

HAPHAZARD JUSTICE = SCOTT JOHNSON

MURDER ARREST 12/5/2020

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"HAPHAZARD JUSTICE THAT CAN ONLY BE CALLED MIRACULOUS IS A CAUSE FOR GREAT THANKS BUT IT IS NOT SOMETHING TO RELY ON FOR THE WAY FORWARD"

The arrest of someone in connection with Scott Johnson's 1988 murder is fantastic news. It's a wonderful day for Scott, his brother Steve who never gave up, who gave his all for 32 years to look after his little brother Scott and find the truth, for their whole family, for all who have fought hard and worked together to bring about that justice, for the Police who have made the arrest and for all those in influential positions who stepped up to do the right thing along this long journey rather than let the wrong thing continue.

But we must remember that if Scott's brother hadn't had the financial and emotional means to never give up, if his case hadn't spurred 2 experienced retired NSWPS employees to stand up and assist and put their reputations with their ex employer uncomfortably on the line for over 10 years (Page a detective well experienced in these murders & Thompson, the co-ordinator of Police Gay/Lesbian Liaison who understood and studied these murders for 12 years) and some great other 'right people right time, right media, right Minister and finally right Commissioner in 2017' we would not be here. There is no room for complacency here.

That includes

- good Coroners who were willing to want to know the truth in gay hate murder cases – Milledge in 2005, Forbes in 2012 and ultimately Barnes who decided to open a 3rd Inquest and finally ruled at end 2017 that Scott Johnson died in a gay hate attack, not suicide as many in NSW Police doggedly said for decades;
- the ABC's Australian Story for their 2013 story that ignited the media interest,
- Rick Feneley of SMH who started covering these cases in 2013 and pulled them together to make a media story that could no longer be ignored, and has kept writing on them in brilliant investigative journalistic style,
- SBS and Blackfella Films who did an awesome documentary on the murders and a TV series. Duncan McNab for his book "Getting Away with Murder".

H A P H A Z A R D J U S T I C E = S C O T T J O H N S O N

MURDER ARREST 12/5/2020

- Ex Det Sgt Steve McCann who was the first cop to start paying attention to the pattern of gay hate murders and brought me the first list in 1990;
- myself who joined NSW Police because a good friend was murdered then worked to stop anti gay & lesbian violence and bring justice on gay hate murders from 1990 – 2002 while employed by NSW Police
- Academic criminologist Prof Stephen Tomsen who studied and published on the murders over many years
- The Australian Institute of Criminology who worked with NSW Police in the late 1990s & early 2000s to undertake and publish ground breaking joint government research into gay hate homicides.
- ex Det Sgt Steve Page who listened to a mother's pleas about the death of her son Ross Warren in 2000 after years of neglect by NSW Police & headed up Operation Taradale and 2 years of investigations into these neglected cases
- to the senior cops along the way who supported me in this work when otherwise I would have had to give up, in particular the awesome Assistant Commissioner Alf Peate who passed away last year. He was the best ally and so many other great cops who were true champions – incl my first boss Assist Comm John Ure, Kerry Beggs, Peter Walsh, Bruce Gibson, Christine Nixon, Ike Ellis and of course the dedicated GLLOs
- those Police Ministers who repeatedly did the right thing on these issues from all sides of politics since the 80s – Peter Anderson, Ted Pickering, Garry West, Paul Whelan and then Michael Gallacher, an ex cop himself and an ex GLLO, who forced the NSW Police Force to help the Johnson family in 2013 despite the storm,
- the countless great community leaders, activists, spokespeople, influencers, organisations who fought the good fight against homophobia and pushed for change since the 1970s, who put lives, jobs, reputations on the line and still stand up,
- And now Commissioner Fuller, who became Commissioner in 2017, before Coroner Barnes' findings. He realised and took on the full import & meaning of those findings and has redeemed the NSW Police from its embarrassing history in Scott's case.
- the team that originally began as Steve Johnson with Dan Glick investigating what really happened, determined to find the truth even if it was suicide and then became Team Scott for shorthand, including some

H A P H A Z A R D J U S T I C E = S C O T T J O H N S O N

MURDER ARREST 12/5/2020

of Steve's lifelong friends and his awesome legal team in Sydney and America

- the NSW Parliamentary Inquiry into Historical Gay & Transgender Hate Crimes 1970-2010 that commenced in 2018 chaired by the Hon Shayne Mallard MLC which reminded people and organisations that someone was still paying attention and that it was time for transparency and accountability, no matter how long ago the hate crimes happened.

If not for a group of such dedicated, talented, experienced committed people all stepping up to help find justice there would not have been justice for Scott Johnson, there would be no arrest.

Now we of course let the judicial system take its course. This is fantastic but it is essential though that we learn the important lessons from Scott's case, from how wrong it went before it went right. We must make sure it never happens again, otherwise it will.

We must remember that if the new NSW Police criteria, developed by their Operation Parrabell in 2015, for deciding if something was a gay hate related homicide was applied to Scott's case (without so much external pressure, research, finances, expertise, commitment, private investigation, intervention) then the NSW Police would still today not agree that Scott's death was a gay hate crime. It ticked less boxes in the current NSW criteria than several other cases that they removed from that list. They re-wrote their own original Police and AIC criteria of the 90s and made it far too narrow.

They then applied it retrospectively and reviewed the historical 80 gay hate murder cases of the 80s and 90s which were identified over many years of research. They then decided there were really only 27 cases in 20 yrs, not the 80 previously agreed. That still stands on the record and is not ok for the future. This week journalists are quoting a paper review that reduced the number of murder cases from 80 to 27 as if it was some sort of progress and advance. It was not and it is not. Re-writing history never serves any of us well, only those doing the re-writing.

The Police say there are 5 of their revised total of 27 possible gay hate murder cases unsolved. We say there are over 20 of the unrevised total of 70-80

H A P H A Z A R D J U S T I C E = S C O T T J O H N S O N
MURDER ARREST 12/5/2020

possible gay hate murder cases over 20 years. If you don't identify cases you will never solve them as Scott's case proves. To the police it was a suicide for decades apart from a brief moment in 2010-2011 when one young cop with an open mind and a desire to know the truth, read our reports, got it right and agreed it should go back to the Coroner.

That cannot stand in the context of this week's arrest of someone in the death of Scott Johnson. If that stands then there could be more Scott Johnsons. There should never be another Scott Johnson. I know police are human beings but as is always said "with great power comes great responsibility".

Scott's case on the facts (until this arrest) did not fit Parrabell's narrow modern day re-written gay hate murder criteria. That is just wrong. In light of this week's progress that is so wrong.

It is actually alarming when you understand the implications. It needs to be fixed or we could easily have another Scott Johnson tragedy and injustice. And next time it would be totally unlikely that a family would have the financial and emotional means to push back for so long nor the support from experts to help find the truth.

Other important changes need to be made in NSW to make it easier for hate crimes to be reported and investigated. For example, there should be mandatory data collection and identification of cases, hate crime education for police and third party reporting. The NSW Police were once world leaders on these things, now they have fallen behind. With the redemption in Scott's case comes the right time for strategies like those successfully implemented across the UK and resulting in good outcomes for victims. Every victim deserves justice. Onwards and upwards.

16th May 2020 4.33 a.m.

Flowers