

Media release

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Unreasonable, unjust, oppressive and improperly discriminatory: watchdog blasts police on STMP

A scathing [report](#) from the Law Enforcement Conduct Commission (LECC) says NSW Police use of the Suspect Targeting Management Plan (STMP) against young people 'amounted to agency maladministration' and 'could possibly meet the threshold for serious misconduct'.

It recognises the STMP policy followed by police was unreasonable, unjust, oppressive and improperly discriminatory in its effect on children and young people and resulted in police acting unlawfully.

Police have avoided a formal finding by the LECC by announcing they have stopped using the STMP against young people, effective from October 2023, and will cease using it against adults from December 2023.

The Youth Justice Coalition, a coalition of legal organisations and academics, have welcomed the announcement of an end to the discriminatory, excessive and oppressive STMP. But the coalition warns NSW Police cannot be trusted to develop a replacement program without oversight from legal and community groups – particularly First Nations communities who have been subject to the discriminatory effects of the STMP and other forms of 'proactive policing'.

The LECC report identified (at page 133):

- 'gross over-representation of young Aboriginal people selected for STMP targeting'
- 'overuse of overt and intrusive policing tactics applied by the NSW Police Force resulting in unreasonable surveillance and monitoring of young people'
- evidence NSW Police Force used a young person's STMP status as a basis for ongoing and repeated stops, searches, or visits to the young person's home, which were at times 'positively unlawful'.
- 'unacceptable risks of bias in the target identification process'
- 'no rigorous evidence-based evaluations to assess the success, or otherwise, of the use of the STMP on an individual'.

The report concludes LECC's 5-year Operation Tepito investigation. It analyses how the STMP was used on children and young people aged under 18 from 15 November 2020 to 28 February 2022 – the first six months after the program was updated to respond to earlier concerns raised by LECC.

The Youth Justice Coalition has warned for more than 5 years that the STMP not only pushes children into increased contact with the criminal justice system, but also that it is unreasonably oppressive, harassing, stigmatising and racially biased.

The coalition includes the Aboriginal Legal Service (NSW/ACT), the Public Interest Advocacy Centre, the Shopfront Youth Legal Centre, Redfern Legal Centre and Dr Vicki Sentas from the Faculty of Law and Justice, University of New South Wales. They say the alternatives are clear: culturally appropriate, community-led diversion and early intervention programs.

Karly Warner, CEO, Aboriginal Legal Service NSW/ACT:

‘We knew the STMP was disproportionately harming Aboriginal and Torres Strait Islander young people, and it has only worsened since the LECC’s interim report in 2020.’

‘We welcome the LECC’s final report, and confirmation that NSW Police has discontinued use of the STMP for children and will soon discontinue use for adults. Robust and independent police oversight and accountability through investigations into systemic issues like the STMP is critical for reducing policing-related harms to Aboriginal people.’

‘The report is damning. Abolition of the STMP was the only appropriate response. It is imperative that any replacement is not just an STMP by another name but developed in partnership with the Coalition of Aboriginal Peak Organisations of NSW. Surveillance and harassment of young people is not the answer and, in many instances, is not lawful. As our communities know, we must wrap support around young people, and keep them grounded in culture and community.’

‘As we noted just last week, NSW Police contribute to widening the gap – they must share responsibility for closing it. We look forward to the opportunity to work meaningfully with NSW Police on implementing the National Agreement on Closing the Gap by embedding shared decision making with Aboriginal people and transforming the way police work with, and for, Aboriginal communities.’

Dr Vicki Sentas, Senior Lecturer, School of Law, Society and Criminology UNSW:

‘We’ve been saying for years that the STMP is oppressive and discriminatory and can’t be reformed.’

‘The police say they will replace the STMP with something else. But more police designed and police led programs are not the solution. Aboriginal controlled community organisations must be involved. There must be ongoing oversight by the LECC over what happens next.’

‘The research is clear that therapeutic community-led solutions best support children’s needs and lead to positive outcomes for families and for crime rates, not over-policing.’

Jonathon Hunyor, CEO, PIAC:

‘This is a bombshell report. Police have been exposed for acting unlawfully in their harassment of young people under the STMP.’

‘The LECC has concluded that Police ignored the complex needs of young people and used highly intrusive strategies that were unreasonable, unjust and oppressive.’

‘It is damning that Police took no steps to address the over-policing of Aboriginal young people under the STMP despite the LECC having highlighted this issue in their interim 2020 report.’

‘NSW Police needs to comprehensively re-set its approach to young people, with external input and oversight, to avoid a repeat of the failure and misconduct exposed by the LECC.’

Jane Sanders, Principal Solicitor, The Shopfront Youth Legal Centre:

‘We’re pleased to see the end of the STMP for young people.’

‘We meet a lot of young people whose lives are being disrupted every day by stops, searches, and surveillance. Repeated visits from police also affect their families and neighbours – for some young people that’s caused them to lose their housing.’

‘Most of these young people are not serious offenders. Some of them have never even been charged. But police seem to target them simply because of who their friends are, where they spend time, or because they fit a certain profile.’

Camilla Pandolfini, CEO, Redfern Legal Centre:

‘We welcome the decision by NSW Police to discontinue the STMP.’

‘We agree with the opinion of the LECC that use of the STMP constitutes agency maladministration. No reform of the STMP could ever overcome the negative impacts of the STMP on young people – it had to be abolished.’

‘We call on NSW Police to ensure changes to other laws, policies and practices that disproportionately impact First Nations people including strip searches and use of force.’

Background

- Law Enforcement Conduct Commission [Operation Tepito Final Report](#)
- Law Enforcement Conduct Commission [Operation Tepito Interim Report](#).
- The Youth Justice Coalition 2017 report [Policing of Young People in NSW: A study of the Suspect Targeting Management Plan](#) raised concerns about the use of the STMP on children and young people, and informed the LECC review of the program.

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