

# Taking 'Kiddie Cops' and 'Care Bears' Seriously

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## *NSW Police Youth Liaison Officers and their influence on the occupational norms and values of their colleagues.*



Despite a wealth of police resources being directed at young people through current policing practices, particularly in the context of street policing, youth issues barely rate a mention in the *Final Report* of the Royal Commission into the NSW Police Service. The Commission's focus on dramatic revelations of corruption, the Service's inward-looking culture, its inflexible, hierarchical structure, and other organisational issues all overshadow the immediate problems of police relations with young people.

The Commission's failure to address youth issues surprised few. The spotlight is usually only turned on police–youth relations amid the rough and tumble of rhetorical 'law and order' campaigns which give little weight to providing measured accounts of problems inherent in the relationship. Perhaps the most notorious instance of this in recent years was a 'youth crime control' campaign in late 1994 which featured what Blagg and Wilkie described as 'competitive tendering between senior politicians over who was the toughest on crime'.<sup>1</sup> The spectacle was punctuated with headlines such as 'City of Fear' (*Daily Telegraph Mirror*, 17 November 1994) and other sensational coverage, and culminated in the passage of the *Children (Parental Responsibility) Act* (NSW).

This Act featured broad powers for police to remove children from public places, even if they haven't committed an offence. The preventive apprehension powers in the revised legislation, the *Children (Protection and Parental Responsibility) Act 1997*, are even more direct, and include provision to detain any child who 'is about to commit an offence' (s.19(3)(c)). The powers of premonition required to exercise a discretion under this section seem to be assumed. Although there may be police who welcome this addition to their arsenal of discretionary powers, at least some are wary of this coercive approach to crime prevention.

With both Police Service reforms and youth crime prevention firmly on the legal and political agenda, it is timely to consider the way police officers deal with children and young people. What follows is a brief review of the NSW Police Service's current attempts to cater for the special needs of young people and a discussion of how the so-called 'police culture' could help or hinder reform initiatives in this area. Of particular interest is the role of police youth liaison officers, who are the focus of present attempts to influence policing policies and practices in relation to young people.

### **Police occupational culture**

The capacity of specialist youth officers to influence their colleagues is greatly affected by the occupational norms and values associated with their work environment. A section of the Royal Commission's *Final Report* entitled 'The Nature of the Job', contains one of the report's few direct references to police–youth relations. The Royal Commission expresses concern that young people and other marginalised groups often

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bear the brunt of various police prejudices. The Commission argues that the police occupational culture is generally characterised by cynicism and pessimism about society, constant suspiciousness, insularity, a readiness to divide society into 'the rough and the respectable', political and moral conservatism, and 'a machismo outlook that permits sexism and glorifies the abuse of alcohol and heterosexual indulgences'.<sup>2</sup>

The Commission noted that these occupational values are often manifest in an intolerant attitude towards minorities, notably Aboriginal people, people of non-English speaking backgrounds, young people, gays and lesbians, the aged, and the intellectually and physically disabled. Of course, these groups are not mutually exclusive. Successive studies have shown that two or more such minority characteristics compound the likelihood of an adverse encounter with the police.<sup>3</sup> This is bad news for young people from Aboriginal or other minority communities, as the Youth Justice Coalition noted in relation to young Asian Australians. Its surveys showed:

Young people ... from Asian backgrounds were nearly twice as likely to be searched, four times more likely to be arrested and three times more likely to be injured during their contact with police than young people from an Australian [sic] background.<sup>4</sup>

The challenge for the Police Service is to seek ways to confront these problems and influence police behaviour. This requires a more sophisticated approach to 'police culture' than that provided by most conventional theories, which simply use the concept as 'a convenient label for a range of negative values, attitudes, practices and norms among police officers',<sup>5</sup> then invoke the concept as *the* cause of corruption and misconduct. Although the Royal Commission's assessment of the 'nature of the job' is generalised, almost monocultural, it at least looks elsewhere for the *cause* of these negative occupational values. As the Commission notes, the reality of what causes corruption is invariably more complex than the simple deterministic concepts of police culture imply.<sup>6</sup>

James and Warren hail the fact that the concept of 'police culture' has promoted broad recognition that 'police occupational behaviour is governed in part by factors beyond the formal prescriptive rules and guidelines imposed by due process and the overt organisational structure of policing'.<sup>7</sup> Most now accept that simply changing formal rules achieves little. However, James and Warren are wary of popular perceptions of the concept, citing a tendency to overstate the causal capacity of 'police culture' to determine the occupational norms and values of police. Too many theories ignore the role of individual police officers as active and creative participants in shaping the culture.

Chan embraces the idea that police officers are active, thinking participants in constructions of 'police culture' and takes the theory a step further, proposing:

A new framework for understanding police culture ... which recognises the interpretive and creative aspects of culture, allows for the existence of multiple cultures, and takes into account the political context and cognitive structures of police work.<sup>8</sup>

Central to Chan's analysis are Bourdieu's concepts of 'field' and 'habitus', two inter-related focal points of a dynamic theory of cultural resistance and change. The 'field' is the social space of conflict and competition — in the context of policing this includes the formal rules governing policing. The 'habitus' refers to systems of dispositions, past

experiences and other factors which inform the players, such as the objectives of policing. Chan argues any attempts to reform policing practices require concurrent and complementary shifts in both the 'field' and 'habitus'.<sup>9</sup>

For instance, Chan argues that the successes of anti-corruption initiatives by former Police Commissioner John Avery in the 1980s, could be attributed to the combined impact of genuine and widespread community and political concern about corruption, and Avery's preparedness to use all available tools to fight malpractice. Conversely, the Police Service's disjointed attempts to deal with police racism and abuses of power, tend to rely too heavily on seeking to influence the 'habitus' of police culture and 'considerably underestimate the power of the field, namely, the social, economic, legal and political sites in which policing takes place'.<sup>10</sup>

Chan's approach suggests that the Police Service's propensity for producing volumes of plans, policies and discussion papers in response to perceived problems, needs to be matched with practical measures to implement these plans. This requires sectors of the Police Service seeking change, to solicit the support of at least some other levels of the Service, as well as harnessing broader societal and political influences.

This highlights the limitations of portraying police culture merely as an obstacle to reform. Most commentators acknowledge 'cop culture' is not 'monolithic, universal nor unchanging',<sup>11</sup> yet 'it is all too common for variation to be ignored in the search for continuities and generalisations'.<sup>12</sup> Chan's criticisms are instructive. She argues any model of cultural change must:

- account for the existence of multiple cultures, such as the marked differences in command, middle management and lower ranked officers;
- recognise the interpretive and active role of officers in structuring their understanding of the organisation and environment;
- avoid overstating the insularity of police and situate their culture in the political and social context of policing; and
- allow for change, not just resistance to change.

This approach indicates there may be opportunities to change the relationship between youth liaison officers and broader police culture. Whereas traditional approaches might have portrayed police culture as an immutable barrier, Chan's arguments suggest ways to approach the concept more creatively. For youth officers to have an impact on the attitudes and practices of their peers, they must identify and exploit opportunities for change *within* the current culture. In so doing, they could *change* the current culture.

### Recognising the special needs of young people

Since General Duties Youth Officers were introduced in 1988 to replace the Police in Schools program, the focus of the NSW Police Service's attempts to improve its relations with young people has been on police officers with a special interest in youth issues. The genesis of NSW's youth officer programs was the community policing policies introduced by Avery following his appointment as Police Commissioner in 1984. Avery's community policing strategies were founded on:

... the related principles that:

- effective policing requires cooperation with and from the community in which it takes place; and

- crime prevention cannot be effected solely by police services; the engagement of other agencies and the community itself being crucial to effective crime prevention.<sup>13</sup>

As Justice Lusher argued in his 1981 report into policing in NSW, it was 'never the intention that a police force should take over entirely and wholly supplant the responsibility of the community'.<sup>14</sup> Subsequently Avery's reforms sought to broaden the influences on police by emphasising needs of 'the community' in policing.

Community policing strategies have been poorly defined and implemented in NSW. One obvious practical difficulty is in defining 'the community' police must serve. There is little research on police-community consultation mechanisms in NSW, but it seems they rarely include young people or youth advocates.<sup>15</sup> This has certainly been the British experience, where surveys of the 400 or so community committees established to seek the views of disaffected minorities showed that most committees were dominated by influential coalitions of local community interests.<sup>16</sup>

The Wood Royal Commission praised the NSW Police Service's efforts to promote consultation with young people through the State Commander's Youth Working Party,<sup>17</sup> but neglected to mention that the working party consists almost entirely of Police Service personnel. The sole exception is a representative from the Police Ministry. The only other civilian on the 14-member committee is an employee of the Police Service's education and training command.<sup>18</sup> The committee might focus police attention on problems in police-youth relations, but it hardly serves as a forum for young people. Elsewhere in its *Final Report* the Royal Commission recommends patrol commanders consult with 'local government and other bodies such as the local Chamber of Commerce, to ensure that there is effective community contribution to local policing' (Recommendation 95). This narrow conduit of 'community contribution' is unlikely to reflect the views, needs and concerns of young people.

The exclusion of young people from formal consultative mechanisms illustrates a broader problem of social marginalisation. Young people generally have little influence over the legal, political and social institutions which regulate policing. Decisions on policing policy and practice frequently overlook the fact that young people have a legitimate stake in the outcome, particularly in relation to street policing, which is 'the most evident and pervasive form of crime prevention pertaining to juveniles'.<sup>19</sup> The distance of young people from the consultative process contrasts markedly with their proximity to everyday policing practices. Estimates of police contact with young people show consistently high levels of contact. A 1992 study conducted for the National Youth Affairs Research Council found that 80 per cent of the young people surveyed had been stopped and spoken to by the police. 'The numbers of Aboriginal and "marginal" youth were higher — 94 per cent and 96 per cent respectively'.<sup>20</sup>

Of greater concern is the nature of the interaction between police and young people. A recent Australian Law Reform Commission/Human Rights and Equal Opportunity Commission inquiry into children and the law, reported that participants in the inquiry's focus groups and respondents to its surveys:

... stated overwhelmingly that police are generally hostile and aggressive towards young people and stereotype them as troublemakers. The often difficult relationship between police and young people is particularly apparent from their interaction in public spaces, where children are highly visible and tend to

socialise in groups. These problems are also manifest in shopping and entertainment complexes where private security guards 'police' young people.<sup>21</sup>

This is consistent with an earlier study by the Youth Justice Coalition (NSW) which found the 'relationships between young people and police in many instances are governed by fear and threat',<sup>22</sup> and a NSW Legislative Council Standing Committee on Social Issues report which expresses concern about 'the widening problem between young people and the police'.<sup>23</sup> Young people from Aboriginal or other minority communities are even more visible because of their language, clothes or skin color, combined with a general apprehension about youth gangs and ethnic stereotypes.

Although current juvenile justice initiatives are the culmination of a long history of punitive measures to deal with 'juvenile delinquency', recent deterioration in the social conditions of young people has further strained their relations with the police. As White points out, the series of economic recessions since the mid-1970s have hit young people particularly hard, causing:

... a dramatic shift in the overall youth labour market in the last two decades. For example, the proportion of teenagers in full-time work plummeted from 58.2 per cent in 1966 to 16.9 per cent in 1993, and on current trends it has been estimated that by the year 2001 there will be no full-time work at all for young men and women aged 15 to 19.<sup>24</sup>

Faltering employment prospects have been accompanied by other factors eroding the social standing of young people, including a widening income gap between rich and poor, increased reliance on casual or part-time employment, and insufficient income from state welfare support. Even so, overall juvenile crime rates throughout Australia have either fallen or remained static over the past few years.<sup>25</sup>

### The NSW Police Service's policy response

The introduction of General Duties Youth Officers (GDYOs) in 1988 sought to remedy the inadequacies in police consultation with young people by making more intelligent use of rank and file officers who have an interest in youth issues. The charter of the GDYO program advocated that:

- participating police act as protectors of and advocates for young people;
- officers act to divert young people away from the criminal justice system wherever possible;
- patrols adopt a multi-agency approach to youth crime prevention; and
- participation in the program be dependent on the GDYOs working to a performance-based work contract.

Despite its initial success in lifting the profile of youth issues, the program lacked support from the police executive and floundered in the early 1990s, dissipating both community and police enthusiasm. Many initiatives were either poorly implemented or not tried at all. By the time the Legislative Council's Standing Committee on Social Issues delivered its *Juvenile Justice in NSW* report in mid-1992, just 100 of the 170 patrols across NSW had appointed GDYOs. Few of these officers had the expertise or experience to do the kind of analytical or liaison work required for the project to achieve its objectives. Fewer still had the time, because most youth liaison duties were in addition to their general duties. There was an ambitious training program proposed and other innovations, but too much depended on the willingness of

individual patrol commanders to divert scarce personnel from reactive policing duties.

The standing committee's 1992 report applauded the Police Service's moves to create GDYOs and urged further specialisation. It recommended that well-trained youth officers in each patrol should have full-time responsibility for working with young people, particularly in areas with relatively high proportions of young offenders (Recommendations 30 and 31). The report argued a specialist police policy unit should be established at the Service's head office to oversee and support the police youth officers, develop youth policies and programs, initiate a training and development program, and 'monitor and evaluate procedures and practices relating to policing juveniles throughout the state' (Recommendation 32). In its comments on training, the report pushed for a staggered program to combine Police Academy and 'on the job' training (Recommendation 105). And there was detailed advice on the selection of police youth officers (Recommendation 106).

The standing committee's vision reinvigorated both police and community interest in the potential of specialist youth officers. In recent years the Police Service has:

- established a youth policy unit to guide and support its youth officer initiatives;
- developed a *Youth Policy Statement* (published in February 1995), which includes an action plan and outlines the Service's commitment to young people;
- formed a State Commander's Youth Issues Working Party 'to ensure the implementation of the Police Service Youth Policy Statement and associated action plan';<sup>26</sup> and
- held major training-oriented forums for youth officers, one in 1996 which attracted 180 police youth officers, and another earlier this year for 150 youth officers.

The number of youth officers increased markedly, but the loose administrative arrangements in determining who should perform youth liaison duties meant that no-one was sure exactly how many there are, much less how much time is allocated for these tasks. The time dedicated for them to work on proactive policing programs very much depended on their other duties. A survey of the youth liaison officers at the 1996 forum found that 61% were given less than one shift a week to perform youth liaison functions, and almost all had never completed any accredited training.<sup>27</sup>

In recent months, the unit responsible for the Police Service's youth officer policy initiatives has persuaded the NSW police executive to extend the GDYO charter to confirm youth liaison officers' role in:

- supporting the Service's youth policy statement;
- promoting programs which divert young people from the juvenile justice system, particularly with the introduction of cautioning and conferencing schemes under the *Young Offenders Act 1997*, due to begin in April 1998;
- developing youth specific programs in their patrols;
- training their colleagues to interact effectively with young people;
- representing the Service at community forums; and
- promoting interagency co-operation and youth consultation.<sup>28</sup>

In addition to clarifying youth officers' responsibilities, the positions have been recognised and upgraded. The Service's 80 local area commands have each selected and appointed full-time youth officers, a dramatic shift from the

former ad hoc arrangements whereby a handful of patrols have full-time youth officers while other areas with similar problems relied primarily on officers volunteering to perform proactive youth policing functions in their own time.

The Police Service, in conjunction with the Department of Education and Training, the Department of Juvenile Justice and the NSW Office of the Ombudsman, has developed an accredited training program for its youth liaison officers, creating the potential for another leap forward. The first youth officer course begins in February 1998 with pre-reading and work-oriented assignments, and will include a five-day residential school, a work-based research project, and a final assessment before a panel of educators, police and youth policy advocates.

### Factors that limit the effectiveness of youth liaison officers

Implicit in many of these youth policy initiatives is recognition of the need to address a number of underlying impediments which limit the ability of youth officers to achieve their program objectives. For instance, the changes to selection and training are clearly intended to address past deficiencies in the experience and expertise of youth liaison officers.

Much still depends on the willingness of senior personnel to commit resources to supporting the youth policing concept and incorporating it into operational policing practices. The push from within the Police Service for dedicated resources for youth policing initiatives has both practical and symbolic implications: practical in that these initiatives require staff with the time and talent to implement them; and symbolic in that they demonstrate the Police Commissioner's commitment to community policing is more than mere lip service.

Other structural impediments will be more difficult to overcome. For instance the Youth Justice Coalition's *Kids In Justice* report highlighted an inherent contradiction between youth officers' proactive role in liaising with young people and the surveillance and intelligence activities associated with their traditional policing role.<sup>29</sup> On one hand, youth officers purport to assist young people, while on other they can use their influence to pressure community committees for information and intelligence on youth crime. Young people are justifiably cautious about the agendas of police-community consultative committees whose:

... membership is largely representative of other bodies: neighbourhood watch committees, local business interests, adult community groups, and the churches. Young people are more likely to be seen as the problem or the subject of the committee's attention, rather than as an appropriate constituent of it.<sup>30</sup>

In addition to specific instances of pressure for police to respond to dominant community interests, the Wood Royal Commission listed broader political, media and community pressure on police to respond to 'community' concerns as one of the factors encouraging police to cut corners and engage in 'process' corruption:

... police are regularly confronted with law and order campaigns calling for an aggressive and result-oriented style of policing that does not cater for due process, and favors both rough justice and the fabrication of evidence.<sup>31</sup>

With formal police-community consultation mechanisms dominated by local police and community elites (each pressuring the other for cooperation), and with socially marginalised young people shut out of influential community institutions, young people can frequently find them-

selves at the wrong end of these result-oriented policing initiatives.

### 'Real policing'

This may go some way to explaining the persistent appeal of reactive, random patrol policing and its predominance over other concepts of policing. Blagg and Wilkie say the prevailing police hierarchy accords little importance to the status of youth liaison officers or so-called 'Kiddie Cops':

... operatives in [community policing] areas are looked down on as the 'Teeny Sweeney', 'Care Bear Squad', 'Plastic Policemen', 'Hobby Bobby', etc, by their peers on the 'front line'. Anecdotal evidence from our consultations suggests that Aboriginal and Youth Affairs, for example, are considered to be of a lesser status within the 'canteen culture' of the police and, where they exist, youth liaison officers are seen as 'Kiddie Cops'. A particular contempt seems to be reserved ... for those who take on a race or ethnic affairs portfolio or liaison with gay communities.<sup>32</sup>

The distinction drawn between community policing and 'real' policing, is a recurrent theme of laments about the subordinate status of community policing initiatives. While such attitudes and perceptions prevail, the Police Service's pronouncements on the importance of problem solving at the patrol level, promoting greater community participation, increasing community-based policing skills and providing support for community police — all key elements of its community-based policing strategies<sup>33</sup> — must be viewed with some suspicion. The tokenism evident in past approaches to community liaison has undermined its potential, particularly where ethnic community liaison officers were used as interpreters or Aboriginal liaison officers were used to pressure Aboriginal communities for information on potential offenders.

Similarly, the popular use of jocular but pejorative terms such as 'Kiddie Cops' and 'Care Bears' undervalues and subverts the role of youth liaison officers. This contrasts with positive descriptions of reactive, random patrol policing as 'real' police work, exaggerating the importance of reactive policing.

### Mandating a role for police with an interest in youth issues

These semiotic differences highlight significant divisions between various factions *within* the Police Service in respect of the importance accorded to youth liaison officers. This adds weight to the approach taken by Chan and others who emphasise the need to understand that the so-called 'police culture' actually consists of a complex mix of dynamic sub-cultures, and is not a monoculture.

The value of a Chan-style approach to police occupational norms and values is in understanding divisions within the Police Service's occupational culture and identifying opportunities to shift culture and practices. Dixon's analysis of changes brought about in Britain by the *Police and Criminal Evidence Act (PACE)* provides a practical illustration. He argues that by promoting the legally regulated roles and responsibilities of custody managers, PACE neatly exploited pre-existing divisions between uniformed police and detectives, bringing about fundamental changes in custody and management practices.<sup>34</sup> Dixon concedes that PACE has failed to address many deficiencies in police detention and custody management practices, but at least some important opportunities for abuse — such as the inappropriate use of 'holding' charges — have been all but extinguished by a

combination of appropriate regulation and a sophisticated understanding of the relevant aspect of police culture.

Similarly, the NSW Police Service's current youth initiatives have practical implications with respect to broader organisational attitudes to youth policing. Much of the initial groundwork to enable specialist youth police trying to encourage their peers to adopt a less critical view of young people, has already been done. The Police Service has a youth policy and action plan, policy officers to guide and coordinate implementation of the plan, and a senior working party to oversee the process. For the first time, a small number of officers with an interest in youth issues have been selected for full-time, specialist youth policing duties. For the first time, they will be supported with appropriate training.

These changes will replace existing ad hoc administrative arrangements in local areas whereby most youth liaison officers spend a fraction of their time performing youth liaison duties. At the moment, general duties usually assume priority, even in patrols with high profile problems in police-youth relations. The lack of resources has long undermined the effectiveness of youth officers by restricting the time they can devote to implementing practical steps under the Service's action plan, and by failing to give them the training required to support their colleagues with innovative ideas on how better to address the needs of young people. Moreover, by allocating so little time to youth liaison work, the Police Service was sending a potent signal to its personnel that this kind of policing is of secondary importance.

Chan's analysis indicates that cultural changes require concurrent and complementary shifts in both the 'field' and 'habitus' that youth liaison officers are working within. Some movements in the field will be difficult for the Police Service to influence, notably media-driven 'law and order' initiatives such the preventative apprehension powers of the *Children (Protection and Parental Responsibility) Act 1997*, which has the clear potential to further empower sections of the police rank and file who see reactive street policing as being of greater importance than cooperative approaches with young people. Other movements should be within the Police Service's control, notably defining and regulating the youth liaison positions in ways that ensure that full-time youth liaison work is not eroded by the likelihood that at least some local area commanders will use their specialist youth officers to fill gaps on their general duties rosters every time there is an absence elsewhere in the patrol.

There are also movements in the 'field' which may complement and add impetus to the Police Service's efforts to use specialist youth officers to spearhead changes in the way police generally deal with young people, notably the introduction of the *Young Offenders Act 1997*. The Act is intended to broaden juvenile justice diversion measures by introducing youth conferencing across NSW and extending the use of cautions for young offenders. Of particular interest is the provision under s.38 of the Act to mandate a role for 'specialist youth officers' who will have legislative responsibility for screening juvenile cases to determine whether a conference should be held, whether to refer an offender for cautioning, or whether to initiate steps for the case to proceed to a charge.

This need for police officers with specialist expertise in youth conferencing seems to have persuaded the Police Service hierarchy to match its stated commitment to community policing, with properly resourced and trained youth officers in all local area commands. In addition, Dixon's

description of the changed role of the custody manager under the PACE legislation shows that supporting specialist positions with appropriate regulation can significantly shift the 'habitus' of particular policing practices. By giving police officers with a specialist interest in youth issues the legislative power and responsibility to influence 'real' policing, there is the potential for them to play a more constructive role in the patrol generally.

There is, of course, the possibility that conferencing will dominate the work of specialist youth officers, thereby limiting their potential to influence peers through other proactive policing initiatives. Much of the time-consuming work in convening youth conferences will be the responsibility of Department of Juvenile Justice conference administrators. Importantly, police participation in the conference could become the responsibility of the arresting officers, exposing the proponents of 'real' policing to alternative ways of dealing with young offenders. O'Connell, who had advocated conferences be run by police rather than the DJJ, is optimistic about the potential of conferencing to influence police attitudes. He argues the concept provides a constructive opportunity for participating police to form a different and less critical view of young people:

Conferences offer police the opportunity for positive participation in the resolution of community crime, an opportunity currently missing from most police interventions.<sup>35</sup>

Elsewhere, O'Connell and Moore argue:

The family conference allows police to play a much more constructive role ... and encourages them to think more carefully about the purpose of their work. The scheme should ... delight those critics who would like police to change the way they deal with young people.<sup>36</sup>

In his enthusiasm for the concept of conferencing (however 'conferencing' is defined), O'Connell seems to be overstating the potential capacity of this single aspect of the juvenile justice system to redress a multitude of deep-seated problems in police-youth relations. As Sarre concluded in his assessment of the state of community-based policing in Australia:

Asking police to become problem-solvers and expecting them to be constantly engaged in widespread community consultation involves a fundamental challenge to police leadership and police culture. Given the current culture, reward structure and community expectations, translating rhetoric into reality has proven to be a formidable task.<sup>37</sup>

It will remain a formidable task, even if the Police Service leadership gives its full support to specialist youth officers and even if diversionary measures such as youth conferencing succeed in better meeting the special needs of young people. The many other tensions inherent in police interactions with young people will require a range of sophisticated responses. Carefully selected and appropriately trained specialist youth officers will be well placed to provide the leadership required to steer their colleagues towards at least some of those solutions.

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