

More than 50% of those on secretive NSW police blacklist are Aboriginal

Police commissioner concedes Suspect Target Management Plan has problems, but defends its objectives



Mick Fuller has revealed that about 55% of people who are the subject of a Suspect Target Management Plan are Indigenous. Photograph: David Moir/EPA

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More than half the people on a secretive New South Wales police blacklist are Aboriginal, the state's top law enforcement officer has revealed.

The NSW police commissioner, Mick Fuller, says about 55% of people who are currently the subject of a Suspect Target Management Plan are Indigenous, prompting accusations that police are using a “racially biased program” to combat crime.

The Suspect Target Management Plan – or STMP – is a “predictive style of policing” that uses “disruption and prevention” to identify people who police believe are a high risk of committing crimes.

In October, researchers from the University of New South Wales and the Public Interest Advocacy Centre released a report which showed the STMP was overwhelmingly aimed at young people and Indigenous Australians, and resulted in “oppressive policing”.

The report revealed cases where police appeared to use STMPs inappropriately, including as cause to search someone as a substitute for having reasonable grounds to suspect they had committed or intended to commit a crime.

It prompted Michael Adams, the chief commissioner of the NSW police watchdog, to voice concerns about the use of the STMP, saying the tool was potentially “problematic”.

On Thursday, Fuller, who replaced former police commissioner Andrew Scipione in March, faced questioning about the STMP from the Greens MP David Shoebridge at a hearing in the NSW parliament.

He said there were about 1,800 people subject to an STMP across the state. About 55% of them were Aboriginal.

He also revealed that the youngest person on an STMP was only nine years old.

Fuller, who since coming into the job has taken a progressive stance on some issues, conceded there were problems with the STMP but broadly defended its aims.

“I am taking steps to minimise Aboriginal people coming into police custody more broadly,” he said.

“I believe in STMP and I believe in proactivity, but I am not proud of the incarceration rates of Aboriginal people in New South Wales and I am taking steps to improve that and working with senior police who support our concerns in relation to incarceration of Aboriginal people.”

He said police were looking to make changes to bail laws so that Aboriginal people in regional areas could give more than one address, which he said would give them a better chance to avoid coming under police notice in the first place.

Fuller said high incarceration rates for Aboriginal people was a problem across the country, but Shoebridge said the police were “part of the problem”.

“If your police force is actively targeting in a disproportionate way Aboriginal people using the Suspect Target Management Plan, you are part of the problem because, if you are over-policing them at this point, it is far more likely that Aboriginal people will then be charged, then go to court, and then go to jail,” he said.

The STMP has faced criticism from the legal profession and justice advocates, who say it unfairly targets minorities.

It is also secretive. NSW police have refused to reveal what factors they use to determine who is placed on an STMP, and even those who are subject to one are not always informed.

Sophie Parker, a solicitor at the Redfern Legal Centre specialising in police powers, said it was evidence that Aboriginal people were being disproportionately targeted by the STMP.

“It is extremely alarming that Aboriginal people – who make up just 2.5% of the population – account for more than 50% of STMP targets,” she said.

“This is a clear example of oppressive over-policing of Aboriginal and Torres Strait Islander communities.

“Given a child under 10 cannot be arrested or charged with a crime, it is highly inappropriate that they be subject to an STMP.”

Vicki Sentas, one of the report’s authors, said: “It’s not surprising that it’s disproportionately targeting Aboriginal people given the experience of the community legal centres we spoke to as part of the research.”

After the report’s release, Adams, who was appointed the first commissioner of the new Law Enforcement Conduct Commission in February, said so-called “risk assessment” tools in law enforcement, such as STMPs, often contained “disguised personal subjective assessments which are not truly objective” and that “on the face of it one would have to question its reliability for predicting behaviour”.