30 Middle Eastern men congregating at the edge of the park. Four vehicles belonging to these men were blocking traffic in both directions. As the police vehicle stopped it was surrounded by these men who began attacking the police vehicle. The police called for assistance and manoeuvred their vehicle away. Before assistance arrived the Middle Eastern men dispersed in about 30 vehicles. This convoy of vehicles was next reported by a member of the community as stopping for a short time at Roberts Park, Greenacre and soon after, departed along King Georges Road in the direction of Cronulla.

At 12.01am Monday 12th December, 2005 a member of the community reported about 30 – 40 Middle Eastern men in several vehicles waiting in the vicinity of the Cronulla High School. He saw one person armed with a baseball bat. Shortly after, all these vehicles travelled west along Captain Cook Drive in the general direction of Cronulla. There is no evidence to indicate when this convoy of vehicles entered the Cronulla area.

At this point in time the Highway Patrol vehicles that had been manning Tom Ugly's, Captain Cook and Alfords Point Bridge earlier in the evening had re-deployed to Brighton-le-Sands in response to calls for assistance from police who were attempting to control the situation in that area.

The convoy of 30 – 40 cars with Middle Eastern youths on board were at the intersection of Waterloo and Old Kent Roads, Greenacre and being followed by police in the direction of Cronulla.

It would appear that the second convoy of vehicles that had left Roberts Park, Greenacre also travelled in the direction of Cronulla via King Georges Road and Tom Ugly's Bridge.

About 12.05am a number of Highway Patrol vehicles that had been redeployed to Brighton-le-Sands informed the police radio that they were enroute to Tom Ugly's Bridge in response to a request from the Police Forward Commander that three bridge entrances to the Sutherland Shire were to be manned.

At 12.07am the convoy that had left Punchbowl Park was reported on Tom Ugly's Bridge. It is apparent that the convoy had passed over the bridge before the Highway Patrol vehicles had time to return to their position on the bridge.

It was then reported by community members that a convoy of vehicles containing Middle Eastern men was waiting at the intersection of Princes Highway and Port Hacking Road, Sylvania. It is at this point that the convoys from Punchbowl Park and Roberts Park merged.

At 12.19am the combined convoy was followed by police into The Boulevarde, just north of Taren Point Road. The convoy of vehicles upon entering the Cronulla area divided into smaller groups.

As a result of the intelligence that convoys of motor vehicles intended entering Cronulla, numerous roadblocks were established during the night in Cronulla and vehicles containing Middle Eastern men were turned away. Because of the large number of vehicles some managed to avoid the street closures.

At 12.30am a convoy of five vehicles containing Middle Eastern men was stopped by police in Elouera Road, Cronulla. The police were able to search three of these vehicles and their occupants without anything being found. They were then told to leave the Cronulla area.

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At the same time it was reported that a motor vehicle containing a man was attacked by a number of Middle Eastern men in four vehicles in Mitchell Road, Cronulla. An attempt was made to drag the driver from the vehicle but he managed to escape.

The last recorded sighting of a large group of Middle Eastern men in Cronulla was at 1.15am when Highway Patrol and OSG police stopped a convoy of eight vehicles in Ewos Street, Cronulla. A 'Move-On' direction was given to vacate Cronulla.

A short time later, there were a number of sightings of vehicle convoys at Roselands. It is possible that these were the convoys that had left the Cronulla area about that time.

It is clear that there were at least three convoys of motor vehicles containing a large number of Middle Eastern men in Cronulla at the one time. There is evidence from a member of the community in Brighton-le-Sands, who at 11.02pm overheard a group of Middle Eastern men talking about re-grouping at Punchbowl Park. It was from there and Roberts Park that the convoys commenced.

Also, the evidence is that one convoy waited on the Princes Highway and Port Hacking Road, Sylvania to merge with another and the third convoy was waiting at Cronulla High School. They became mobile at approximately the same time from their stationary positions and moved into the Cronulla area. It is a reasonable conclusion that this action is an example of the planning and co-ordination that had taken place to maximise the number of Middle Eastern men in an area, at the one time, to carry out attacks.

This is perhaps the best example of the magnitude of this mobile operation and the degree of difficulty facing police who had to manage the numerous events taking place simultaneously.

At 12.50am it was reported that the situation at Brighton-le-Sands was quiet and OSG were now patrolling the Cronulla and Miranda areas.

At 3.02am the Police Commander Goodwin ceased duty and handed over command to Assistant Commissioner Clifford.

The situation that police had to manage and respond to on the 11th December, 2005 is unprecedented in Australian policing history.

During that day the mobility and unpredictability of the crowd was dynamic in that attacks on Middle Eastern people and others were not planned, but responsive in different locations to the appearance of a target. The movement of the crowd to Cronulla Railway Station in response to SMS messages was an example of one such event.

Police on the street had to respond on many occasions without command direction to intervene and prevent assaults. Visual records of those incidents depict the individual initiative and courage of police officers. The lack of serious or fatal injuries to victims can be attributed to the actions of individual police who appeared to have no regard for their own safety when endeavouring to protect people coming under attack.

The reprisal attacks on Sunday evening across the Cronulla, Brighton-le-Sands and Maroubra areas which were mostly simultaneous, is unprecedented in public disorder anywhere in Australia.

The attacks were well planned and co-ordinated. The offenders attacked in the dark of night fuelled by racial prejudice and anger, showing no fear of authority and no mercy to their unsuspecting victims.

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Because of the co-ordination, mobility and random nature of the attacks by the offenders, police had to use initiative and often respond without command direction.

The challenge of commanding a police response to such an event is also unprecedented in the history of policing in Australia. The Commanders found themselves in a difficult situation as the mobile assailants were changing the location of attacks to avoid the police response. That presented a situation where Commanders could not predict what might occur next.

## Monday 12th December, 2005

On the morning of the 12th December, 2005 there were no reports of public disorder across the metropolitan area. Meetings took place between the Commander, Inner Metropolitan Region, the Commissioner of Police and his Executive. The Police Minister and the Premier were also briefed. A media conference was held in the Premier's office.

At 11.16am there was a report of an SMS message being circulated which was the first indication of the potential for further public disorder. The SMS read:

"All arabs unite as one we will never back down to anyone the aussies will feel the full force of the arabs as one brothers in arms. Unite now lets show them who's boss destroy everything gather at Cronulla 18/12/2005 midday; spread the message to all arabs meet up at the light house"

At 12.57pm a member of the community reported overhearing a conversation between two Middle Eastern men in the Shell Service Station at Brighton-le-Sands in which the term "4 Brothers in Arms" was used and that they were to meet at the lighthouse in Brighton-le-Sands before going to Cronulla.

During the afternoon there were intermittent reports about Middle Eastern men driving around the Brighton-le-Sands, Hurstville and Cronulla areas verbally abusing people from vehicles. It was also reported that a group of Caucasian men were arming themselves with improvised weapons in the Maroubra area. As well, an SMS message was circulated suggesting that Middle Eastern men were going to gather at Arncliffe Park that evening.

During the afternoon, police held planning meetings to provide resources for the night of the 12th and the following days. It was reported that additional police resources had been rostered to cover the Cronulla, Maroubra and St. George areas on a 24 hour basis. A call-out system was put in place to provide additional resources for deployment if required.

At 3.30pm information was received that a SMS message was circulating suggesting that the 'Bra Boys' from Maroubra were going to the Mosque at Lakemba in retaliation for what had occurred at Maroubra the night before.

The Campsie Local Area Commander contacted the President of the Lebanese Muslim Association who had links to the Mosque. Youth workers at the Mosque had also been informed of the circulation of this SMS message. Planning then took place to prevent any public disorder.

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Because of intelligence regarding a stockpile of weapons at Maroubra, police conducted a number of searches. Large quantities of improvised weapons were found near McMahon Pool, in Arthur Byrne Reserve and in a laneway behind the shopping centre at Maroubra. On top of a shop in Marine Parade, police located three milk crates stockpiled with bricks. They also located two crates containing Molotov cocktails in a laneway. All these articles were confiscated. At the time of these searches a group of 40 – 50 Caucasian men had congregated outside the Maroubra Bay Hotel. Police spoke with a person who appeared to be leading this group and they were told to disperse to which they complied.

Because of the escalating threat the street closures around the Maroubra Beach Basin were put in place in the same fashion they had been the night before. Police vehicles were used to block streets and officers manned the intersections.

As a result of the planning at Campsie Local Area Command additional resources consisting of OSG riot trained police and Highway Patrol were brought into the area.

About 6.00pm, it was reported that there was a gathering of people at the Lakemba Mosque who were there to protect it. During the night this crowd enlarged to approximately 1500 – 2000 people outside the Mosque and about the same number inside. The majority of the crowd at the Mosque were calm but there were a few agitators. At one stage the situation was inflamed when a member of the media began taking photographs of people in the crowd. It became necessary for police to protect the photographer. Additional police resources were called in.

At 6.00pm there was a report of a gathering of Caucasian men in the Arthur Byrne Reserve, Maroubra. These men were armed with pieces of wood. Police attended and noted in several vehicles items such as baseball bats. A search of one vehicle located 15 steel rods about one metre in length. The items in the vehicles were confiscated by police as well as other improvised weapons located in the park. A newspaper photographer at the scene was intimidated by the group and spat upon.

It is uncertain, despite the intelligence, if an attack on the Lakemba Mosque was ever genuinely intended. Although a significant number of weapons were found in the Maroubra area, their placement would indicate they were going to be used to defend the Maroubra Beach area against attacks similar to those that occurred on the night of 11th December.

It is reported that as a result of the emerging threat to the Lakemba Mosque a senior member of the Lebanese community went to Maroubra and met with a member of a group known as the 'Bra Boys'. It is suggested that this meeting had a calming influence on the issues involving Maroubra.

About the same time there were a number of reports of gatherings of Middle Eastern men involved in incidents at Brighton-le-Sands and Hurstville.

At 6.35pm a man and woman were driving in a car near Arncliffe Park. Whilst the vehicle was stopped, a group of Middle Eastern men smashed the driver's window of the vehicle and broke off the side mirror. The woman driver was punched as was her companion and they were later treated at hospital. The victims were not able to identify their attackers.

Between 6.38pm and 7.00pm it was reported that a group of 12 Middle Eastern men were in Bay Street, Brighton-le-Sands harassing motorists and pedestrians. Two were armed with baseball bats. When police arrived the men had left the area.

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At 7.00pm police attended a call to Arncliffe Park where 150 Middle Eastern men had gathered outside the RSL Club in Wollongong Road. When the police attended a hard object, possibly a brick, was thrown at the first police car that arrived. A duty officer spoke to the senior members of the community and after a discussion, the group dispersed. A community source advised that the more volatile individuals of the group had left for Lakemba.

At the Lakemba Mosque it was reported at 8.44pm that the crowd numbers had increased and the situation was becoming more volatile. Community leaders were attempting to calm the crowd. The crowd-control marshals, who were appointed from within the community were helpful in keeping order. This is normal procedure for large gatherings at the Mosque. There were only two minor injuries reported. One arrest was made of a man for 'Intimidate Officer' and 'Offensive Behaviour'.

At 9.00pm it was reported a convoy of 20 vehicles with Middle Eastern men on-board was making its way from Sutherland to Cronulla. Intelligence received from a variety of sources indicated that groups of Middle Eastern men were heading to Cronulla to carry out reprisal attacks.

About 9.25pm police saw a convoy of 15 vehicles with Middle Eastern men on-board in Port Hacking Road, Miranda. Police were successful in stopping some of the vehicles however the majority dispersed.

About the same time two people driving along the Kingsway noticed a large number of vehicles containing Middle Eastern men blocking the Kingsway at Wilbar Street, Cronulla. Three men armed with golf clubs ran in their direction and they drove away.

Also at 9.25pm police at the Lakemba Mosque reported that the crowd was dispersing.

At 9.30pm it was reported that a large group of Middle Eastern men had gathered in Punchbowl Park. At 9.56pm a police vehicle upon arrival, observed 30 – 40 vehicles leaving the park and travelling south in King Georges Road.

At 9.58pm the Police Forward Commander at Cronulla redeployed five vehicles from the Lakemba Mosque to take up positions on the Captain Cook, Tom Ugly's and Woronora Bridges. However, there is evidence that there were groups of vehicles containing Middle Eastern men already in the Sutherland Shire.

At 10.00pm a man went outside his home in the Kingsway, Cronulla to move his vehicle to avoid it being damaged. He was attacked in the street by 10 – 15 Middle Eastern men and was hit with an iron bar, punched to the head and body and hit with a bottle. The victim was later treated for facial lacerations and other injuries.

At 10.15pm it was reported that a man riding a motorcycle came upon the convoy at the Boulevarde and Taren Point Road. A number of Middle Eastern males alighted from vehicles and attempted to assault the rider. He was struck in the back by some object thrown at him. He rode off and was pursued by a vehicle, but managed to escape.

About the same time a convoy of 30 vehicles containing Middle Eastern men was sighted on Captain Cook Bridge heading towards Cronulla.

The convoy of vehicles that had left Punchbowl Park travelled along King Georges Road, the Princes Highway and across Tom Ugly's Bridge. When the convoy reached Port Hacking Road and The Boulevarde, Sylvania they were joined by a police vehicle. Some vehicles in the convoy blocked the three lanes east on The Boulevarde and surrounded the police vehicle. The 20 – 30 vehicles in the convoy continued on through the intersection of Taren Point Road against the red traffic lights. The police vehicle took an alternate route to the Cronulla business district. The officer and his dog left the police vehicle and saw about 150 Middle Eastern men between St. Andrews Place and Croydon Road smashing windows. A bottle was thrown at the officer but he continued to chase the men and arrested one of them. By that time the officer was joined by two other dog teams and other police.

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Approximately seven minutes after the convoy entered the Cronulla Business District, the offenders ran back to their vehicles. Police attempted to organise roadblocks however the vehicles began to leave.

It is evident that by the time it was requested to place roadblocks on the bridges leading into Cronulla at 9.58pm, the convoys had already entered the area.

Between 10.30pm and 1.30am there was a succession of incidents carried out by Middle Eastern men in the Cronulla area which is unprecedented so far as the level of violence that was used against unsuspecting innocent people. Over that three hour period Middle Eastern men armed with baseball bats, metal bars and firearms randomly assaulted people in motor vehicles, outside their homes and walking on the streets. Some people who were assaulted had gone to the aid of other injured people and themselves became victims. Several reports were made of shots being fired at various locations, although there is no evidence of any person being shot. There were two instances of attempts being made to run-down police officers manning roadblocks within the Cronulla area. A large number of reports were received of private and business premises, as well as motor vehicles being damaged. At the height of these attacks additional police resources were brought into Cronulla from surrounding areas. Six ambulances were requested to attend Cronulla to treat victims and there was one report of an ambulance requiring urgent assistance as it had come under attack. Transit officers were attacked at Caringbah Railway Station.

About 10.45pm it was reported that some of the vehicles containing Middle Eastern men were heading out of the Cronulla area and travelling towards Brighton-le-Sands.

At 10.58pm a group of about 100 Middle Eastern men were gathered in Bay Street, Brighton-le-Sands in the vicinity of the Novotel Hotel and were assaulting motorists who had stopped at traffic lights. An ambulance was called to that location and upon arrival, it came under attack.

Additional police resources including the riot trained OSG and Dog Squad were deployed to the area. A confrontation took place between police and rioters. Council bins and other objects were thrown at police vehicles and shop windows. As a result of police action, rioters dispersed. Police chased the offenders down various streets in Brighton-le-Sands. There were reports of vehicles being damaged in surrounding streets by Middle Eastern people using baseball bats, fence palings, rocks and fire extinguishers.

At 11.30pm an employee of the Novotel Hotel, Brighton-le-Sands was assaulted by a group of Middle Eastern men as he left his place of employment.

About the same time incidents of random assaults were still taking place in Cronulla and there were also reports of isolated assaults in the Bankstown and Liverpool Area. This type of behaviour continued until the early hours of the morning of Tuesday 13th December.

During this night the co-ordination and mobility of the assailants made the task of commanding such an operation extremely difficult.

Commanders in the field acted swiftly when intelligence was received. However, it was evident that the speed and mobility of the assailants made it difficult to contain them. For example at Cronulla, by the time the resources from the Mosque at Lakemba could be released the convoy of vehicles had entered the Sutherland Shire.

Valiant attempts were made by police to stop the offenders in Cronulla but only a few that individual police could manage, were arrested. These officers put themselves at great risk in taking action, without concern for their personal safety.

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The same situation applied to police at Brighton-le-Sands who reduced the level of violence by personal commitment and courage in a volatile situation.

At Maroubra the Forward Commander (Superintendent Rogerson) and staff took swift and decisive action against what was emerging as a violent situation. A significant number of weapons were confiscated from the streets and road closures were effective in reducing the mobility and intent of any would-be assailants.

At Campsie during the debrief session that followed the incident at the Lakemba Mosque, a great deal of credit was given to the Forward Commander (Superintendent Richardson) for his community consultative tactics which had a direct impact on the efficient management of some 4000 people. It was also mentioned that this influenced an increased level of officer safety at the scene.

It was generally acknowledged that the community consultation at Campsie, Cronulla, Maroubra and Arncliffe which took place between the Local Area Commanders and community leaders was an invaluable operational tactic. It had the effect of reducing the potential level of the violence down to what eventually took place.

## Tuesday 13th December, 2005

On the morning of the 13th December, a meeting took place in the Police Operations Centre regarding the events of the two previous days and strategy was planned for the forthcoming weeks to deal with public disorder. It was at this meeting that the need for legislative change was discussed. Those planning meetings took place throughout the day and there were no incidents of major public disorder across the metropolitan area. The situation remained the same during the night of the 13th December.

Operation SETA continued and incidents of public disorder remained low key in comparison to those of the 11th and 12th December.

Operation SETA concluded on the 29th January 2006 and Operation BEACHSAFE took over and continued until the end of summer.

Between 13th December, 2005 and 14th July, 2006 Strike Force Enoggera conducted the investigation into the riot and reprisal attacks. As a result, 104 people were charged with a variety of criminal offences. 51 in relation to the events of the 11th December and 53 in relation to the reprisal attacks. 285 charges were preferred, 136 for the events of the 11th December and 149 for the reprisal attacks. [11]

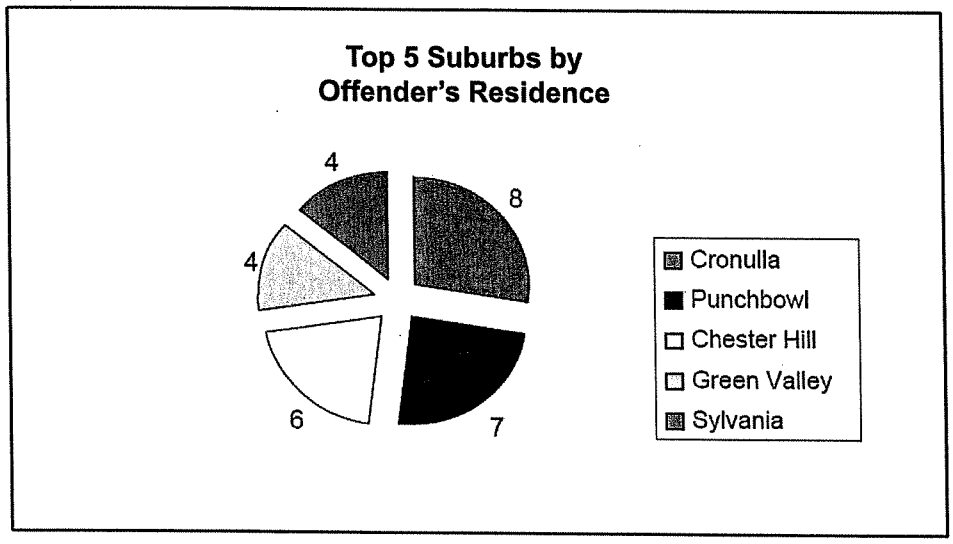
During the course of the investigation Strike Force Enoggera classified the events at Cronulla on the 11th December as 'Non-retaliatory' attacks and the reprisal attacks as 'Retaliatory' attacks.

> ***'Retaliatory' attacks shall include those incidents following public rally and confrontations at Cronulla in the afternoon on Sunday 11th December, 2005. It includes youths of Middle Eastern appearance travelling in groups who were converging at various locations in a series of apparent 'hit and run' retaliatory actions in Maroubra, Cronulla and Brighton-le-Sands. It also includes the use of mobiles and email to menace and organise further public rallies.***
>
> ***'Non-retaliatory' attacks include those incidents of public disorder and crowd violence that occurred predominantly in the Cronulla area on the 11th December, 2005.***

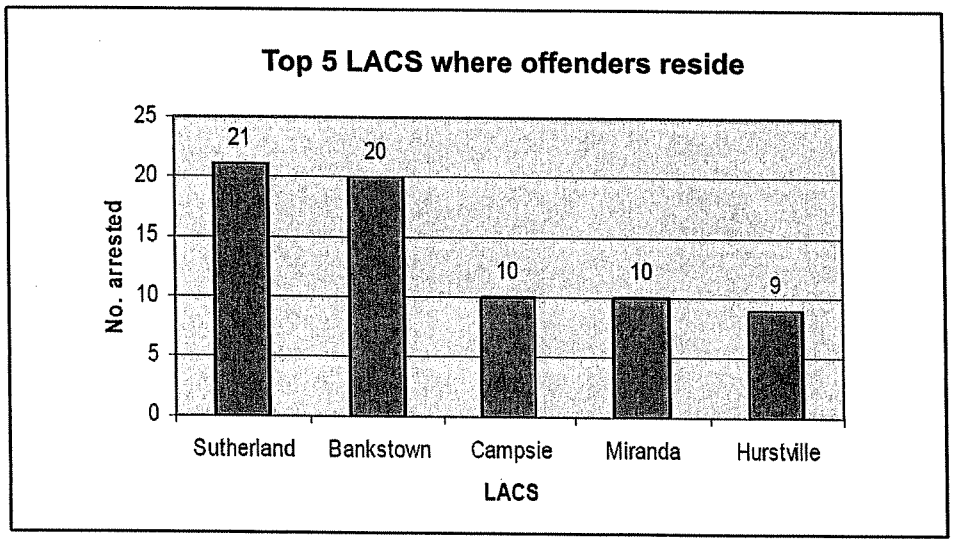
[11] Strike Force Enoggera – Post Operational Assessment – SCC reference 05/786.

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The graphs below depict the top five suburbs of residence of those charged and the top five local area police commands in which they reside. This is evidence of those charged who resided in and outside the Sutherland Shire.




Source: Strike Force Enoggera – Post Operational Assessment – SCC reference 05/786




Source: Strike Force Enoggera – Post Operational Assessment – SCC reference 05/786

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As previously stated, there is evidence of a significant level of violent criminality being committed by a small element of the Middle Eastern community. These criminals have shown that they have the means to form a large group of people with Middle Eastern backgrounds who have little or no criminal records to engage in activity that is referred to as the 'reprisal' attacks.

This criminal element has no respect for authority and engages in intimidation of police and members of the community.

During the course of the Strike Force Enoggera investigation the Commissioner of Police established the Middle Eastern Organised Crime Squad which commenced operations on the 1st May, 2006.

Although the Squad was not developed to deal with public disorder, it has demonstrated a capacity to effectively monitor the activities of criminals from Middle Eastern backgrounds who take part or organise incidents of public disorder.

This capability coupled with the establishment of the Public Order and Riot Squad on the 12th February, 2006 now places the NSW Police in a far stronger position to prevent and / or respond to incidents of serious public disorder.

During the course of Operation SETA legislation was introduced that also significantly strengthens the capacity of the NSW Police to deal with serious public disorder. There is no doubt the use of that legislation had the effect of curtailing and eventually preventing further reprisal attacks.

The swiftness in which this legislation was developed and passed through the Parliament of NSW played a substantial role in preventing further violence and restoring public order to NSW.

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# Command and Control

Police command is one of the most important elements of an operational response so far as the management of major incidents are concerned. Command sets the direction and manages significant resources that are deployed in response to major incidents.

To properly review the command and control arrangements that were put in place to manage the Cronulla Riots there must be an understanding of the command and control model used by the NSW Police. Also an understanding of the policy and operating procedures that underpins that model, as it applies to public order management.

The command and control model used by the NSW Police is divided into a maximum of three levels of command, Strategic Command, Operational Command and Tactical Command. The NSW Police has followed this concept for many years with a Police Commander, Police Forward Commander and Specialist or Tactical Commanders fulfilling these three roles.

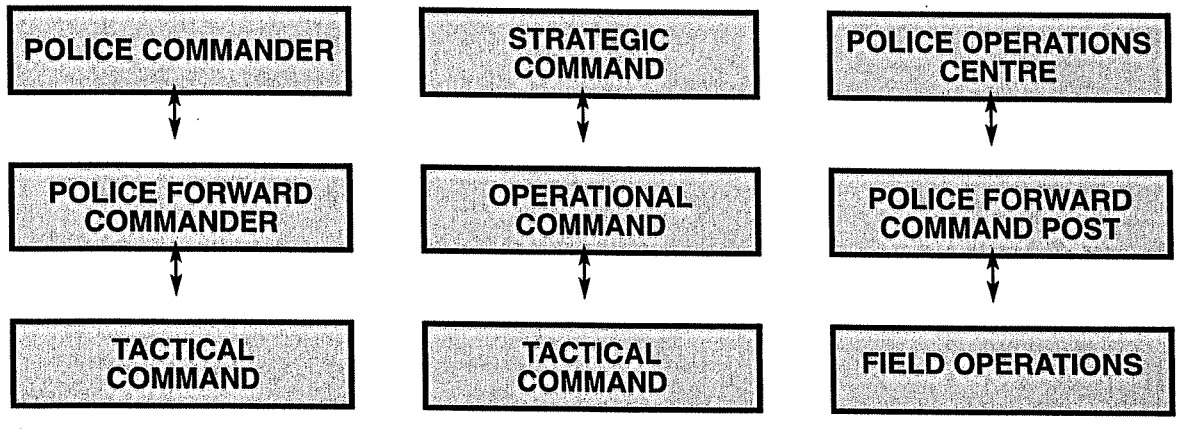
The National Counter Terrorism arrangements in Australia articulate in the National Counter Terrorism Handbook that this model of command and control should be considered in responding to acts of terrorism. Police across Australia have been trained in this model for many years and NSW Police Commanders have been assessed in this model at national exercises.

This concept of command and control is also used in major police forces throughout the world. In the United Kingdom the three levels of command are referred to as Gold Command, Silver Command and Bronze Command.

In major incidents when the three levels of command are activated the Police Commander is responsible for the overall management of the incident. The Police Commander will provide direction and guidance to the Police Forward Commander and allocate resources for the management and resolution of the incident. The Police Commander's function is usually performed from the Police Operations Centre (POC).

The Police Commander's principle function in managing an incident will be a strategic role. The Police Commander must therefore be removed from the detailed handling of events to allow for anticipation of forthcoming requirements and to plan accordingly.

The role of the Police Forward Commander is to take charge of the incident at the incident site. The Forward Commander will need to look ahead and anticipate events, and establish a system of providing clear direction to the subordinate and supporting commanders.




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# NSW Police Incident Command and Control System

The concept of an incident command system was first developed in North America in the early 1970's. When the system is used by appropriately trained personnel it provides an efficient operating system.

Following the terrorist attack in New York City in September 2001 the issue of command and control in such major incidents came into question. Shortly after, a rejuvenation of the system took place under the auspices of the United States Department of Homeland Security.

The Australasian Fire Authorities Council has supported this concept through their modified model known as the Australasian Inter-Service Incident Management System (AIIMS). The Council gave a presentation to the conference of Commissioners of Police suggesting that all Police Services throughout Australia consider adopting the principals set out in (AIIMS). That system has been used effectively by the NSW Fire Brigade over the past 10 years.

A review was conducted by all Police Services in Australia of this system. As a result, the NSW Police conducted extensive research on incident command systems and consulted with the Queensland Police Service, New Zealand Police Force, Los Angeles Police Department, the Federal Bureau of Investigation in the United States and the United States Department of Homeland Security.

Following this research the NSW Police Incident Command and Control System (ICCS) was developed and endorsed by the Commissioner's Executive Team on the 21st October, 2005.

The NSW Police ICCS is an incident management system that underpins the levels of command previously described. The management system can expand and contract to suit a particular response. It can be used by a single response agency or by two or more agencies.

This is achievable in NSW as all emergency services use a system based on the same principles.

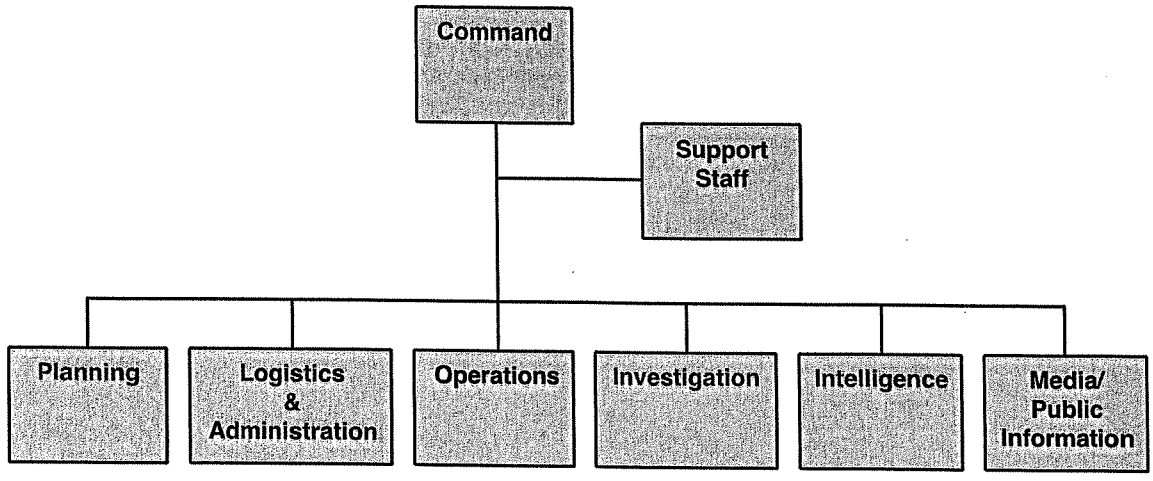
The NSW Police ICCS is based on three key principles, Management by Objectives, Functional Management and Span of Control.

The principle of Functional Management means the utilisation of specific functions to manage an incident. In the NSW model the system utilises;

- Command
- Planning
- Logistics and Administration
- Operations
- Intelligence
- Investigation
- Media / Public Information

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This structure forms the basis of the Police Commander's *'Command Team'*.




At the time of the Cronulla Riots on the 11th December, 2005 due to the time constraints, training programs in the use of the ICCS had not been developed for the NSW Police.

During the research and development phase of the NSW Police system it was trialled and evaluated in two national counter terrorism exercises. It was used during a multi-agency major operation named 'Pendennis' by the Counter Terrorism Command. During that operation conducted across the Sydney metropolitan area a large number of men were arrested in relation to terrorism related offences.

## Major Incident Management System

The current policy for the deployment of a command structure to deal with public order management results from the Final Report into the Macquarie Fields Public Order Management Incident.

The Minister for Police and the Police Commissioner announced the acceptance of the recommendations of that report on the 29th June, 2005. Upon that announcement, information was forwarded to relevant commanders outlining the commencement of this policy from that date in the following terms;

> *'The Macquarie Fields Review identified that the management of large scale public order incidents requires specialist skills and experience. Accordingly, the Review recommended that trained incident management teams currently deployed under Task Force Pioneer, move into a broader major incident management system. The system will draw upon trained command teams and utilise their experience and training to resolve major incidents.*
>
> *The Macquarie Fields Report outlines that there is an existing group of senior officers specifically trained and experienced in the management of large scale prescribed major incidents. These skilled officers form an integrated command team drawing on their established expertise in the management of major incidents and well practiced response. The team is currently available to be deployed to assume command of prescribed incidents.*

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*The new major incident management system will expand the existing integrated command and control system to respond to further major incidents where the placement of the team would be appropriate, such as large scale public order incidents. This will ensure that where such a major incident occurs highly trained incident management specialists will be deployed to resolve the situation. This team when responding to significant public order incidents will be referred to as a Major Incident Response Team (MIRT).*

*Recommendation 1 of the Macquarie Fields debrief report which was supported and announced today by the Commissioner and the Minister for Police requires NSW Police, from this day forward, be ready to deploy a MIRT to a significant public order incident if one arises.*

*The report states a Major Incident Response Team (MIRT) shall comprise of specialist senior officers trained in the management of major incidents. The team shall consist of a police commander and where applicable, investigation coordinator, operations support group commander, logistics co-ordinator, planning co-ordinator, traffic co-ordinator, public information co-ordinator and intelligence co-ordinator.*

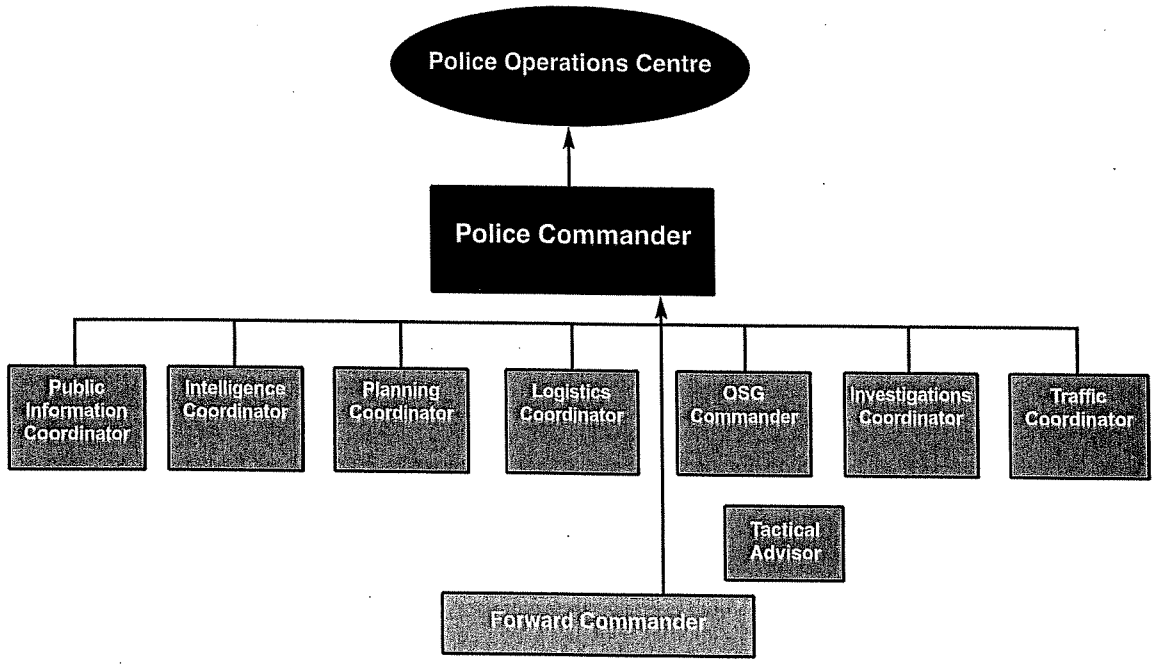
*The Major Incident Response Team (MIRT) will respond to a major incident that would be most appropriately managed by the team. In making such a determination consideration will be given to the following factors:*

- *If the incident transcends command boundaries.*
- *If serious injury or significant damage to property involving multi victims may occur.*
- *Whether resources beyond the local area command or region are required.*
- *Whether the incident is likely to be protracted in nature.*
- *Whether the geographical location makes the incident more difficult to manage.*
- *Whether the incident would significantly affect the normal operation of the local area command or region; and*
- *If the event is of significant public interest or concern.*

*The Deputy Commissioner Operations will activate a Major Incident Response Team. Such an activation may be of the Deputy Commissioner's own volition or on the request of a region commander or a local area commander with concurrence of the region commander. Each of these senior officers would be expected to activate or seek to activate the team when, with reference to the above factors, it is appropriate to do so.*

*The chart overleaf demonstrates how the Major Incident Management Team may have been formed to respond to the public order incidents at Macquarie Fields.'*

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As can be seen, the chart depicting a MIRT is similar but not identical to the ICCS model as approved by the Police Executive on the 21st October, 2005.

Within the policy the 'Pioneer Task Force' is mentioned on a number of occasions. In explanation, the concept of the Pioneer Task Force has been in existence within the NSW Police for the past 16 years. The Pioneer Task Force was developed specifically to respond to acts of terrorism. The Task Force consists of a group of senior Police Commanders ranging in rank from Assistant Commissioner to Superintendent. This cadre of officers was selected and trained in counter terrorism response. They are on-call to respond as Police Commanders operating in the Police Operations Centre and Police Forward Commanders operating at an incident site. The Police Commanders are generally the Assistant Commissioners and the Police Forward Commanders are the rank of Superintendent and above.

Following the release of the Macquarie Fields Report the Deputy Commissioners decided that the Pioneer Task Force concept would be broadened from counter terrorism to cover all other types of incidents. The Pioneer trained Commanders would respond to major public order incidents until such time that other officers were appropriately trained.

The decision to invoke an incident management system depends largely upon a Commander's assessment of the significance of an incident, its magnitude as well as whether its resourcing is beyond the resources of a local area command or region.

Following the assault upon the life savers on Sunday 4th December, extraordinary media interest was given to this event on Monday 5th December. On Tuesday 6th December the Local Area Commander established Operation SETA and an operational risk assessment was conducted.

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The significant media and public interest surrounding this event continued. This coupled with the intelligence being received, the Local Area Commander then informed the Region Commander on the 7th December of the unrest in Cronulla. From that point Operation SETA became a Region issue.

The intelligence received clearly indicated that a major rally would take place at Cronulla Beach on Sunday 11th December, 2005. The intelligence also suggested that the rally would be violent.

On the 8th December, Miranda Local Area Command conducted a risk assessment on civil unrest.

The risk assessment classified 'racially motivated violence' as 'Almost Certain' and the consequence of that being 'Moderate', which gave a risk rating of 'High'.

It also classified the likelihood of 'large scale affray and riot' as 'Likely' with the consequences of that being 'Major'. That also returned a risk rating of 'High'.

In explanation the consequence rating of 'Moderate' suggests the following may occur:

- Injuries to police and the community
- Moderate property damage
- Moderate embarrassment to the Government and/or NSW Police
- Some financial loss
- Moderate traffic volumes, occasional stoppage of traffic flow

A 'Major' consequence rating suggests:

- Multiple casualties (police and/or community)
- Major property damage
- Major embarrassment or harm to Government and/or NSW Police
- Large financial loss
- Road closures with implemented traffic management plan, medium to heavy traffic

This risk assessment on civil unrest assessed a variety of hazards dealing with affray and riot. Some hazards including siege / hostage incidents and arson / explosions were included. These hazards were given a risk rating of 'Very Low'. The hazard of large scale affray and riot and politically / racially motivated violence were classified as 'High'. The end result of the formula was that the overall risk assessment for riot was reduced to 'Medium'.

The treatment option for that classification was:

> *'A standard response should suffice in most cases. However, support services should be available if required. (Example: SOPS supplemented by support personnel subject to call-out provisions)'*

Subsequently the detailed treatment options in the risk assessment were:

- Instigation of Operation SETA solely aimed at curbing anti-social behaviour at Cronulla during summer 2005/06.

- Full briefings of all staff involved as to requirements and relevant information.

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- Allocate available resources and external units including Highway Patrol, Mounted Unit, OSG and St. George Commuter Crime Unit to target anti-social behaviour and those suspected of committing it according to intelligence. This to include, but not restricted to,
  - Targeting of rail system;
  - Vehicle compliance;
  - Compliance with road rules;
  - Intelligence gathering through plain clothes police;
  - HVP duties.
- Liaise with local surf life saving clubs to improve notification of anti-social actions prior to escalation.
- Liaise with Sutherland Council to identify further legal options to restrict anti-social behaviour in local parks and beaches.
- Use of media to reaffirm police activities aimed at this behaviour, particularly over summer months.

The suggested treatment options were then in line with a risk assessment of 'Medium' when it could be argued that based on this risk assessment for racially motivated violence and riot, the risk rating should have been 'High'. The treatment options for 'High' would have reflected that planning should have been relative to dealing with a significant event.

On the 8th December, Miranda Local Area Command developed operational orders for the period of 6th December, 2005 until 1st March, 2006 nominating Superintendent Redfern as the Commander. Attached to those orders was a staff list for each day from the 8th December until the 11th December, 2005.

On the 9th December, the Premier of NSW and the Minister for Police showed their concern about the forthcoming rally by attending the Cronulla Beach area and conducting a media interview.

Despite the evidence that the proposed rally planned for the 11th December as being of significant public interest and concern as mentioned in the Public Order Policy, the planning for the event was retained at Region level.

The Major Incident Management System was not implemented. The Major Incident Response Team (MIRT) concept was not enacted as the Local Area Commander was nominated in the operational orders as the Police Commander.

By not enacting the Major Incident Management System the focus of planning became too narrow. Some specialist commands that could have provided necessary support, particularly structuring an adequate command post were not engaged. These specialist resources that could have enhanced the response were Communications and Technical Support.

The command structure as to who was in command during the period 11th to 13th December at given times is still unclear to many police interviewed during this review.

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On Sunday 11th December, Superintendent Redfern believed that he was the Police Commander and Assistant Commissioner Goodwin was at Cronulla in a supporting role. Assistant Commissioner Goodwin suggests that he was not the Police Commander and that he was at Cronulla to provide support for Superintendent Redfern. Assistant Commissioner Goodwin suggests that he took over the role as Police Commander shortly after 9.00pm when he moved from Cronulla to the Police Operations Centre. As Assistant Commissioner Goodwin was present all day in the Command Post with Superintendent Redfern, the situation created an unclear picture as to who was in command. During this review, many police interviewed were divided in their opinion as to who was in command, whereas some were adamant that Assistant Commissioner Goodwin was the Police Commander at all times.

The command structure being used by the NSW Police caters for a Police Commander conducting strategic command and a Police Forward Commander conducting operational command. Given the evidence, it appears there may have been some misunderstanding in the minds of the two commanders at the Command Post as to the terminology used to describe these two command positions.

In the course of this review, during interviews with police, examination of operational orders, debriefing notes, policy documents and educational material there are a variety of terms used to describe police who are in fact the Police Commander or the Police Forward Commander. Examples of those terms are:

- Police Commander
- Police Forward Commander
- Event Commander
- Incident Commander
- Site Commander
- Operations Commander
- MIRT Commander
- POC Commander
- POC (MIRT) Commander
- Region & Police Commander

So far as the command positions leading up to and including the 11th December, 2005 the evidence is:

- On Thursday 8th December, 2005 Assistant Commissioner Goodwin was interviewed on radio station 2GB by Jason Morrison. During that interview Mr Goodwin stated *"Yes, we've got a very large contingent of police that we'll be setting up and operating under my command"*. Morrison asked *"Was that a task force or is it just a reaction?"* Mr Goodwin answered *"Well it's not an officially registered task force, but there's a range of police from a range of specialist areas that will be operating under my command starting from today and certainly over this weekend."*

- Assistant Commissioner Goodwin attended a number of planning meetings and briefed the Police Commissioner on Friday 9th December.

- Assistant Commissioner Goodwin attended Cronulla Police Station on the morning of Sunday 11th December. He participated in the briefing of all staff and throughout the day continually updated the Deputy Commissioner on the event. Mr Goodwin was also involved in strategic planning and made strategic decisions to assist in the management of this operation. This included calling out additional staff, opening and staffing the Police Operations Centre, discussing media strategy with the Police Media Unit, arranging for additional riot equipment with neighbouring regions and briefing the Commissioner and Deputy Commissioner of Police when they arrived at the command post.

- Superintendent Redfern, during the entire day, was making operational decisions and giving directions to police in the field to properly manage this incident.

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On that evidence it is clear that Assistant Commissioner Goodwin was operating in the role usually performed by a Police Commander and Superintendent Redfern was operating in the role usually performed by a Police Forward Commander. The confusion for some staff working under them was they did not know who in fact, was the Police Commander.

After 9.40pm that evening, the situation became clearer when Assistant Commissioner Goodwin took up his position in the Police Operations Centre and Superintendent Redfern continued managing the operation at the incident site.

On the afternoon of the 11th December, during a debrief conducted at the Command Post and from later interviews by Strike Force Neil, it was established that the Command Post was inadequately resourced. Almost no equipment existed and the operation was conducted using mobile phones and portable radios.

At one stage late in the afternoon, the Police Operations Centre which had been opened, advised that it needed a point of contact in the Command Post. The POC was informed that no telephone line existed on that floor of the Cronulla Surf Club and mobile phones should be used.

As previously stated, in the lead up to this incident planning was not conducted in a broad enough sense when some specialist staff and equipment were not deployed. This became evident on a number of fronts as the operation unfolded.

## Communications

During interviews conducted at the Communications Group it was established that the Group was not invited to participate in the planning of this operation prior to the event.

On Thursday 8th December, operational orders were sent to the Sydney Communications Centre from the Miranda Local Area Command. The orders stated that the operation would be conducted on the normal working channel (Radio District 'L') and call-signs would be allocated by a duty officer from the Miranda LAC. The LAC also requested a loan of 25 portable radios. Those radios were collected by the staff of Miranda Local Area Command.

On Friday 9th December, a request was made for a special operations channel to be allocated for the operation. Later that afternoon an officer from the Digital Radio Program contacted Miranda Local Area Command and advised them of a problem that could occur on some digital channels whereby radios operate on a direct mode (car-to-car) and not through repeaters (car-to-VKG). The officer advised on how to take radios off direct mode and for the LAC staff to ensure all radios within their respective areas be checked prior to the operation. The Communications Officer then forwarded copies to the Miranda LAC of a previous e-mail and a hand-out on how to take radios off direct mode.

On the day of the riot, radio communications became a problem early (11.10am) in the operation and a base station was requested at 2.30pm from the Communications Group to assist at the incident site.

At 4.25pm the radio operator commenced duty at the Cronulla Command Post.

On Monday 12th December, 2005 an officer from the Digital Radio Program went to the Cronulla Police Station and on inspecting portable radios found that many were set on direct mode which in part, accounted for the communication problem on the previous day. He then attended the Command Post and spoke with the staff and again left a copy of the instructions on how to take radios off direct mode.

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The Communications Group provide a range of technical and operational services to major operations. It is important that the Group be included in the initial planning stages of major operations so that technical experts can provide advice on a range of communication options customised to the need of the particular operation.

Had the Communications Group been involved in the initial planning of this operation, after a survey they could have provided:

- One or several dedicated radio channels
- Establishing a variety of communication services at the Command Post
- Radio technical personnel at the commencement and during the course of the operation at the Command Post to attend promptly to any communication issues
- Secure channels and radio communications equipment
- Mobile base stations
- Allocation of appropriate call-signs compatible with the Computer Incident Despatch System (CIDS)

**It is recommended that the Communications Group be included in the initial planning stages of major operations so that technical experts can provide advice on communication issues.**

## Special Services Group (SSG)

The Special Services Group through the Advanced Technology Centre (ATC) has the experience in providing the technical capability to appropriately structure and service a Police Command Post. They have practised this in major exercises over many years.

From the interviews conducted by Strike Force Neil it was established that the Special Services Group (SSG) was not involved in any planning previous to the Cronulla riots, nor was any advice sought from the Command.

After the Forward Command Post was established at the North Cronulla Surf Club, the ATC was requested to provide a 'live feed' from the Police Helicopter to the Police Forward Command Post. That was provided after commencement of the operation. The ATC can provide additional specialist support to enhance available communications and technical capabilities. This support could include covert capabilities for video and audio. It can also provide enhancements to or take advantage of any existing CCTV capability. It could supply cameras in strategic locations and use microwave link to transmit over long distances.

The SSG also has a major incident response trailer which is a large self-contained sophisticated communications platform that is designed for deployment to an incident site. This trailer is most effective when it can be positioned adjacent to or near the Police Command Post.

Had the SSG been involved in the initial planning of this operation, after a survey, they could have provided:

- The Major Incident Response Trailer
- Expert staff to operate the trailer facilities
- Expert advisor to the Command Post
- Enhanced CCTV and communications facilities
- Covert capabilities for video and audio

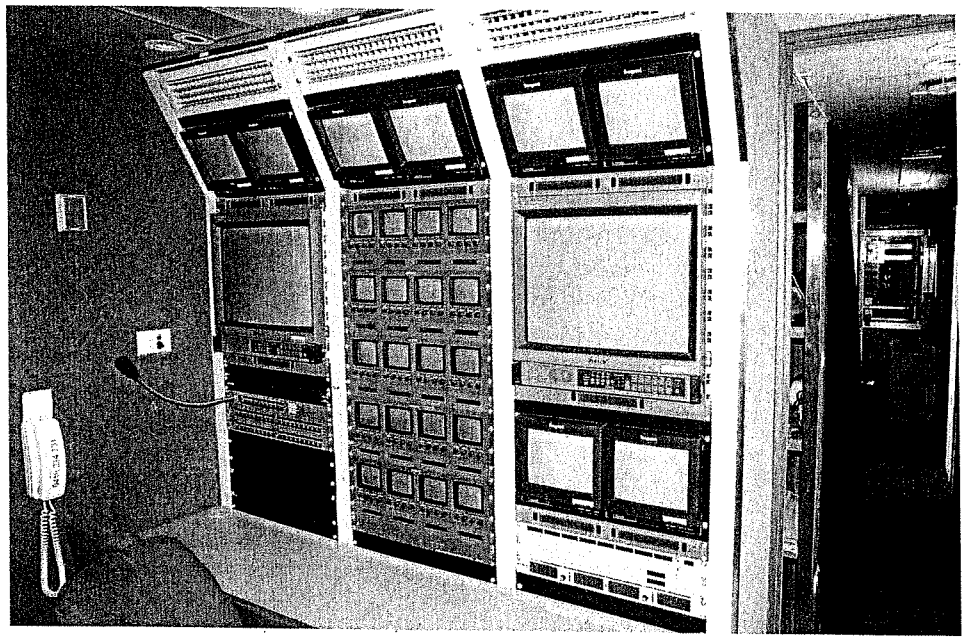
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It is important that the SSG be included in the initial planning stages of a major operation so that technical experts can conduct site surveys and provide advice on the range of services they could provide to an operation.

**It is recommended that the Special Services Group be included in the initial planning stages of major operations so that technical experts can conduct site surveys and provide advice on available specialist capabilities.**



The Major Incident Response Trailer



Some technical capabilities inside the Major Incident Response Trailer

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## Location of the Command Post

The Police Command Post was located on the top floor of the Cronulla Surf Life Saving Club.

During the operational debriefs and later interviews conducted by Strike Force Neil this became an issue of considerable discussion. During training of police in command and control, the appropriate location and facilities necessary to establish a command post is covered. In determining the most appropriate location the commander should give consideration to a variety of matters including the proximity to the incident site, access and egress for emergency vehicles, security, the accommodation facilities, information technology and the communications capability.

The lack of access and egress for emergency vehicles was best emphasised by the attack upon an ambulance called to the Command Post and the injuries sustained by ambulance officers and police.

The security of the Command Post was vulnerable. There is evidence of the changing mood of the crowd at different times from being pro-police to violent and assaulting police. The Command Post was at the centre of the incident site and at times was completely surrounded by the crowd. Prior evidence of what could eventuate was discussed at a debriefing by police who had intimate knowledge of the Bathurst Riots in 1985 when the Command Post, which was amongst the crowd, came under attack.

There has been considerable overseas research [12] into trends in crowd behaviour. When planning or commanding operations where there is a risk to public safety or a potential for disorder, certain patterns of behaviour may be present in a crowd. Amongst them is the higher the crowd density, the higher the likelihood of interaction within the crowd and action by the crowd.

When crowd members become highly emotional or aggressive their visible behaviour can spread and become regarded as acceptable by those around them. It can be an opportunity for an anti-social minority to influence and mobilise others around them.

The commanders at Cronulla are of the opinion that the Command Post was in the best location. They do not believe that it was vulnerable to the crowd and it was the best vantage point. Some police have suggested that the most appropriate location for the Command Post would have been the Cronulla Police Station as it provided security, police telephone communications and information technology capability. Access and egress would have been better controlled and visual capability of the incident site could have been provided by Special Services Group.

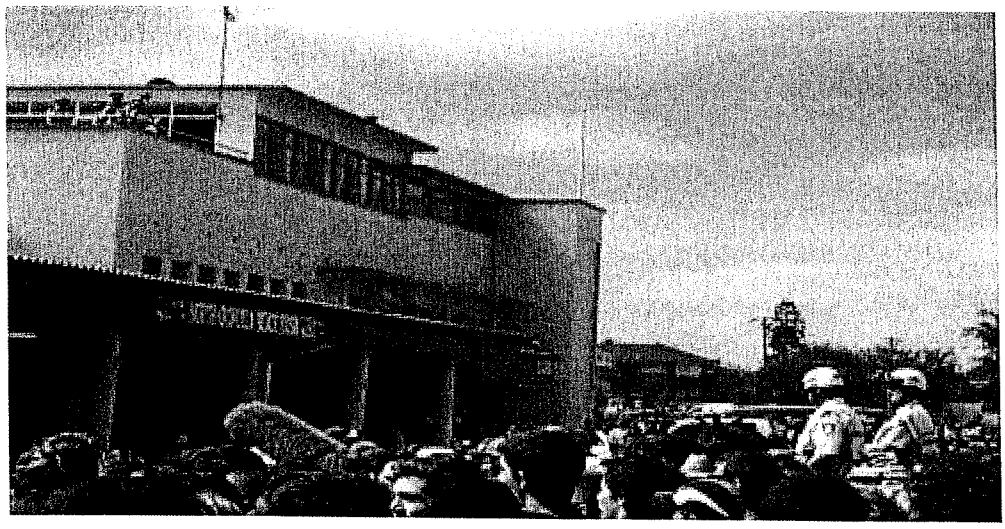
The Miranda Local Area Commander, prior to this incident, had designed a Police Command Post at Cronulla Police Station. However, it was not resourced before the 11th December. In addition the Police Station receives CCTV from the local council cameras positioned in the Cronulla Mall. Since this incident, the Command Centre is now operational in the Cronulla Police Station.

Taking into consideration the varying opinions, the problems could have been overcome if an appropriate mobile police command post was in the fleet of specialist vehicles within the NSW Police.

This issue is addressed under the 'Equipment' term of reference.

[12] Association of Chief Police Officers (ACPO) Manual of Guidance on Keeping the Peace – England, Wales & Ireland, p.26

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Commanders on the top floor of the North Cronulla Surf Life Saving Club.



The crowd surrounding the Police Command Post

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## Command – The evening of 11th December, 2005

During the early evening, reports were being received that convoys of motor vehicles with Middle Eastern men on-board were leaving the Punchbowl area. Shortly after they launched attacks at Maroubra and Brighton-le-Sands.

About 9.00pm the Police Forward Commander (Superintendent Rogerson) was contacted by staff at Maroubra Police Station and told of an altercation between Caucasian and Middle Eastern men at Maroubra. He self-activated and contacted Assistant Commissioner Goodwin enroute and was asked to activate his command team (MIRT). Upon his arrival, the traffic diversions were in place and the surrounding streets had been locked down by the first responding police officers.

At 10.20pm the Police Forward Commander at Maroubra advised that the majority of the crowd had left Maroubra and the situation was under control. He remained on duty until 6.00am when the command team was stood down.

Assistant Commissioner Goodwin left Cronulla at 9.05pm and moved command to the Police Operations Centre which had been in operation since 3.20pm.

As no command structure was in place at Brighton-le-Sands, other than first responding police, Superintendent Redfern assisted by giving some instructions from Cronulla to police at Brighton-le-Sands.

At 9.57pm the Local Area Commanders from Hurstville, Campsie, Eastern Beaches, Miranda, St. George and Surry Hills were recalled to duty with their command teams (MIRT). Shortly after, the Local Area Commander from Bankstown was called out to co-ordinate the Greater Metropolitan Region Highway Patrol resources.

About that time the Police Forward Commander (Acting Superintendent McErlain) set up the Command Post at the St. George Police Station. By that time most of the significant events at Brighton-le-Sands had taken place. Groups of Middle Eastern men armed with baseball bats were reported as being seen at Brighton-le-Sands shortly before 8.00pm. The situation at Brighton-le-Sands had calmed by 2.00am with the Forward Commander and his team being stood down at 4.00am.

During the debriefing sessions with the St. George Local Area Command, it was suggested that the activation of the command teams (MIRT) was untimely as most of the significant events had already taken place.

About 10.00pm the Local Area Commander at Campsie (Superintendent Richardson) was recalled to duty along with his command team (MIRT). He reported that he and his team were operational at Campsie Police Station at 11.28pm. Superintendent Richardson found himself in a similar position to the St. George Commander as the significant gathering of Middle Eastern men at Punchbowl Park was first attended by local police at approximately 8.00pm. The convoy of vehicles had left the area before he was recalled. Superintendent Richardson then monitored radio channels covering Cronulla and Maroubra. He was required to manage a further gathering of Middle Eastern men at Punchbowl Park at 11.30pm before they dispersed. Superintendent Richardson remained at Campsie until 4.30am when his team was stood down.

At 11.35pm the Police Forward Commander at Cronulla (Superintendent Redfern) moved the Forward Command Post to Cronulla Police Station.

At 12.25am on Monday 12th December, Assistant Commissioner Goodwin commenced a handover of command to Assistant Commissioner Clifford.

According to the log of Assistant Commissioner Goodwin, he ceased duty and handed over command to Assistant Commissioner Clifford 3.02am.

Shortly thereafter Superintendent Redfern ceased duty.

Very little in the area of public disorder occurred during the remainder of that night. Assistant Commissioner Clifford handed over command to Superintendent Owens at 6.05am.

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## Command – 12th December, 2005

At 5.00am Superintendent Graham was contacted at home and asked that he and his command team take up duty as the Forward Commander (MIRT) at Cronulla at 8.00am. Superintendent Graham set up command of Cronulla at 8.25am. Superintendent Redfern arrived at Cronulla at 10.00am and found Superintendent Graham at the North Cronulla Surf Life Saving Club in command. According to Superintendent Graham, Superintendent Redfern had no previous knowledge of this arrangement.

Superintendent Redfern worked in liaison with the two commanders on each shift at Cronulla and assisted them with local knowledge.

At 9.00am Superintendent Rogerson was in command at Maroubra.

Assistant Commissioner Goodwin on the morning of the 12th December briefed the Police Executive, the Police Minister and the Premier. A media conference was then held in the Premier's press room and Mr Goodwin later travelled to Sutherland Police Station with the Police Media Unit for a briefing with police at Sutherland regarding events on the previous day.

Acting Superintendent McErlain, Commander at St. George, returned to duty on the morning of the 12th and during the day was involved in planning meetings. He also met with Lebanese Community leaders at Arncliffe regarding strategies to calm that community. Acting Superintendent McErlain continued duty during that night as the Commander at St. George.

At 4.44pm Assistant Commissioner Goodwin conducted a briefing by a conference phone with the Police Operations Centre from Sutherland Police Station. Included in the matters discussed was that the POC Commander would be a Superintendent 24/7 and Assistant Commissioners would be called in if the situation escalated.

It was recorded that the Commanders for that evening were Superintendent Nolan at Cronulla, Superintendent Finch at Maroubra and Superintendent Benson was the POC Commander. Assistant Commissioner Goodwin stated at that time that he would always be the Operational Commander which in effect, is the Police Commander. After that meeting, Assistant Commissioner Goodwin completed duty in the field, but retained Command.

Superintendent Owens who was the Police Commander during that day, believes that Assistant Commissioner Goodwin took over command from the time he stated at the teleconference that he would always be the Operations Commander. From that time, Superintendent Owens believes he was then the POC Commander. This is supported by various Commanders' logs.

During the day intelligence had been received that there would be a large gathering of people at the Lakemba Mosque as rumours had spread that it would be attacked that night.

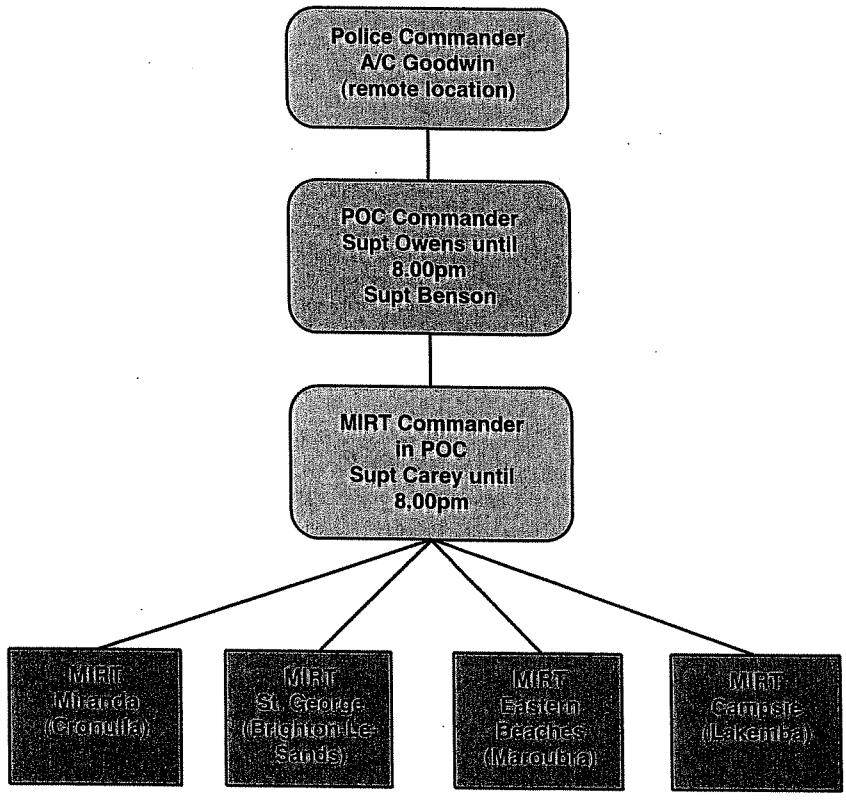
Superintendent Richardson stood up a Forward Command Post at the Campsie Police Station and briefed his team at 5.15pm.

According to Assistant Commissioner Goodwin's log, he was performing in the role of the Police Commander, after completing duty at a location remote from the Police Operations Centre.

At 7.55pm Superintendent Nolan took over the role of Commander (MIRT) at Cronulla from Superintendent Graham.

At this time the command structure in place to manage the operation that night is depicted overleaf.

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The command structure at some stages had three levels of Strategic Command in the Police Operations Centre and four MIRT Commanders in the field.

During the operational debriefs with senior Commanders covering the entire SETA operation, it was agreed that what in fact was in place was a Police Commander in the Police Operations Centre and three Forward Command Posts in the field. At that time they did not include the Forward Command Post at Campsie on the 12th December, which had been activated to deal with the gathering at the Lakemba Mosque.

In these debriefs, it was also discussed that there was confusion whether the MIRT operating from the Police Operations Centre was the real Command and that the other three MIRT's were in effect, Forward Command Posts. All were in agreement that they viewed the overall Commander as Assistant Commissioner Goodwin and the POC MIRT in his absence. It was also agreed that the MIRT's were set up not in strict adherence with the Incident Command and Control System.

It is clear that the Police Operations Centre was the strategic Command Post and the MIRT in the field were in fact Forward Command Posts. The confusion amongst most police was the Command structure within the Police Operations Centre with a Police Commander, a POC Commander and a MIRT Commander in the POC. On discussing the roles with the officers who filled these positions, they were unclear as to their exact role and responsibilities.

A Commander must operate from a Command Post to have sufficient resources to gain situational awareness which is imperative in making critical decisions. When the Commander is absent from the Command Post it must be made clear to all, who is then in Command. A proper handover of Command should take place and the out-going Commander should have no further role in decision making.

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In a protracted major incident it is not prudent to be the Police Commander at all times. Police Commanders and Command teams should be rostered to work specific hours and at the completion of the handover of Command, the out-going Commander should vacate the Command Post.

It was also discussed that the on-coming staff at the POC had to do familiarisation training upon taking up duty as some had never previously worked within the POC and others had never received any training in relation to its operation.

On discussing the Command structure with Assistant Commissioner Owens during this review, he was of the opinion that on Monday 12th December he was relieved of Command and became the POC Commander from the time Assistant Commissioner Goodwin assumed Command at 4.44pm. He then continued in this role until 8.00pm when he was relieved by Superintendent Benson.

Superintendent Benson was of the opinion that he did a handover with Superintendent Carey who was the MIRT Commander in the POC on the dayshift. He also handed back to Superintendent Carey the following morning.

Superintendent Benson explained that when he was first called out from Goulburn Local Area Command to attend Sydney he was instructed to bring members of his MIRT, as he was to be a MIRT Commander. Later that was changed and he was tasked to be a POC Commander.

He is of the opinion that on the night of the 12th December he was the POC Commander and reporting to Assistant Commissioner Goodwin who was the Police Commander. He believed he was to run the operation when Assistant Commissioner Goodwin went to sleep. Superintendent Benson believed he was then the decision maker. This belief appears to be supported by the various Commanders' logs, particularly after midnight.

The duplication of Command was also apparent when the reprisal attacks upon Cronulla were imminent.

At 9.40pm Assistant Commissioner Goodwin phoned Superintendent Benson in the POC about information he had received from Superintendent McKay regarding the imminent attacks. Mr Goodwin gave Superintendent Benson a direction to confer with the MIRT's at Cronulla and Maroubra to close down (if necessary) / monitor arterial routes.

At 9.45pm Superintendent Benson contacted Superintendent Nolan at Cronulla and requested that the entrance to Cronulla be shut down. At 9.58pm Superintendent Nolan redeployed five Highway Patrol vehicles to various bridges to close the entrances to Sutherland Shire.

At 10.21pm Superintendent Nolan received a telephone call from Assistant Commissioner Goodwin who told her to close the arterial routes into Cronulla. Superintendent Nolan responded that the tasking had been communicated to the Highway Patrol at 9.58pm after she had been instructed by Superintendent Benson.

The reprisal attacks continued in Cronulla and Brighton-le-Sands until the early hours of the morning and the Command teams conducted debriefings until about 5.30am

The following morning the Command structure was much the same as the previous day. The day was taken up with a series of planning meetings to manage the public disorder from this point forward. This brought about significant change and was the catalyst for the introduction of new public order legislation and other strategies.

During that day and night no significant public disorder was reported.

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From the Command debriefs and interviews by Strike Force Neil it was concluded that there was a lack of clarity in the Command structure, particularly in the POC over the period of 11th to 13th December. This was attributed to the proliferation of terminology used to describe Command positions. In addition there has been a lack of training for police in the role and responsibilities of Police Commanders. Very few Police Commanders and their Command teams have had training in the functionality of the POC.

There has been a departure from the structure of Police Command in major operations perhaps brought about by the advent of different terminology to describe Commanders. In this and previous operations, we have seen the introduction of positions of 'POC Commander' and 'MIRT Commander' working in the Police Operations Centre in addition to the Police Commander. It has been suggested during debrief sessions that new policy and operating procedures need to be developed for the POC.

The review is of the opinion that a return to the basic three-tiered Command structure is necessary and that should be reflected at all levels of police training.

## Major Incident Response Teams (MIRT)

The concept of a Major Incident Response Team to manage a major public order incident was introduced as the result of a recommendation from the review into the incidents at Macquarie Fields in February, 2005.

The concept is valid and has wide support amongst police. The model to be developed was based on the Pioneer Task Force model that is in place for the management of terrorism related incidents. That model has Commanders from the level of Assistant Commissioner to Superintendent. In the development of the policy and the introduction of training and response procedures for MIRT, there appears to have been a departure from the intent of the accepted recommendation of the Macquarie Fields Report.

The policy describes the placement of a MIRT to manage a major public order incident. When necessary, the Deputy Commissioner (Field Operations) will activate a MIRT.

The recommendation also suggested that the MIRT should not include the Local Area Commander, in whose area the incident has or will occur. This will allow the Local Area Commander to better co-ordinate routine local issues.

The policy suggests that highly trained incident management specialists will be deployed to manage an operation. A list of the qualified Commanders including Assistant Commissioners and Superintendents was provided to the Deputy Commissioner and Region Commanders the day following the announcement of the policy. In addition, the structure of a Command team was rectified to be totally in line with the Incident Command and Control System. [13]

Shortly after, a further direction was given by the Deputy Commissioner (Operations) to Region Commanders to develop a pool of suitable MIRT Commanders to service their region which was at the discretion of each Region Commander. The activation procedure attached to those instructions also was not in line with the policy or the Pioneer arrangements as the Deputy Commissioner played no role. [14]

It appears that in the implementation of the MIRT concept each Local Area Command as opposed to each Region has a MIRT. That was not the original intent of the recommendation. As a result there has been a proliferation of MIRTs' across the State that are not staffed by highly trained officers in the field of public order management.

During the debrief sessions and interviews by Strike Force Neil, it was suggested that it is very difficult to resource a MIRT from each Local Area Command with 'highly trained' specialists to respond to an incident. It would perhaps, be possible to resource such a team at Region level drawing together a command team from Local Area Commands.

[13] Strike Force Neil Eagle.i: OD-160
[14] Strike Force Neil Eagle.i: OD-161

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The concept of drawing on Commanders from Specialist Operations will require an analysis of the background and skills of Commanders to specialise in public order incidents. In developing a cadre of Commanders state-wide, skills of Specialist Commanders should not be overlooked and they, if appropriate, should be included.

The issue of Local Area Commanders not managing major operations in their own Command was the subject of comment by police involved in the Cronulla riots.

In the lead-up to and on the 11th December, 2005 Superintendent Redfern was the Local Area Commander at Miranda and he occupied a Command position on that day. Prior to the riot Superintendent Redfern developed a good reputation and rapport with the local business community, local council and the surf life saving club. During the course of the riot when critical operational decisions had to be made, he requested the closing of alcohol outlets in the area, there was compliance without negotiation or question. This was achieved from the personal relationship that Superintendent Redfern had with community leaders. This perhaps could not have been achieved in a timely fashion by a police officer with no close association with the business community. This was an example of personal knowledge and community consultation being of significant value during a major operation.

After the events of 11th December, the MIRT policy was enacted.

During the evening of the 12th December when the reprisal attacks were imminent, a MIRT was in place at Cronulla from another Local Area Command and that team had little or no knowledge of the geographic area. The Commander of that MIRT in fact stated that this was the first occasion of being present in the Cronulla area. This was a significant disadvantage when attempting to manage the operation.

The same problem applied to intelligence officers who deployed as part of a MIRT, to an unfamiliar local area command. That intelligence officer was to contribute to the team by providing intelligence to commanders on the operation and the area in which the team had been deployed, however that officer:

- Had no local knowledge of hotspots
- No knowledge of local intelligence that could impact upon the operation
- No knowledge of local offenders
- Could not assess incoming intelligence for relevancy to the local area and,
- Similar to the Commanders, was unfamiliar with the local geography,

The review could not find any evidence on the background to the policy decision to exclude a Local Area Commander from being in charge of a MIRT deployed with their Command.

The MIRT policy and procedure was modelled on 'Pioneer Task Force' for counter terrorism. The situation of not having a Local Area Commander in charge in their own area, is not part of the 'Pioneer' policy.

The decision to select a Commander to manage an operation is made by the Police Executive and is based on the selected Commander being the most appropriate person, irrespective of where that person is attached.

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The Major Incident Management System and the policy relative to a Major Incident Response Team needs to be reviewed. The review should ensure that all policy relative to public order management is consistent and in line with the original intent of the MIRT concept and the use of experienced Commanders in major operations.

**It is recommended that a review be conducted by an appropriately skilled working party of all policy relative to public order management, including the Major Incident Management System and the Major Incident Response Teams. In particular, to ensure that all policy is consistent and in line with the original intent of the Major Incident Response Team concept and the use of experienced commanders in major operations.**

From the command and control structure and the overall command of the operation as outlined in this report, it could be perceived that the report is being critical of the performance of individual commanders. This is far from the case.

This report highlights deficiencies in the system of command and control. During this operation there was a departure from accepted practice, brought about by the current policy and police command training.

Commanders who are appointed to command major operations cannot be expected to carry out their function, roles and responsibilities in accordance with accepted practice if they have not been adequately trained for this role.

There is also the lack of command doctrine or a manual of guidance that adequately informs a commander of the principles and models to be applied to the command process.

The policy from the Major Incident Management System is unclear, given its misinterpretation as to the formation of the Major Incident Response Teams.

These issues need to be considered in conjunction with the fact that the Cronulla riots, including the reprisal attacks, were without doubt the most complex police operation ever conducted in this State, or anywhere else in Australia.

The training of police in command and control is an issue that Strike Force Neil examined closely. The NSW Police Incident Command and Control System (ICCS) is the operating system which when implemented and police commanders are trained in its use, will rectify most of the problems encountered in this operation.

These issues are dealt with in this report under the section on Education and Training.

## Tactical Command

The Tactical Command is the third level of Command and could best be described at the 'front line' or 'on-ground' Commanders.

During the events of the 11th and 12th December, that response revolved around the OSG, Highway Patrol, Mounted Police and other similar units that were deployed.

The Tactical Commanders, who were in the front line of operations, were working in a very difficult environment because of the mobility and volatility of the incident.

Because of this, police in the front line found that Command could not keep up with the incident. This gave a perception to them of a lack of direction and control and subsequently, front line police were responsive to the actions of the crowd.

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This situation was perhaps brought about by communication problems that existed, the mobility and the changing location of incidents.

The issue of permission to wear or not wear riot equipment was raised in debrief sessions. The decision is a tactical decision based on the environment at a given time. It was debated from a command perspective that there was no good tactical reason to wear riot equipment at certain times and it was suggested that wearing of the equipment might incite the crowd.

On the other hand, it was suggested by police operatives that the equipment should be worn as a show of force.

The review team was not in a position to make judgement on tactical decisions post an event, not having been there at the time. However the elements of the situation that should be carefully considered in making such decisions, is the potential for the mood and behaviour of the crowd to become violent quickly. In doing so, would the situation allow police on the scene the opportunity to retreat and equip themselves?

The theory that wearing riot equipment has the potential to incite a crowd was also strongly debated. This issue has also been the subject of much discussion overseas. There is no conclusive evidence that police wearing riot equipment incite a crowd to riot. However, overseas police forces are very sensitive to the wearing of riot equipment unless it is appropriate in the circumstances.

As has happened in Australia, significant changes were brought about in this area in the United Kingdom through the impact of Occupational Health and Safety legislation in the mid 90's, as well as European human rights edicts. The principle of 'Personal Protective Equipment' is managed by risk assessment where a more critical analysis as to how police respond is carried out. The wearing of riot equipment must match the level of risk and the tactics being employed.

There has been some academic research on these issues carried out in the United Kingdom in terms of what is called 'consensual policing' and in Europe. The key academics are Mr Clifford Stott, Liverpool University in the United Kingdom and Mr Otto Adang of the Netherlands Police.

There also appears to be uncertainty as to the level of command that gives permission to police to wear riot equipment. There is evidence of a request to wear riot equipment at Brighton-le-Sands as the police were under attack. That request was made to the Police Commander at the Police Operations Centre. In the circumstances this is not a strategic decision and should have been made by the Tactical Commander at the scene.

Policy covering these issues needs to be reviewed and carefully considered in light of obligations under the Occupational Health and Safety legislation and overseas research.

**It is recommended that a review of the policy on the wearing of riot equipment should be conducted. In particular, as to when and at what command level the decision to wear riot equipment should be made.**

It should be remembered that the OSG / riot trained police were deployed from various regions and were under the command of various Commanders in the field.

Although Chief Superintendent Cullen of the Public Order and Riot Squad (PORS) was involved in this incident, that squad was not operational until after this event. It was agreed during a debriefing session that under the current operational procedures of PORS, problems encountered in the field during this operation would not occur.

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These and other issues regarding particular command decisions were the subject of criticism in the media. Those matters have been effectively dealt with during debriefing sessions and after review by Strike Force Neil, are not considered to be of such significance that they require further investigation. The recommendations in this review relative to command and control as well as education and training, adequately deal with the incidents or issues that were raised.

## Intelligence

In planning and responding to a major incident, intelligence plays a critical role. The conduct of threat and risk assessments as well as the analysis of other information are some of the vital functions in developing response strategies and making strategic command decisions.

As the planning was kept at a local / region level for the operation, the intelligence function on the 11th and 12th December followed suit.

There was a great deal of comment during debriefing sessions and interviews by Strike Force Neil on the inadequate intelligence product leading up to and including the 11th and 12th December. Some of those comments were centred on the intelligence structure necessary to produce appropriate intelligence during a major operation. The intelligence input to the operation being kept at a lower level failed to achieve this.

On Monday 12th December, two intelligence analysts were deployed to the POC from Strike Force Gain which was formed to investigate Middle Eastern organised crime. However, these officers were not tasked with any specific intelligence function to co-ordinate and manage intelligence.

At a meeting in the POC on the morning of the 13th December, it was suggested that better intelligence was needed and the Joint Intelligence Group (JIG) structure could be used. This suggestion was later supported by an experienced senior officer during the debriefing sessions conducted in May, 2006 when it was stated "The same intelligence structure should apply for all incidents, not just counter terrorist operations".

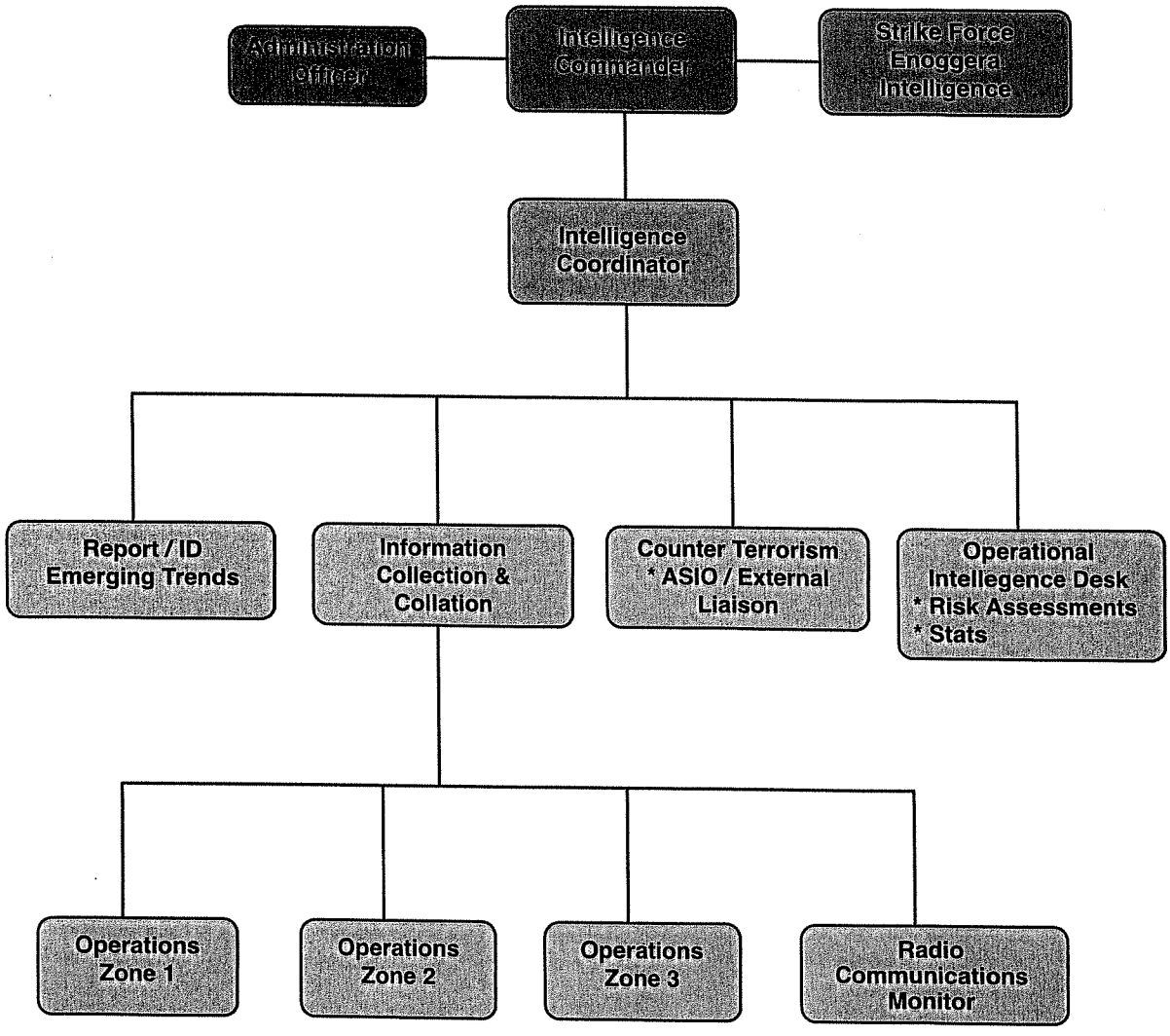
On Tuesday 13th December, at a meeting of the intelligence staff at the State Crime Command the same issue was raised. At 7.00pm that night an Intelligence Commander and Intelligence Co-ordinator from State Crime Command were deployed to the POC. Upon arrival they found hundreds of unevaluated intelligence reports. As the previously deployed staff had not been tasked, they were undertaking basic analytical functions.

At a Command briefing in the POC at 10.15pm that night, the Intelligence Commander from the State Crime Command advised that there were only two intelligence officers working in the POC. A decision was then taken to increase the intelligence cell and the JIG structure was implemented. At that time there had been no co-ordination of intelligence officers between the MIRT's in the field and the POC.

During that night, an intelligence structure in the form of a JIG was planned and staff were advised to deploy. At meetings and debriefing sessions held later, a great deal of praise was given to the intelligence officers who were deployed and structured the intelligence cell along the lines of a JIG.

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## The intelligence cell structure then in place was:




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## The Joint Intelligence Group (JIG)

There is currently no structured intelligence plan to set up an intelligence cell for any major operation except counter terrorism. Public order management and emergency management are not catered for.

The JIG is a formal group devised by police nationally under the National Counter Terrorism Arrangements. The head of the Intelligence Unit, Counter Terrorist Co-Ordination Command (CTCC) is the JIG Co-ordinator for NSW.

Training is co-ordinated nationally and at present training courses exist for JIG Officers, JIG Co-ordinators and Joint Analysis Group Officers, who together form the JIG. In national training courses two students per state are usually allocated to each JIG course which is conducted in various jurisdictions.

As a result of the formation of the Counter Terrorist Command, over the past three years NSW Police negotiated with the National Counter Terrorism Committee for two JIG courses to be conducted in Sydney specifically for NSW Police students. Subsequently, NSW Police now has approximately 90 intelligence officers trained as JIG officers. 50% of those intelligence officers are attached to Local Area Commands whilst the others are at the CTCC and the State Crime Command.

When the JIG is deployed it operates under a JIG Commander, JIG Co-ordinator an Assistant Co-ordinator and a JIG Logistics Officers. The structure is scalable depending on the size of the operation or the intelligence demands. A particular desk within the group can have one or many officers attached to it.

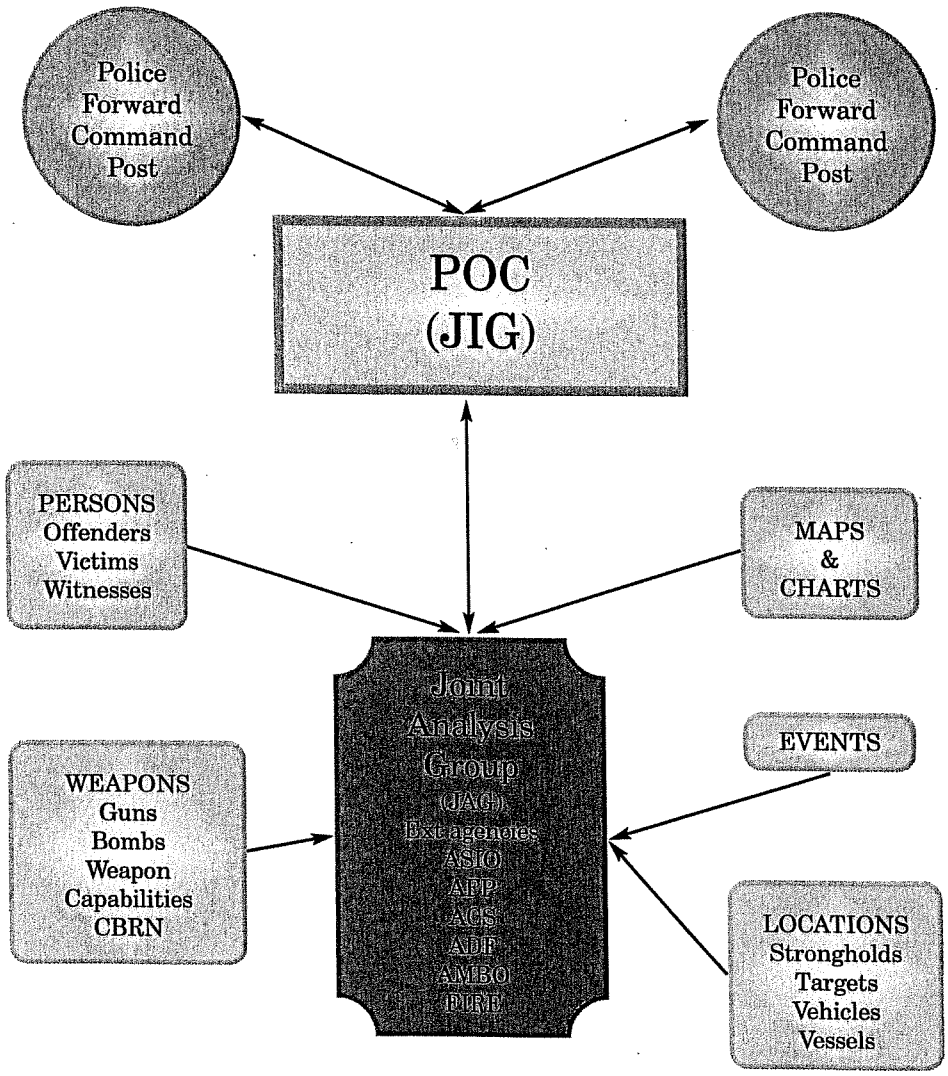
The JIG has been developed over the past two decades and is now a well rehearsed unit. Its officers are well trained and produce a good intelligence product to support major operations.

If necessary, the names of desks within the JIG could be altered to suit public order management or any other major operation. In discussions with experienced intelligence officers, it was agreed that it would be a simple task to transpose the JIG structure from counter terrorism into public order management and emergency management. The currently trained officers could be used across the three types of operations as the basic intelligence function of the JIG remains.

This would be a similar decision that was taken in relation to Police Commanders under the 'Pioneer Task Force' arrangement. That decision broadened the Command response from counter terrorism to other police operations including public order management.

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**An organisational chart for a typical Joint Intelligence Group is depicted below:**

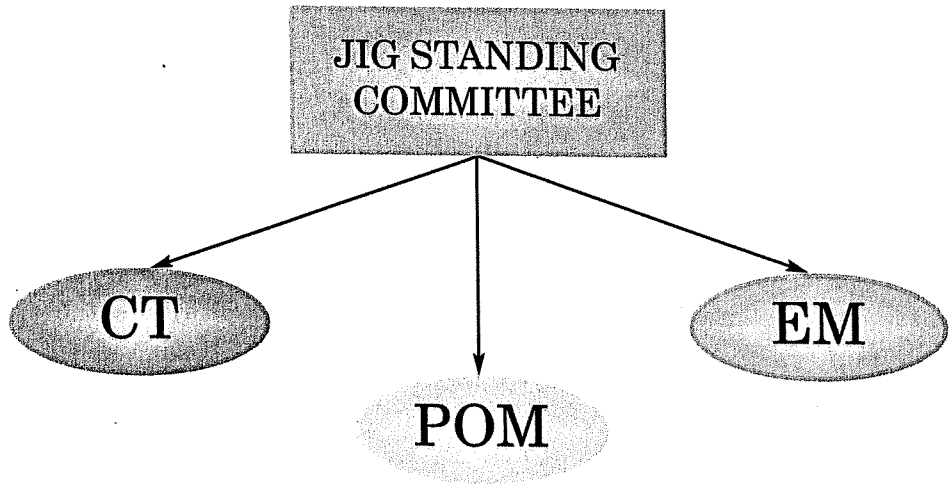



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There would be little in the way of training implications as the intelligence officers are already well trained in the JIG structure. It is suggested that a training day would be required to discuss the different requirements for the JIG under public order as opposed to counter terrorism. At present, the group have four training days per year and this enhancement would become part of that training.

Under the 'Task Force Pioneer' arrangements training, call-out and other co-ordinating functions are performed by the CTCC. If the JIG concept was broadened outside the counter terrorism arrangements it would be necessary to centrally co-ordinate the function for public order and emergency management as the trained officers are from the CTCC, LAC's and the State Crime Command.

It has been suggested that the most efficient way would be to form a JIG Standing Committee. The Standing Committee should be comprised of a representative from Counter Terrorism, State Crime Command and a Region. This will create uniform guidelines for call-outs, training, SOP's and equipment across three areas of response.




Two intelligence officers are currently attached to the Public Order and Riot Squad. A number of other intelligence officers working within the Intelligence Unit, CTCC as well as officers who are tasked with intelligence gathering from the Dignitary Protection Unit of the CTCC, form the intelligence gathering capability in relation to public order. These officers also work with Australian Government agencies relevant to politically motivated situations.
The officers currently report to three different Commanders within the NSW Counter Terrorism portfolio. It is suggested that they should all report to the head of the Intelligence Unit, CTCC.

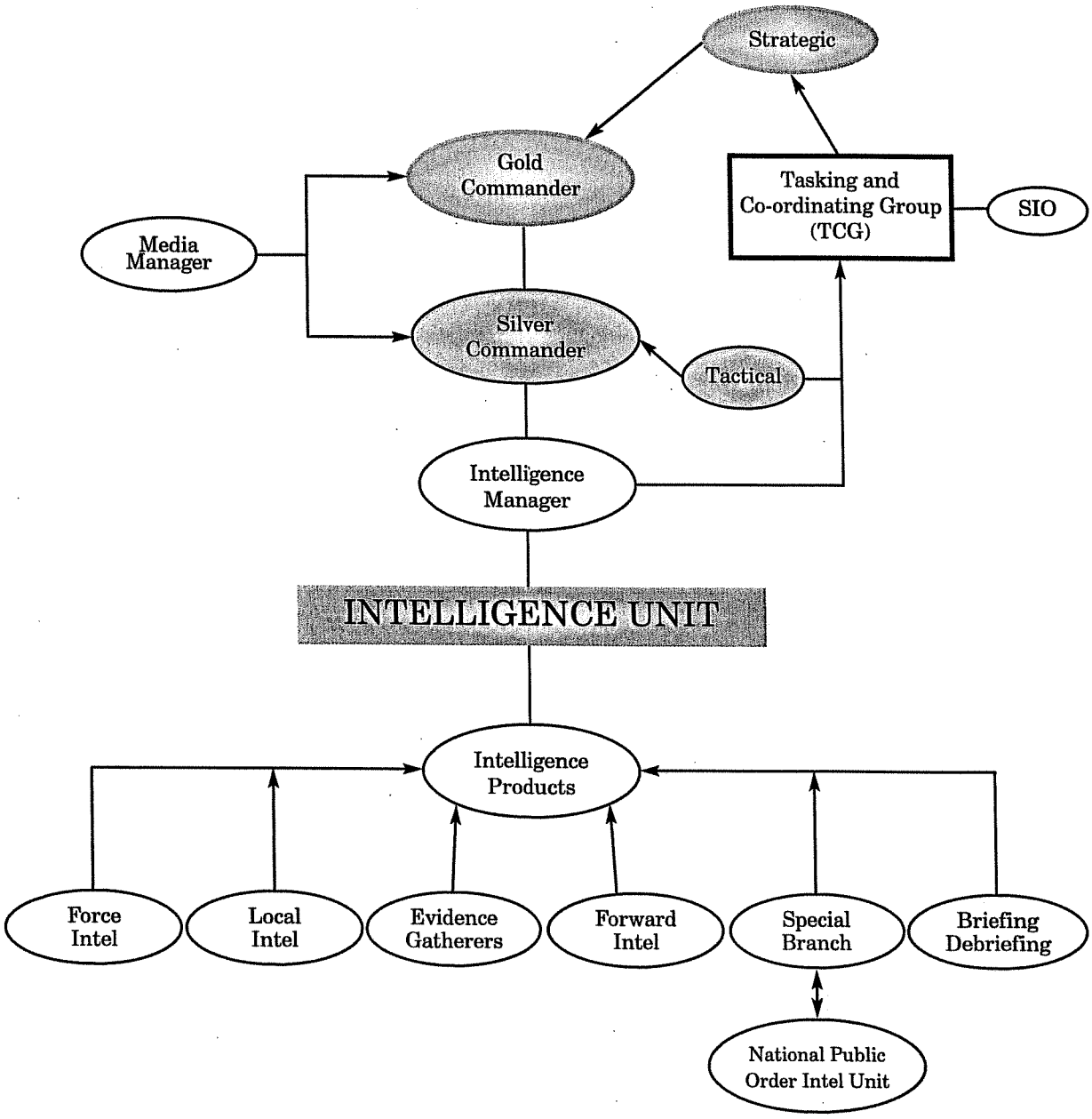
The concept of a public order intelligence unit is not new. One such unit is operating in the United Kingdom. The response is co-ordinated by a committee chaired by the Commander of the National Public Order Intelligence Unit with outside representatives. NSW Police have been briefed on its successful operation by the unit leader, Commander Maria Smith, on a recent visit to Australia.

In addition Chief Inspector Michael Homden, (a member of the Public Order Intelligence Committee in the United Kingdom), supported Strike Force Neil's conclusions.

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## United Kingdom, public order intelligence response structure

It can be seen from this diagram that the intelligence response structure being used in the United Kingdom for public order management is similar to the JIG structure being used in Australia.




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It is concluded that the current JIG arrangement for counter terrorism be broadened to cover other major operations such as public order. This will significantly enhance the response to major public order incidents at the outset so that a structured intelligence cell would be in place prior to the operation. Intelligence is a nominated functional area under the Incident Command and Control System now in place within the NSW Police.

When a JIG is deployed it has generally been housed in a room at the rear of the POC. Since the Sydney 2000 Olympic Games, the JIG room has not been properly resourced and the information technology and software is inadequate. As well, the room is now too small to accommodate a fully operational JIG during a major operation. This problem was commented upon during a debriefing session.

**It is recommended that a review be conducted of the Joint Intelligence Group arrangements to broaden it from counter terrorism to public order management and any other major police operations.**

**It is recommended that the review of the Joint Intelligence Group arrangements for use in public order management and emergency management consider the establishment of a Joint Intelligence Group Standing Committee to co-ordinate the response arrangements.**

**It is recommended that the Assistant Commissioner for Counter Terrorism and Public Order Management review the reporting arrangements for intelligence officers working in the area of public order management to ensure consolidation.**

**It is recommended that the review of the Joint Intelligence Group arrangements include a survey of the current Joint Intelligence Group room in the Police Operations Centre and develop a business case for its enhancement taking account of floor space and updated equipment.**

## Risk Assessment

The practice of conducting risk assessments during the planning of police operations is now standard practice. Indeed risk assessment could be said to be a part of everyday policing operations. Risk assessments are conducted in accordance with the Australian / New Zealand Standard on Risk Management (AS.NZS 4360:2004).

The NSW Police Risk Management Policy and Manual does not cover police operations. Threat and risk assessment guidelines for threats against NSW Police employees are in place, but no other formal guidelines exist. As a consequence, a variety of risk management templates are being used to assess risk as it applies to police operations. Those templates are inadequate and are being prepared by officers who have no formal training or guidelines to follow. This situation is placing these officers and commanders at risk and has the potential of advising on inappropriate treatment options or operational response.

As previously mentioned the risk assessment prepared on the 8th December, 2005 by the Miranda Local Area Command in relation to the Cronulla riots reflected that problem.

In 2004, following a threat involving the Sydney City Rail Network a large number of police were deployed to City Rail Stations and some disruption occurred to the rail network. Following that a formal threat and risk assessment process was designed, tested and implemented by the Counter Terrorism Command to deal with such threats.

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That process involves the assessment of a threat and its likelihood by a Threat Assessment Team chaired by a Threat Manager (Commander) and comprised of senior members of the Command. If the threat is assessed as being above negligible a Risk Management Panel is formed, chaired by the Assistant Commissioner and consisting of the Threat Assessment Team. This process in both training and operations has been conducted swiftly by means of a tele-conference using mobile phones.

That panel is required:

- To confirm the likelihood determination by the Threat Assessment Team
- To determine the level of risk
- Provide operational response recommendations in conjunction with the affected Region Commander
- Advise the Senior Police Executive (Deputy Commissioner) regarding the rationale for the determination and confirm that in writing
- The Senior Police Executive is responsible for accepting, rejecting or amending the recommendation

The threat assessment form and guideline is comprehensive and assesses intent, capability and target characteristic (aggravating factors) in a point score system. The overall threat rating is then classified from negligible to extreme.

The risk assessment is also comprehensive and covers social, financial and intangible loss. The consequences are also rated from negligible to extreme which are then considered in determining a response.

The important aspect of this process is that it relies upon more than one person to assess the threat and draws upon relevant experience. As the threat rises, it formally calls in senior police to contribute to the development of the police response.

There is no reason this process cannot be applied to general policing and used by Local Area Commands and Regions.

As this process has worked successfully for the past two years, the Intelligence Unit Leader at the CTCC presented the model to an intelligence working party consisting of the State Crime Command, Region Intelligence Strategists and the Intelligence Training Unit of Education Services. The working party has now broadened the model in such a way that it can be applied to all police operations.

A draft comprehensive manual *'The NSW Police Threat and Risk Assessment Manual'* has been developed as well as the appropriate assessment forms. The documents will be produced by the 'Product Standardisation Project' at the State Crime Command for later consideration by the Police Executive.

As risk assessment is being used frequently by police in operations, it is suggested that the policy, documentation and guidelines being used by the Counter Terrorism Command and the recently developed manual be given in-principle approval for further development.

Because of the importance being placed upon risk and threat assessment in police operations, if the system is adopted it should become standard state-wide Police policy. Threat panels should be formed in each local area command and a risk management panel should be chaired by the Region Commander. In addition, a formal training program should be developed to qualify police who are using the policy and tools in support of commanders in major operations.

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It is recommended that a working party comprised of those who have developed and used the system as well as end-user stakeholders from local area commands, regions and the Office of the Deputy Commissioners review the model and make recommendations to the Commissioner's Executive Team.

**It is recommended that the policy, documentation and guidelines used by the Counter Terrorism and Public Order Management Command for threat and risk assessment and the recently proposed Threat and Risk Assessment Manual be given in-principle approval by the Commissioner's Executive Team for further development as a service wide policy.**

**It is recommended that a working party comprising of the Counter Terrorism and Public Order Management Command, the Office of the Deputy Commissioner, region and local area commands further develop the Threat and Risk Assessment Model currently used by the Counter Terrorism and Public Order Management Command for use in all police operations.**

## Investigation

It was a recommendation of the Coburn Report into the Redfern Riot that detectives be included in the police response to unplanned civil disorder. The background to the recommendation was based upon appropriate evidence gathering and being on-site when arrests are made.

It has been suggested in some debriefing sessions that no local detectives were rostered to work on Operation SETA on Sunday 11th December, 2005. This is supported by the operational orders and staff lists provided to Strike Force Neil.

During the debriefs, the explanation was that the local detectives workload between the 4th and 7th December with the assault that led up to the Cronulla Riot was such that detectives were not available. Planning was again the issue when it was suggested in debriefs that detectives from outside the local area command could have been used at Cronulla.

This was also supported in other debrief sessions when there was a general agreement that a lack of detectives on the subject evenings impacted on the ability to action offences and investigations at that time.

On the evening of the 11th December, a strike force was established under Detective Inspector Barnett and the investigation was conducted from the Botany Bay Local Area Command on the 12th and 13th December.

Following the reprisal attacks on the nights of 11th and 12th December, the State Crime Command took carriage of the investigation on the 14th December and established Strike Force Enoggera under the leadership of Detective Superintendent Bray.

On the 22nd January the Strike Force was relocated to Hurstville Police Station under the leadership of Detective Superintendent McKay as the Strike Force had increased to over 100 personnel.

Strike Force Enoggera concluded its investigation in July, 2006 and recommended that consideration be given to developing an investigation plan for significant public order management incidents together with standing operating procedures. It was suggested that a model similar to Strike Force Enoggera be developed for future response. A similar plan was developed known as Strike Force Eagle by the State Crime Command for response to a terrorist attack.

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Investigation is now a functional area to be responded under the Incident Command and Control System to all major operations. The development of an investigation plan as proposed by Strike Force Enoggera is supported.

**It is recommended that an investigation plan be developed for response to major public order management operations. The models used by Strike Force Enoggera and Strike Force Eagle could be considered as a model of good practice.**

The subject of evidence gathering was raised in debriefing sessions on numerous occasions, particularly the recording of video footage throughout operations.

The Video Unit and evidence gathering did not appear to have been a consideration in the initial planning for the Cronulla Riots. The Video Unit was contacted at 3.50pm on the 11th December and arrived at Cronulla at 5.00pm. After first attending Cronulla Police Station, the officer arrived at the Command Post at 6.00pm.

The major incidents at Cronulla had then finished and the officer from the Video Unit only managed to obtain footage of some minor arrests and incidents. He remained in the area until 10.30pm and completed duty.

The importance of evidence gathering during incidents was raised with Strike Force Neil by investigators of Strike Force Enoggera following the withdrawal of charges against a number of offenders arrested for their involvement in incidents at Brighton-le-Sands.

## Evidence Gathering Teams

The use of evidence gathering teams is common practice in police forces worldwide that are well trained in responding to public disorder.

In the United Kingdom, 'Evidence Gathering Teams' consist of overt public order trained officers deployed to gather intelligence to assist in the identification of groups and individuals. They are responsible for gathering evidence of offences during public disorder. The product of their work is distributed to the intelligence cell when initially deployed for pre-event intelligence. During an incident, they work under the direction of the Public Order (Riot Squad) Commander and the product from the event is then distributed to the senior investigation officer.

NSW Police currently rely on the Video Operations of the Forensic Services Group for this function. The officers are not trained or provided with protective equipment for this type of evidence gathering. They are also not deployed in sufficient numbers for a major event and the process is inadequate.

It has been suggested by Strike Force Enoggera and supported in this review that this function would best be carried out by PORS officers trained in this role and provided with the appropriate equipment. These officers would then be deployed to every public order incident as part of PORS, but to specifically carry out the function of evidence gathering.

The Commander of the NSW Police Public Order and Riot Squad (PORS) agrees that the evidence gathering function could be carried out by his staff once they are equipped and trained for this task.

It would appear in pubic disorder situations that riot trained police are best to carry out evidence gathering during incidents. The NSW PORS should be trained and equipped to perform this function.

**It is recommended that the Commander, Public Order and Riot Squad be delegated the responsibility of evidence gathering during public order management operations and that the Squad's Management Operational Guidelines be amended to reflect that role.**

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## Mass Arrest Kits

Impacting on the issue of effective evidence gathering are the problems associated with handling violent crowds and in situations where mass arrests occur.

The issue was discussed at length with the Commander, Public Order and Riot Squad (PORS) and his staff, who will be implementing the following.

For planned events, prison vans from the Police Transport Branch will be rostered. The vans will have on-board a dedicated custody manager and charging officers who are drawn from the local area command where the incident is to occur, or if not practicable, from adjoining commands.

The PORS staff, as well as the prison vans will have mass arrest kits in their possession. The mass arrest form to be used is based on a design used in the United States. The rear of the form has a large arrest number printed on it. This is held by the arresting officer in front of the prisoner who is photographed together with the arresting officer.

The form is then completed by the arresting officer. The documentation, photograph and the prisoner are then handed to the custody manager on the prison van. The custody manager reads the form to the prisoner to confirm the contents and to be satisfied that an offence has been committed, before placing the prisoner in the van. The arresting officer can then return to the police line, it is suggested, within three minutes. Eventually when the prison van has reached its maximum capacity, it travels to a pre-arranged police station where the prisoners and one of the designated charging officers from the van remains with the prisoners, their property, the completed mass arrest forms and the prisoners are processed. The prison van, with the custody manager and remaining designated custody officers return to the police line.

For unplanned events, prison vans from the Police Transport Branch will be on-call at all times. Prior to the arrival of the prison vans, if necessary, the Police Commander will arrange for caged trucks from surrounding local area commands to attend the scene where one officer will be designated as the custody manager and PORS staff will issue the mass arrest kit documentation. The process of evidence gathering from this point is the same as for planned events.

The fundamental purpose of this strategy is to improve evidence gathering from arresting officers at the scene and transport prisoners to police stations for immediate processing.

**It is recommended that the Commander, Public Order and Riot Squad be delegated the responsibility of developing policy and operating procedures for the production and use of mass arrest kits during public order management operations.**

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## Media / Public Information

The NSW Police Media Unit is responsible for developing media plans to assist Police Commanders during major operations.

There is evidence in the lead-up to the Cronulla riots that Police Commanders made contact with the Media Manager and the Commissioner's Media Advisor. It would appear that the then manager of the Police Media Unit commenced to manage the situation in isolation and did not involve senior police and other members of the Police Media Unit.

No media plan was developed and one media liaison officer was rostered to work at Cronulla on Sunday 11th December, 2005. As the Cronulla operation progressed additional media staff were called in to work in the Police Operations Centre and the Media Unit.

Although there was no media plan in place the media was well serviced on the 11th December. In addition, because of the dynamic nature of the incident the media self deployed in great numbers and were able to capture graphic video and sound recordings as well as photographs of the various incidents.

During debriefing sessions and interviews by Strike Force Neil concerns were raised about the media being taken into police command centres and causing disruption to the command process.

When the magnitude of the police operation became evident a media plan was developed for the 14th December onwards.

Since the Cronulla riots a number of senior staff changes have taken place in the Police Media Unit and some of the issues raised have been addressed internally.

At the present time within the NSW Police there is a variety of media policy and other documents where media policy is referred to:

- NSW Police – Media Policy
- NSW Public Information Services Functional Area Supporting Plan
- NSW Police – Counter Terrorism Public Information Arrangements
- Incident and Emergency Standing Operating Procedures (IESOPS)
- Duty Officers' Manual (Media Liaison)
- National Security Public Information Guidelines

There is no policy or guidelines for dealing specifically with public order management except two sentences in the NSW Police Media Policy.

Recent history including the Cronulla riots show that public order incidents present a unique environment. Such events have the potential to be mobile over a wide area and as a result, media management is presented with different challenges.

Public disorder in NSW over the past few years has created great public interest and concern. This has resulted in the Premier of NSW, Senior Government Ministers and the Police Executive becoming involved, particularly in issuing public statements and conducting media interviews.

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Consequently, it becomes necessary for these senior public officials to be well briefed on incidents. As there is no media policy for public order management it is not unusual that such briefings occur in police operation centres and potentially disrupt the command of operations. This issue was commented upon in debriefing sessions.

Under the Counter Terrorism Public Information Plan and the NSW Public Information Service Functional Area Supporting Plan such briefings take place in the Public Information Co-ordination Centre or the adjoining State Co-ordination Centre managed by the Premier's Departments.

It is suggested that during incidents of major public disorder consideration should be given to activating the State Co-ordination Centre as takes place under the counter terrorism arrangements. Also, that the media management arrangements for public order management be consistent with those under the counter terrorism and emergency management arrangements.

**It is recommended during major public order incidents that the State Co-ordination Centre be activated and used for the purpose of briefing the relevant government ministers, as takes place under the current counter terrorism arrangements.**

It is suggested that a review be conducted by the Director, Public Affairs of media management policy documents. That review should promote the enhancement of existing documents and develop separate policy for public order management.

**It is recommended that media management policy and relevant standing operating procedures for the Police Media Unit be developed for response to public order management operations.**

## Police Operations Centre (POC)

The Police Operations Centre is a well resourced command centre that is designed to assist in providing effective strategic command of a major operation.

The centre was enhanced and used during the Sydney 2000 Olympic Games when it was known as the 'Olympic Precinct and Regional Operations' Centre (OPRO). The OPRO was managed and resourced by the Olympic Security Command Centre.

At the conclusion of the Sydney 2000 Olympic Games a decision was taken for the POC to come under the management and control of the City East Region, now known as the Central Metropolitan Region. What is to all intents and purposes a State resource then came under the management of a single region. Subsequently, management effectively became ownership.

Since that time the resources and equipment in the POC not exclusively required for the region's operations, deteriorated. A good example is the room used for the Joint Intelligence Group which over time became inoperable because of outdated computers and software. At a recent counter terrorism exercise the JIG had to be remotely located for this reason.

A consistent issue raised in the debrief sessions after the Cronulla riots was that command teams rostered to relieve in the POC needed to be trained in the operations of the centre. The problem was that no commanders or their teams outside the Central Metropolitan Region are trained in the use of the POC and its equipment. This has been a long standing problem which continually arose in the lead-up to national exercises conducted since the Sydney 2000 Olympic Games.

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The POC is a significant State resource that needs to be appropriately resourced and managed if it is going to be used during major operations. It needs to be staffed on a 24 hour basis during major operations by well trained police and support staff. If this does not occur it presents a significant risk to appropriate command and control. On numerous occasions during debriefs after Operation SETA, senior police suggested that the standing operating procedures for the POC needed to be reviewed and police who operate within it need to be properly trained.

A project is currently underway to enhance the facilities of the POC for the Asian Pacific Economic Forum (APEC) 2007. Significant resourcing will not overcome the management and training problems; those issues will still need to be addressed.

The POC is a state-wide resource which should be centrally managed and used, if appropriate, to command all major operations irrespective of the region in which they are occurring or the region or specialist command that is conducting the operation.

The command that is responsible for the management and maintenance of the POC should ensure that all police who staff the centre are trained in its use to a high level of proficiency. That command should also be appropriately financed to ensure that equipment is properly maintained and replaced when necessary.

**It is recommended that the management of the Police Operations Centre be transferred from the Central Metropolitan Region to a specialist command with state-wide responsibilities. The selected command be responsible for the maintenance of the centre, the training of police command teams and support staff in its use.**

## State Planning Unit

In the lead-up to the Cronulla riots there is evidence that planning was kept at a local and region level, perhaps brought about by a failure of the risk assessment process and a breakdown in the implementation of the Major Incident Management System.

The POC was activated in a planning and logistics mode at 1.35pm on Sunday 11th December and it was reported that it had been staffed with a MIRT at 3.20pm. The planning was still at region level.

During the course of meetings for Operation SETA, it became evident the operation commenced to go beyond the boundaries of the then Inner Metropolitan Region. It was stated at a meeting on the 13th December, *"Our POC planning should be for a State response"* and referred to intelligence regarding Terrigal, Shelley Beach and Newcastle.

When the concept of state-planning is raised it must be understood that no State Planning Unit exists within the NSW Police. Planning officers are located in each region and in a greater number in the Central Metropolitan Region. Those officers primarily focus upon planning within their own region and there is evidence, because of fragmentation, of a deficiency in planning under the current arrangements for major operations.

Prior to the Sydney 2000 Olympic Games the State Planning Unit existed and reported to the then Assistant Commissioner (Operations Support). On the evidence, this group planned for a variety of operations, major public events and security operations for visiting dignitaries, e.g. a visit by the President of the United States.
Following a restructure the unit was renamed the State Operations Planning Unit, was based in Police Headquarters and reported to a Deputy Commissioner. The unit was eventually devolved and some of the staff transferred to the Planning Unit, City East Region.

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With the increasing frequency of major events, security operations and public disorder it is suggested consideration be given to re-establishing the State Planning Unit. If re-established it should include experienced staff that have a background of planning the type of events as described.

The unit could be housed in the Police Operations Centre and be responsible for activating and managing the POC. Staff should also be responsible for training police from all regions and specialist commands who will work in the Centre during major operations.

**It is recommended that the Commissioner's Executive Team consider re-establishing the State Planning Unit to manage the planning of all major public events and security operations state-wide.**

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# Education and Training

## Command and Control

The issue of command and control was raised in the reports of both public disorder incidents at Redfern (2004) and Macquarie Fields (2005).

Following the Macquarie Fields incident the Commissioner of Police requested that an Incident Command Management System that was under discussion, be developed. The Commissioner's Executive Team gave in-principle agreement to a model proposed by the Counter Terrorism Command and requested a working party be formed to examine the model.

Research was conducted overseas and within Australia. As well, evaluation and trialling took place during counter terrorism exercises. A working party was formed and the NSW Police Incident Command and Control System was developed. The system was approved for implementation across the NSW Police by the Commissioner's Executive Team on the 21st October, 2005.

When the Cronulla riots occurred on the 11th December, 2005 the training project for the ICCS had not been developed. In fact, the approval documentation from the Commissioner did not reach the Commander, Education Services until the week following the Cronulla riot.

As command and control was identified as an issue of concern early in this review, Strike Force Neil submitted interim recommendations to the Commissioner and as a result the Police Command Education and Training Project immediately commenced.

**It was recommended that a comprehensive review be conducted of all command and control training delivered within the NSW Police covering the disciplines of public order management, counter terrorism and emergency management by relevant working parties consisting of operational subject matter experts and educationalists. The working parties report to a steering committee to ensure consistency in the delivery of education programs.**

**It was recommended that a forum on command and control be conducted at the Police College under the auspices of the Commander, Education Services and be attended by all members of the working parties, Strike Force Neil and the Police Executive to set the direction and agenda for future command and control education.**

**It was recommended that the Centre for Policing Excellence in the United Kingdom which delivers high level training in public order management be approached to participate in the forum.**

**It was recommended that the NSW Police accept the invitation of the Chief Executive Officer of the Centre for Policing Excellence in the United Kingdom to have an appropriately qualified student on the next Advanced Public Order Program conducted at Bramshill College.**

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Strike Force Neil facilitated a two day forum at the Police College, Goulburn under the chair of the Commander, Education Services, Mr Tony Aldred.

As a result a formal project was developed that included conducting a complete review of all operational command training. It was also to bring about standardisation by underpinning all command training with the NSW Police ICCS as the command operating system.

The project is being oversighted by a steering committee consisting of senior police experienced in the specialist areas being reviewed. There are five working parties chaired by a subject matter expert covering the areas of public order management, counter terrorism and emergency management. In addition, the other two working parties are developing training courses in the ICCS and Multi-Agency Incident Response.

The working parties will be conducting research and ensuring police command requirements are accurately defined and articulated. They will be:

- Identifying international best practice in command education
- Analysing and reviewing existing command training
- Developing rigorous command and control education programs

The structure and experience of the working parties will ensure that the objectives of the project are met. This will bring about a comprehensive and robust training program to deliver to commanders, the requisite skill to manage major incidents.

The steering committee and working parties were assisted in their work by Chief Inspector Michael Homden from the National Centre for Policing Excellence, Bramshill, United Kingdom. Inspector Homden gave presentations and was involved in discussion at the forum conducted at the Goulburn Police College. Inspector Homden's expertise lies in education and training in the fields of command and control and public order management.

From the experiences of the United Kingdom in the 1980's, the British Police quickly learned that the traditional mode of command, a largely hierarchical system, did not lend itself to the demands of dynamic incident command. The Brixton Riots and Miners Strike in the United Kingdom are examples. In response to the challenges and scale of these events a command and control system was developed out of an existing military model and incorporated strategic, operational and tactical command. This is similar to the system that has existed in NSW for some decades.

Following reviews of the British system over many years, a 'doctrine' of command, which is essentially a manual of guidance, sets out the principles to be applied to the command process. It provides a methodical approach to managing a major incident.

Bearing in mind that the NSW Police has developed an incident management system (ICCS) it is noteworthy that the United Kingdom is following a similar plan. In recent years, in the United Kingdom, a number of significant national operational policing demands provided a considerable challenge in the co-ordination and deployment of police resources. The policing responses provided, highlighted a number of shortcomings in some areas of policing, resourcing and deployment. The advent of the National Centre for Policing Excellence provided an opportunity to address these issues and develop a national incident management regime. This is part of the current Police National Mobilisation Plan (PNMP).[15]

[15] Police National Mobilisation Plan (PNMP) - Strike Force Neil Eagle.i: OD-182

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In the management of major events and incidents requiring a co-ordinated, integrated response the objectives of the PNMP are to provide the U.K. Police, where appropriate, with authoritative guidance and codes in order to:

- Develop a standard incident management regime
- Direct common standards and common terminology
- Promote common operational practice

The PNMP is aimed at pre-planned or spontaneous events or incidents that require an acute policing response. That includes incidents that are high profile, multi-agency and / or cross border in nature such as:

- Incidents involving public disorder
- Organised events
- Major emergencies or disasters
- Major or critical incidents

The apparent problem with the operational command system in the NSW Police is the lack of education and training in the fundamentals of command and control.

This is evident from an examination of command course curriculum and the evidence from the Redfern, Macquarie Fields and Cronulla riots. In these incidents the knowledge of the three levels of command appeared to be lacking. There was no appreciation in when, where and how to set up a command post and how to it should be resourced.

Critical to an effective command system is the knowledge of roles or what is known overseas as the *'Doctrine of Command'*. This doctrine refers to current operational capability, command and operational resilience, command structures, facilities and most crucially, the 'skills profile'.

It would appear that there has been a presumption that commanders entering command courses in public order management come with knowledge and understanding of command and control. Also, that they possess an understanding of the principles and structures that make it work. The evidence is to the contrary.

During the presentation and discussions with Chief Inspector Homden from the United Kingdom, from his international experience he stated,

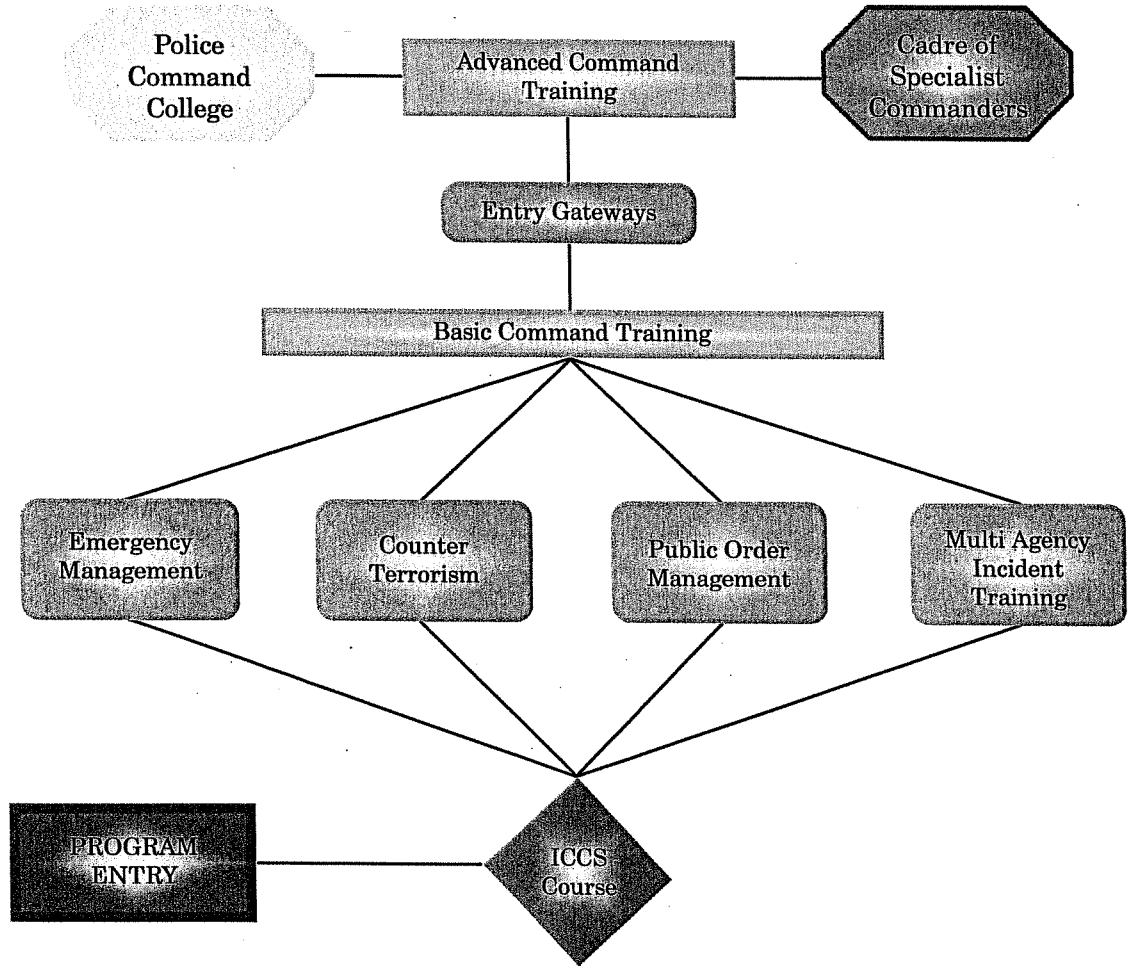
> *"For many years there has been little evidence of deeply ingrained command level training world wide. It has generally been associated with managing an event as opposed to the very process of command itself".*

These issues have been addressed in the current command project and the outcome should be that once relevant courses are designed and implemented, these problems should be resolved.

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The chart below gives an understanding of how the operational command project is framed and how command training will be structured.




The top of the chart depicts gateways as a means of developing commanders who show an aptitude in a particular field, e.g. public order management, counter terrorism or emergency management.

These gateways will include particular training and development opportunities in NSW, interstate and overseas, that will enhance the skill level of selected commanders. This will enable NSW Police to build a cadre of officers that have a high level of skill to command a particular type of operation. This is the concept used by the Pioneer Task Force in counter terrorism.

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This is also similar to the program developed in the United Kingdom for public order management. With an identified lack of command level training a system was developed in the United Kingdom that measures an individual's competence through accrediting their personal performance. It also considered the presence of innate characteristics that make an effective and resilient commander.

The system outlines a program of 'cradle-to-grave' training in public order management. This is similar to the concept being developed in NSW. The feature of the United Kingdom program which develops a cadre of specialist commanders concludes with advanced command training. The Advanced Public Order Program (APOP) is a competency based framework of learning and assessment which was produced following the major community disturbances in the U.K. in 2001, building upon the many subsequent debriefs, local studies and government reviews. The program was produced in collaboration with the National Centre for Policing Excellence (CENTREX).

This program is intended to help develop an understanding of the public order command structure and to enable the student to effectively command spontaneous and pre-planned events, including planning, partnerships, developing strategies and reviewing the outcomes of such events.

In order to be eligible for APOP candidates must be able to demonstrate evidence of having achieved the general national occupational standards for a police commander.

Following discussion with Strike Force Neil, Chief Inspector Homden has made available to the NSW Police two places annually on this program to assist in the development of commanders in public order management.

The Commander of the Public Order and Riot Squad (PORS), Chief Superintendent Steve Cullen will be undertaking APOP at Bramshill College, England in September / October 2006. He will also travel to Northern Ireland to evaluate public order training conducted by the Royal Ulster Constabulary. This is the first step for the NSW Police in delivering enhanced public order training to commanders.

Whilst in Australia, Chief Inspector Homden spent time with the Public Order and Riot Squad. Following discussion on the Squad's development, arrangements have now been made for two positions to be made available on the Public Order Senior Instructors Course and the Public Order Senior Safety Officers Course conducted by the London Metropolitan Police.

The Senior Field Supervisor at PORS and the Chief Public Order Instructor at the NSW Police College will be attending the London Metropolitan Police Public Order Training College at Gravesend in England between the 16th September and the 18th October 2006 to undertake that training.

Again, this is a significant step forward in raising the level of professionalism across all response areas in public order management for the NSW Police.

Strike Force Neil was interested in how the proposed concept of training police commanders in NSW was compatible with the Command College currently being developed by the Commissioner of Police.

In a meeting with a member of the Command College Project team it was concluded that the training requirements identified by Strike Force Neil could adequately be positioned within the Command College proposal.

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The agreed outcome of those discussions was articulated as follows:

> *"The Command College proposal creates an opportunity for selected officers to engage in fundamental competency acquisition and for those skills to be enhanced by way of both professional development opportunities and as part of formal learning programs which are to be based on performance agreements between the officer and their commander.*
>
> *NSW Police must use the basic command training for superintendents of police as part of the development of command skills that those officers require. Suitable officers can then be identified to undertake further formal education so that a cadre of specialist public order commanders are developed and retained for utilisation in appropriate circumstances.*
>
> *The selection process for officers to undertake advanced public order management training and education should be based on collaboration between the command college and its proposed human resource management advisory function and the commanders with whom officers have committed to performance agreements.*
>
> *It is essential for NSW Police to constantly review and develop sufficient commanders to ensure not only adequate responses, but also to ensure that business continuity is available to the general community. A cadre of specialist commanders would enable NSW Police to respond to major incidents through the proposed education and training for police commanders.*
>
> *There is no doubt this will be an important aspect of the future of policing in NSW at command response level".*

The problems that exist in NSW Police command training are not unique, indeed similar problems have been identified world-wide. The problem in NSW was identified following an uprising in public disorder in Sydney and a project is in place to rectify that issue. The path being taken is similar to that taken in the United Kingdom of recent years with considerable success. The NSW Police will benefit from that experience.

Chief Inspector Homden, who has played a significant role in senior public order command training in the United Kingdom, said upon his departure from Australia,

> *"The NSW Police have started on bespoke training across individual disciplines of public order, counter terrorism and emergency management. The debate at Goulburn showed that there is healthy progress being made in some features of these programs, but they were not joined up and lacked inter-dependencies. The challenge for the future quite simply is to put the lessons into an integrated command training mode. The positive side of this is that good practice already exists to 'speed' NSW Police on their way".*
>
> **It is recommended that the Commissioner's Executive Team give in-principle agreement to the proposed police command training program as outlined in the Education and Training section of this report and to note that this program is compatible with the proposed Police Command College initiative.**

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## Public Order Training

Public order training has been conducted for some time by the Operational Safety Training and Traffic Unit (OSTTU), NSW Police College. A range of courses are conducted covering all aspects of public order response and use of equipment. This covers police from recruit to senior commander.

Since the formation of PORS a strong alliance has been established with the OSTTU. This brings together educationalists and operational police who currently work in the field of public order management. These two units together will play a role in all future public order training.

> **It is recommended that the education and training model for all training in public order management, with integration between the Public Order and Riot Squad and Education Services continue as a matter of policy. This will ensure that operational subject matter experts and educationalist are engaged in the continued research and development of training.**

All training has been reviewed by PORS, who found the basic structure of courses are sound and a continual improvement program has been put in place. As previously mentioned a member of each unit will soon travel to the United Kingdom and be in a position to benchmark the NSW Police training against overseas programs.

A range of programs offered to police at all relevant levels, coupled with the strong link between Education Services and PORS places the NSW Police in a robust position so far as public order training is concerned.

## Risk Management (Operational)

A considerable amount of importance is being placed upon threat assessment and risk assessment in police operations. Managing risk is fundamental to planning a response. In addition, the Occupational Health and Safety legislation requires strict compliance and accountability during operations.

Police commanders and others providing a response must have a comprehensive and accurate assessment of threat and risk when planning operations.

A comprehensive risk assessment policy and tool is being developed for use by all commanders. If approved, a formal training program will need to be developed under the auspices of Education Services.

> **It is recommended that a training course in threat and risk assessment be developed by an appropriately skilled working party for all police who are responsible for the development of operational threat and risk assessments.**

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# Equipment

## Public Order and Riot Squad (PORS)

The Public Order and Riot Squad commenced operations on 12th February, 2006. Part of PORS responsibility which is articulated in policy, is to ensure that each officer is appropriately resourced and equipped. This is managed on a state-wide basis through the Public Order Support Group – Region Co-ordinators.

Prior to the establishment of PORS the responsibility for riot equipment was primarily that of Region Commanders. After the report into the public disorder at Redfern and Macquarie Fields a Public Order Management Committee and Sub-Committee were formed to oversight issues related to equipment.

In essence all responsibility for public order / riot equipment for the entire State now rests with one officer – The Commander of PORS.

An audit of riot equipment through the State has been conducted by the Commander of PORS and Strike Force Neil. The quantity and quality of equipment is currently considered adequate. Continual research and development as well as the management of all riot equipment, will be undertaken by the Commander, PORS and that is most appropriate.

The quantity and quality of equipment used by police during the Cronulla riots was not an issue.

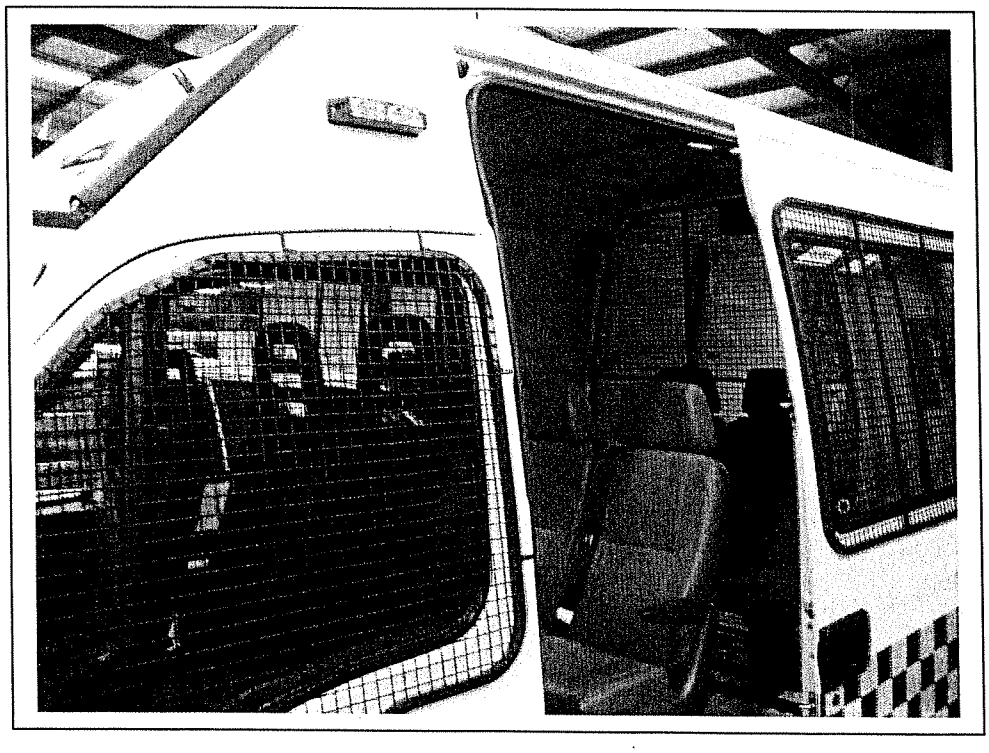
Since the creation of PORS riot / public order equipment has been substantially improved. PORS now has a fleet of purpose built vehicles that carry a variety of riot equipment and support systems. These vehicles carry eight fully equipped personnel to an incident site for immediate deployment into an operation. In addition, they have available a number of 4-wheel drive vehicles which can be used on-site to each deliver nine fully equipped personnel into an operation. This is a significant improvement in the capacity of the NSW Police to deal with public disorder.

Other specialised riot equipment is currently being developed, e.g. a water cannon that will considerably enhance the public order management capability of the NSW Police.

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Public Order and Riot Squad vehicle:



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## First Response Police

One of the features of the Cronulla riots and the reprisal attacks was the mobility of the rioters and their capacity to swiftly change the location of their attacks.

This created a situation where police in areas who were not part of the original response plan becoming involved unexpectedly, e.g. Maroubra and Brighton-le-Sands. Protective equipment was not available to these first response officers. When requests were made for protective equipment, there was an expected lengthy delay in its delivery because of the situation that existed in other areas.

There is evidence of injuries to police who responded to potentially volatile situations without protective equipment.

There is also historical evidence of incidents remote from the Sydney metropolitan area where first response police have unexpectedly come under attack from patrons of noisy parties to alcohol affected juveniles. In such cases, the PORS or its supporting units in country areas are not in a position to provide immediate response and supply equipment.

The missiles usually used are bricks, stones, or bottles, some of which are full of liquid. The potential for serious injury in these cases is high.

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Illawarra Mercury 23 January 2006, Page 9

# Under-age drinkers attack police

BOTTLES and rocks were hurled at police who tried to disperse a group of under-age drinkers on Friday night.

One officer received minor injuries when responding to complaints about more than 100 youths who had gathered at Colliers Beach, Mollymook, about midnight on Friday.

Shoalhaven Police Inspector Bill Carter said the group was drinking and many were intoxicated. "On (police) arrival a number of the group exhibited cowardly behaviour by throwing beer bottles and rocks at the police vehicles from the cover of the nearby toilet block and scrub," he said.

Three juveniles were issued infringement notices for under-age drinking and consuming alcohol in a public place.

During the incident a police vehicle was damaged and the toilet block was extensively vandalised. After several hours, police dispersed the group and the reserve was left strewn with empty beer bottles and drink cans.

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During the debrief sessions and interviews conducted by Strike Force Neil the concern of police who responded to the random and mobile reprisal attacks without protective equipment was raised.

One point of view was that police should not be exposed to such risk as the behaviour of a crowd was unpredictable and had the potential to turn violent without notice. It was then too late to retreat and obtain protective equipment.

The other view was that General Duty supervisors and first response officers are not in a position or qualified to make an assessment of whether an officer should wear protective riot equipment. It was further pointed out that if the equipment is incorrectly or inappropriately used it could aggravate a situation and lead to indefensible injuries to civilians. In addition, training and the storage of equipment was an issue.

It was also suggested that the Public Order Management Protective Equipment and Training (POMPET) conducted for police generally by the Police College was only sufficient for police to wear and use the equipment for protection. Its use was to be under the supervision of highly trained PORS supervisors and in conjunction with PORS operatives or PORS support officers.

It appears that there is some confusion about the type of equipment that is being suggested and this is causing the difference of opinion.

Some are of the opinion that full riot kit with shields is what is being requested by first response officers. What in fact is being suggested is that first response officers be provided with basic protective equipment for which they are being currently trained under POMPET.

It has been suggest that some type of protective helmet, a protective vest, leggings and arm guards would be sufficient and could be carried in a first response police vehicle.

The Occupational Health and Safety Act 2000 and Regulations 2001 outline the accountability placed upon an employer, particularly relating to eliminating or controlling risk.

The result of the Workcover investigation and any prosecution following the Redfern riot needs careful consideration in this regard.

The matter of protective equipment on issue to first response officers is contentious given the differing opinions. However, the evidence of the potential for serious injury to first response police, in situations where there has been an urgent call for assistance is undeniable.

NSW Police should review its current policy and operating procedures as they apply to equipment used in public disorder incidents for first response police.

Given the division of opinion on this issue a high level working party could be established to conduct a review.

**It is recommended that a high level working party be established to review the policy and operating procedures relevant to the issue of protective equipment for first response police to incidents of public disorder.**

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## Evidence Gathering

In discussions with Strike Force Enoggera and the Commander, PORS it was agreed that PORS is the most appropriate unit to undertake the task of evidence gathering during public disorder. Operating procedures and training will need to be developed, suitable video and still camera equipment will need to be researched and acquired for this role.

**It is recommended that the Commander, Public Order and Riot Squad research and procure suitable equipment for use in evidence gathering during public order management operations and provide training to Public Order and Riot Squad officers in this role.**

## Mass Arrest Kits

The issue of mass arrest kits is currently being researched by PORS and is critical to the management and investigation of public order incidents. The necessary equipment including photographic equipment needs to be researched and acquired. The responsibility for standing operating procedures, maintenance and storage of equipment needs to be resolved.

**It is recommended that the Commander, Public Order and Riot Squad research and develop mass arrest kits for use in public order management operations. That operating procedures be developed for the use of those kits by all police.**

**It is recommended that the Commander, Public Order and Riot Squad research and acquire the necessary equipment, including photographic equipment necessary for use with mass arrest kits.**

## Police Media Unit

The Police Media Unit has a very important role in the overall police response and is in fact a functional area to be established under the NSW Police Incident Command and Control System. When staff from the unit move forward to support commanders they do not at present have portable equipment to assist them.

During the Cronulla riot the unit had to borrow two lap-top computers from the NSW Police Business and Technology Services to carry out their function at the scene.

A portable kit of relevant equipment including mobile phones, lap-top computers with remote wireless internet access, contained in a durable protective case needs to be developed and properly maintained within the Media Unit for immediate deployment to the incident site.

**It is recommended that the Director, Police Public Affairs develop a portable media kit and acquire the necessary equipment for deployment to incident sites to assist forward Police Media Liaison Officers.**

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## Intelligence

The success of the Joint Intelligence Group (JIG) deployment into the Police Operations Centre (POC) during the SETA Operation has been well documented. As is mentioned previously in this report the management / ownership of the POC of recent years has seen the intelligence capability deteriorate because of a lack of maintenance and replacement of equipment. A review needs to be conducted on the information / technology capability of the intelligence room at the POC and up-graded to an appropriate standard.
(Included in recommendation 10)

The concept of broadening of the JIG for deployment to all types of major operations has been recommended for consideration. If approved, an element of the JIG that is deployed to the incident site needs to be resourced. It is important that an intelligence cell is established at an incident site quickly as it plays a vital role in intelligence gathering and the decision making process of a Police Forward Commander. A review of the type of equipment necessary to establish a forward JIG needs to be undertaken and the necessary kit resourced.

**It is recommended that a working party of experienced intelligence officers be established and tasked to develop a portable Joint Intelligence Group kit for deployment to incident sites to assist forward Joint Intelligence Group Officers.**

## Mobile Forward Command Post

Previously mentioned in this report were the issues regarding the location of the command post at Cronulla and its lack of technical capability.

Over many years this has been a problem identified during police operations. Police commanders who attend incident sites are forced to work in the open, use patrol cars or seek the use of buildings in the near vicinity of the incident site. These are often buildings that had been evacuated during the course of an operation.

During pre-planned operations the same situation applies. Police commanders or planning teams are forced to search for vacant premises in the near vicinity that may be suitable.

At the present time the NSW Police have within its fleet, a number of purpose-built vehicles that respond to operations to service the needs of specialist police:

- Negotiation truck – For use as a negotiation post
- Tactical Operations Unit – Emergency response vehicle and an armoured vehicle (Bearcat)
- Special Services Group – Major incident response semi-trailer
- Rescue and Bomb Disposal Unit
- Forensic Services Group
- Traffic Services – Breath analysis vehicles

What is missing from police operations and has indeed never existed, is a purpose-built vehicle for use by police command teams to manage a major operation.

The command of major operations is a critical position. It has come under criticism in the review of previous major incidents and certain recommendations have been made for improvement. The commander's role is at least equally important as other specialist roles but carries with it the responsibility for the command of all resources at an incident site.

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The problems with an inappropriate command infrastructure at Cronulla would not have occurred if such a vehicle had been available. The same problems were experienced at the Redfern and Macquarie Fields incidents.

A recommendation of the Macquarie Fields Report stated;

> *'At all significant public order incidents an appropriate command post must be established using either the emergency operations centre for the region, mobile command post or other suitable premises.'*

Local emergency operations centres may not be suitable because their location may not be in the vicinity of the incident.

When the issue of a mobile command post was discussed at meetings after the Macquarie Fields Report, arrangements were made for breath analysis vehicles from Traffic Services to be made available for use as command posts at major incidents. These vehicles were not designed for that purpose and are totally inadequate.

The NSW Fire Brigade have two Incident Command / Control Vehicles and have been using them since 1984. The Fire Brigade have extensive experience in the design and use of such vehicles over the past 22 years.

In June 2005 a team of three fire officers undertook an overseas study tour to assist in the development of user-specifications and functional requirements for the next generation of command vehicles to be used by the NSW Fire Brigade.

Many overseas police departments use purpose-built command vehicles during major operations. Examples of these vehicles are depicted overleaf.

With the history of recent events including, the threat from terrorism, emergency management disasters and major public disorder it is critical that research and development be undertaken to identify an appropriate vehicle for use by police commanders in NSW.

Over the past four years a police command vehicle for NSW has been included in bids for capital works. Those bids have ranged in cost from $1.2 million to $3.5 million. The bids have not been successful.

The purpose-built specialist vehicles currently in service for a variety of purposes in the NSW Police and the NSW Fire Brigade have been researched and developed by a project group. The design of the vehicles emerged from the project group which consisted of operational end users, experts in the field of information technology, communications, senior operational officers experienced in the relevant field (command and control), procurement services including heavy vehicle procurement and project management.

Following the terrorist attack in New York on 11th September, 2001 the concept of integrated command and control between police and emergency services was developed.

For this reason, if a command vehicle was acquired by the NSW Police it would be appropriate for consideration that the vehicle and the Fire Brigade Mobile Command and Control Vehicle be technically compatible.

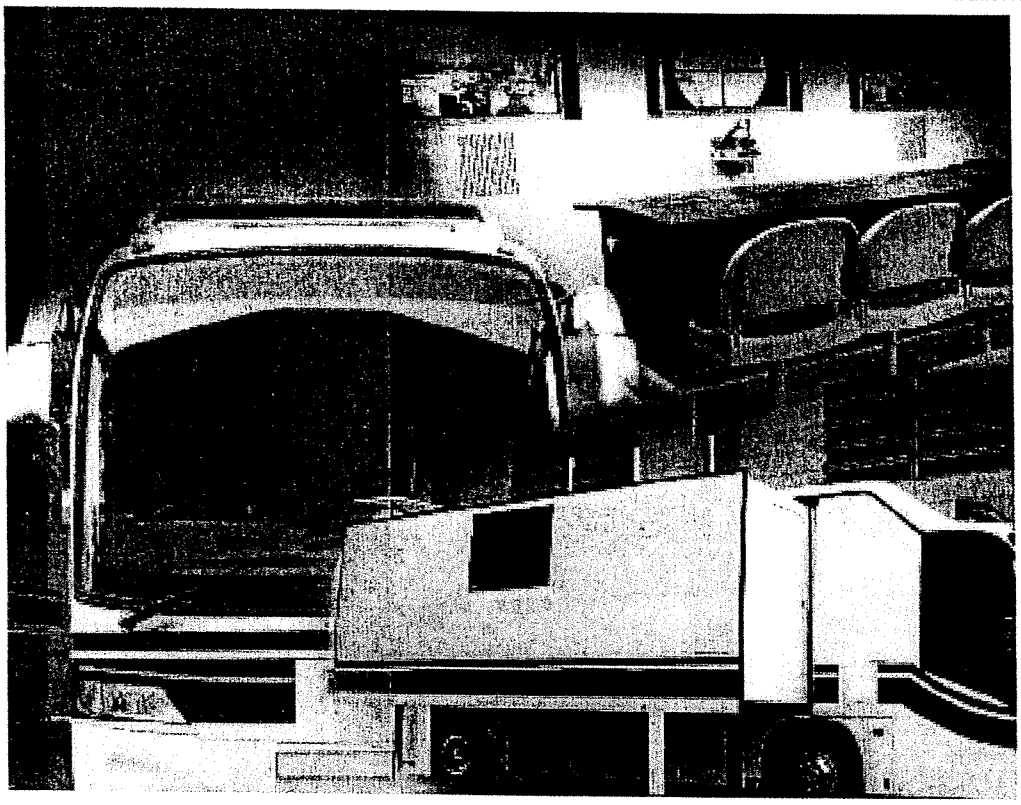
This was achieved with the Major Incident Response Vehicle used by the Special Services Group, NSW Police and a similar vehicle used by ASIO for response to terrorist incidents.

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It is suggested that a project group be formed to conduct research and develop a business case for an appropriate mobile command and control vehicle for use by NSW Police.

**It is recommended that an appropriately skilled project team be established to conduct research and develop a suitable model for a police command vehicle. A business case should be prepared and presented to the Commissioner's Executive Team as a matter of priority.**



Photograph of a recent design of an Expandable Command and Communication Vehicle (ECV) evaluated by NSW Fire Brigade

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Police Command Vehicles - USA




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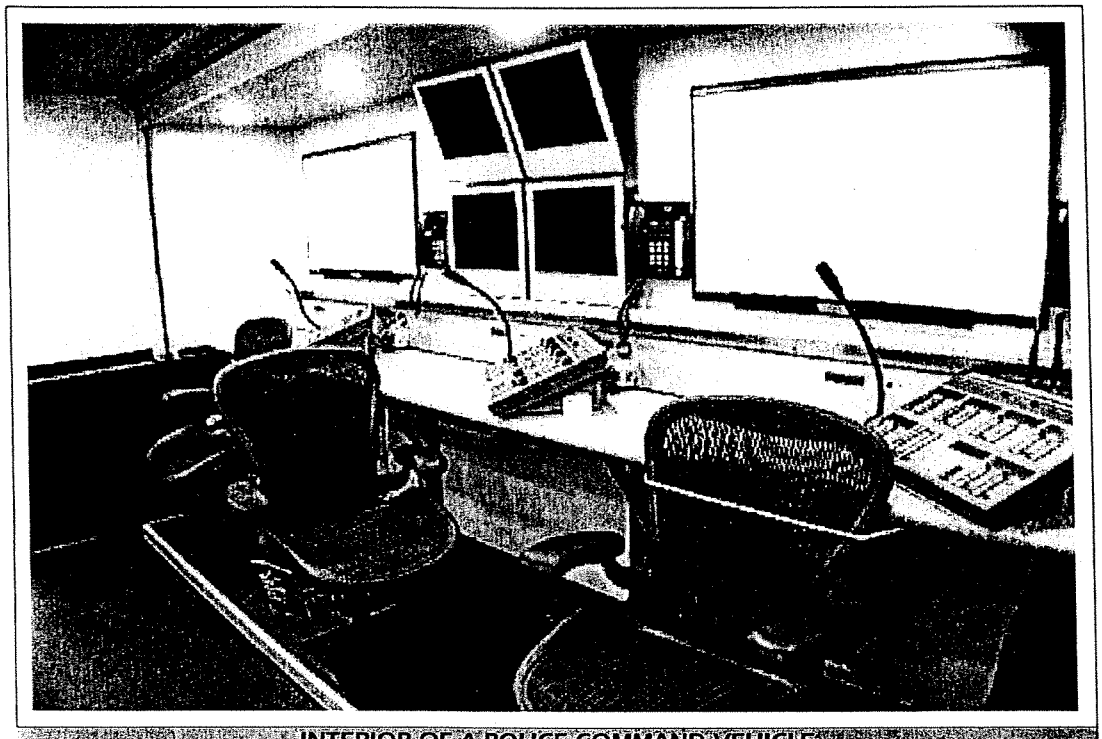


INTERIOR OF A POLICE COMMAND VEHICLE

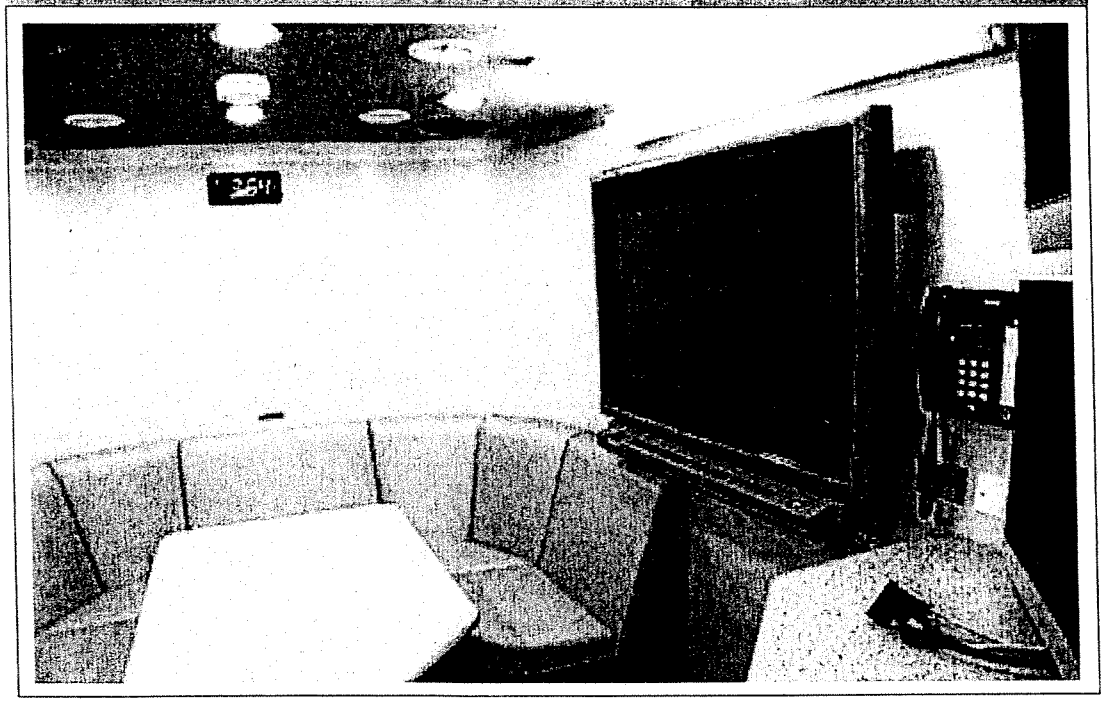


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INTERIOR OF A POLICE COMMAND VEHICLE



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