

# EDITORIAL

As you will have observed we have departed from the previous ACJ format moving to a larger, magazine style publication. This is an attempt to develop a broader more popular readership, outside the narrow specialist, radical student, prison movement, left lawyer and radical criminology ghetto. We hope that the change to a more open and accessible format will broaden the appeal, the audience and the circulation. In addition it seemed to fit our aim of producing special issue publications which are not necessarily, conceived as being within 'criminology'. Thus, it is hoped that a special POLICING publication will attract interest from a broad range of groups and individuals concerned with current issues and directions in Australian policing.

## PROPOSED SPECIAL WOMEN'S PUBLICATION

Similarly it is proposed that the next issue (to appear at the end of 1984) be an autonomous women's issue. This proposal has been in the air for some time and with the current campaign being launched by N.S.W. Women Behind Bars against the construction of a new women's prison in Sydney and for the emptying of Mulawa Women's prison it seemed an appropriate time to devote a publication to specific issues facing women in the criminal 'justice' system. Again such a function need not necessarily be located within 'criminology' but may be placed in the broader context of the women's movement.

It is hoped that such a publication would thus gain a much broader readership. People with contributions, graphics, suggestions etc for a publication on womens issues in crime, criminology, prisons etc. should send them to, or contact one of the people in the womens special issue editorial collective, listed on the inside cover.

## TAKING THE POLICE SERIOUSLY:

### ABSTENTIONISM v PRAGMATISM

And so to the police. And also to the theme of taking the police (more) seriously. For there is a left abstentionism in relation to the police that manifests itself in the high level of abstraction and generality in which debate is conducted. For 'as we all know', the police are part of the repressive apparatus of the capitalist state, enforcing class rule. Against this, more specific knowledges of the police tend to founder. Once the police are located in the repressive State apparatus a rhetorical a priori opposition tends to flow. Because this opposition is theoretically guaranteed independently of the particular instance, it often does not need to contest or bring to account the particular.

So almost as a polar alternative to the conservative's "thin blue line" which is "stemming the tides of anarchy" a "police as iron heel of class state" emerges. The police are simply conceived as necessarily engaged in the role of repression, functioning to maintain, protect and reproduce capitalist social relations and in particular private property. If this is necessarily what they do because of their structural location then there is little need to specify strategies in relation to the police. They are simply to be opposed, both in the current exercise of their powers and in any proposed extensions.

We wish to suggest that, this sort of abstentionism, stemming from an excessively structuralist, economic, and reductionist analysis, does not provide an adequate basis for political intervention.

However the opposing tendency in left approaches to the police has been the 'let's talk, specific legal powers and duties' pragmatism, divorced from broader discussions of policing. Exponents of this 'no -nonsense' 'real world' approach are found in civil liberties, labor lawyer and social democratic organisations. They tend to focus on issues such as police complaints ombudsman's powers, powers of arrest etc.

Sometimes these two positions are held in conjunction with a rapid slippage between the two, a slippage we argue discredits the left and renders less likely the emergence of broader, popular democratic critiques of police practices.

The connection between politics and strategy can be clearly illustrated through examinations of specific issues such as domestic violence, random breath testing or the proposal for a National Crimes Authority, where it becomes clear that some generalised abstentionist position gives no purchase on the debates and an ad hoc pragmatism provides no principled guidance for intervention.

In approaching the police in political debate then, it may be more useful to focus on policing, the complex web of practices engaged in by police. If it is recognised that policing practices are contradictory and cannot be ascribed in advance either a clear-cut repressive, or social, character, then it may be possible to actively intervene in and generate popular debate about police practices and policing. One aim would be to strengthen the social aspects of policing, the extent to which at least in certain limited areas popular local demands and needs have evoked some sort of response from police and have been partly woven into police practices. And on the other hand attempts should be made to undermine and delegitimize the repressive functions and anti-social police practices manifest in the significant and far reaching restructuring of the police that is currently taking place. The aim would be to provide a principled, informed, basis for a wide range of popular democratic interventions in debates around police practices.

#### LACK OF INFORMATION :

##### THE NEED FOR STATE RESEARCH

There are major problems in developing an adequate approach to the police at a purely descriptive level. We have in Australia no equivalent of the U.K. State Research Bulletin, no systematic monitoring of changes, developments and restructuring in the police, no systematic monitoring of police and official governmental sources. Hopefully we will see in Australia the development of an alliance of specific interest groups, social movements, political parties and trade unions which agrees on the political

importance of monitoring police and policing. Such a network, perhaps grouped around an informative publication like an Australian State Research Bulletin could provide a base of information and analysis as an essential pre-condition to left interventions in crime and police debates.

For we have certainly witnessed a number of major changes over the last decade in the general direction of a radical restructuring of the police. Very briefly, we have seen the emergence of the Federal Police, the increasing development of specialist squads, particularly those such as the N.S.W. Tactical Response Groups, geared to paramilitary forms of organisation in the assertion of short term order in a summary manner largely outside the operation of the courts; the increasing development of highly particularistic and specific forms and practices of policing specific groups: kids, aborigines, gays, unemployed, ex-prisoners, specific ethnic communities, youth cultures such as punks and skins; the development of sector policing; the politicisation of police associations and their active intervention in the 'law and order' debate, the introduction of new technology such as computers, the introduction of extensive riot control equipment, firearms, batons (P.R.24), the creation of joint state and federal task forces in particular areas, the massive expansion in the numbers and role of private policing, reorganisation and rearticulation of ASIO and state special branches, the proposed establishment of a National Crimes Authority.

#### POLICE PRACTICES, STRATEGIES,

##### ACCOUNTABILITY.

We have been unable to examine all these recent developments in the restructuring of the police. There are some notable gaps, in particular our lack of treatment of the political police (ASIO, ASIS and the State Special Branches) a topical omission in the aftermath of the Combe and ASIS Sheraton Hotel affairs and the release of important films like Allies. Another major omission is police corruption, much in the news in N.S.W. in the aftermath of the Allen, Wood, Humphries and Jackson affairs, the rolling disclosures by top investigative journalists like Marion Wilkinson, informed by transcripts of Federal police wiretaps and surveillance operations,

the testimony of former crime figures such as James Anderson at the Juanita Nielsen inquest, findings of the Costigan and Stewart Royal Commissions, the A.B.C. drama series Scales of Justice etc.

We have organised the contributions around two broad themes : Police Practices and Accountability. As we suggested earlier, rather than seeing policing as a unitary (and necessarily repressive) role or function, it may be more fruitful to examine specific (and we argue sometimes contradictory) police practices. The specific practices we focus upon tend to gather at the coercive pole of the coercion/consent relation. In particular we report on the widespread concern increasingly voiced from a range of quite diverse organisations, groups and constituencies, about forms of police harassment. A seminar held in Sydney in September 1983 organised by the N.S.W. Council for Civil Liberties drew together a number of groups around the issue of harassment and our first item is a report of this seminar.

This is not to suggest that forms and patterns of harassment are uniform across these diverse groups, rather highly specific and particularistic forms of harassment occur against specific groups (eg) bikies, punks, Aborigines, in specific geographical locations (eg) the Bathurst bike races, Aboriginal towns in N.W. New South Wales. Some of the items that follow the report of the Police Harassment of Minorities seminar provide examples of such specific and particularistic forms of harassment and police practices.

One of the most significant recent developments has been the emergence of specialist paramilitary or 'third-force' type squads, specially trained and highly equipped and armed up for confrontational, repressive and violent styles of policing operations. In the following section we include an article on the N.S.W. Tactical Response Group, together with a longer article on the effects such new styles of aggressive policing of particular racial, cultural, or political minorities sometimes evoke, in this case the U.K. 'riots' of the summer of 1981.

Our second major theme is that of Accountability. Clearly condemnation or exposé of particular police practices is not enough, an effective political intervention must debate the mechanisms, procedures and politics by which police can be called to account. As several of

the papers suggest, this accountability should not be conceived only in terms of accountability for abuses or wrongdoing but also in terms of accountability for everyday policing operations, policies and procedures. Our concern should be to bring the whole issue of policing within the scope of legitimate public political debate as a necessary precondition for a longer term strategy of bringing the police under popular democratic control.

Under this rubric we have grouped a range of contributions including a section of the police instructions themselves, discussions of local and overseas strategies (Merseyside Police Committees, the massive policing operation in NZ against anti-apartheid protest) examination of patterns of complaints against the police a report on complaints procedures, the struggle of individuals within the police force such as Arantz to inform the public about police construction and manipulation of crime and 'clear-up' rates, John Hatton's contribution to the National Crimes Commission debate, specific areas where accountability is severely restricted or lacking altogether such as Police Killings and the expanding area of private policing. Here again the coverage is far from comprehensive and we hope it will encourage readers, journalists, researchers, students and organisations to delve into some of these areas. If a more comprehensive and systematic documentation and monitoring of police practices were to occur it might be possible to develop a national and international network of contributing individuals, groups and organisations around an Australian State Research type publication, as suggested above.

There is much work to be done. Our focus has been mainly on N.S.W. developments. We hope this special policing publication by the A.C.J. will provoke comment, criticism and future contributions from interested readers in other states.

If public debate around police and policing continues to be dominated by common-sense notions of the police as necessary and policing practices as therefore given, or as merely the subject of internal, technical debate, then progressive forces will face formidable and recurring obstacles in the wider struggle to significantly tilt the balance of forces in the direction of popular democratic accountability and control.