'Boys, you wanna give me some action?'*

Interventions into Policing of Racialised Communities in Melbourne

A Report of the 2009/10 Racism Project *A police officer in conversation with an African young person, 2009

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1. Executive Summary

This report examines African young people's experiences of policing practices across three regions of Melbourne: the City of Greater Dandenong, Flemington and Braybrook. The report particularly examines African young people's experience of 'community policing' activities in these areas.

Policing has been consistently identified as one of the biggest issues confronting African young people across Australia. Despite this fact, this report highlights a vast gap between what African young people have to say about these issues and public discourse about these issues.

This report brings to the fore the stories and analyses of African young people whose lives are heavily affected by policing.

Policing renders visible broader social tensions to do with race and poverty. As such, an examination of policing can help us understand the nature of complex, broader issues.

We hope that our research and this report will lead to an increased understanding of the issues these young people face. In particular, we hope it builds community responsiveness and activates community sector support of young people from CALD backgrounds. We hope that these young people will be supported to take their analysis, views and ideas into various policy arenas, to ensure their voices are heard and real change results in their lives. We want to see the prison industrial complex — the courts, police and prisons — becoming more responsive to marginalised communities. Ultimately though, we would like to see CALD young people experience less interaction with these institutions.

1.1 Key Findings

African young people are over-policed in the regions of the study. This over-policing is racialised.

Police enforce particular notions of acceptable usage of public space. This results in police-youth conflict.

Routine police harassment of African young people as well as police violence is either under-reported to the relevant oversight bodies, or these bodies are not adequately investigating these incidents, or both. The lack of an effective oversight body amounts to African young people (and probably other groups as well) being structurally excluded from justice.

Despite generally having a good understanding of their formal rights, for the most part young people cannot assert these rights — in fact asserting them often results in police hostility and aggression.

Our findings with regard to community policing are as follows:

Community policing activities do not necessarily result in police being more responsive to marginal communities' concerns.

Fostering closer relationships between young people and police can ultimately be damaging for young people. Police can use these relationships for intelligence gathering, which can lead to criminal proceedings; and to pursue policy objectives, such as advocating for particular 'solutions' to conflict over others.

Where the community sector and young people became involved in community policing activities, the need to push for young people's actual entitlements (for example to freely use public space) is shifted off the agenda.

Rather than being contradictory, concurrent community policing and over-policing practices are in effect different tactics to exercise police authority to the same ends.

There is very little evidence that community policing ameliorates the commonly identified negative impacts of traditional over-policing practices. Community policing contributes to over-policing by adding an *additional* layer of police presence and surveillance.

Furthermore, African young people experience intensified policing in this fashion *because they are African*.

1.2 Recommendations for policy bodies and community and welfare organisations:

We acknowledge that community policing projects have emerged, in part, from the hard work and commitment of community organisations and individuals seeking to positively intervene in negative relations between African young people and the police.

We wish to support existing efforts and encourage continued engagement in these issues, but urge policy bodies and community organisations to consider the following recommendations. While this report considers the experiences of African young people, these recommendations may be relevant to other communities similarly impacted by policing.

We recommend that:

Any responses to community-police relations by community networks, welfare organisations or policy bodies are led by, and designed in collaboration with, those most heavily affected by policing — Indigenous people, young people, migrants, ethnic minorities, homeless people, those experiencing mental illness, GBLTI communities and others.

People's negative experiences of policing be publicly acknowledged by the community sector, and that the sector offers support to those people being negatively affected by policing. This could take the form of:

* Documentation of all police activities[1] — particularly misconduct — and where appropriate supporting people to pursue legal recourse either through the police complaints bodies (Ethical Standards Department, Office of Police Integrity); through the Victorian Equal Opportunity and Human Rights Commission or Australian Human Rights Commission; or through civil litigation of police.[2]

* Working in collaboration with the affected community to generate positive alternative solutions to the structural issues that generate the conflict, for example publicly campaigning for young people's entitlement to use public space; campaigning for the redistribution of resources into community-led initiatives that reduce violence and feelings of insecurity; advocating for adequate funding of community arts projects and other community projects.

* Pursuing options for meaningful, localised community input into local police practices.

We further recommend that:

Other options for intervening in negative community-police relations are carefully canvassed instead of, or in conjunction with involvement in community policing activities like those described in this report. Clear objectives and guidelines for any joint community-police activities should be set before community organisations facilitate further contact between young people and police. These objectives and guidelines could include:

* Organisations facilitating the activities take care not to expose young people to more contact with police, where that contact is likely to be detrimental to their wellbeing.

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[1] This is important, as not all problematic policing practices are illegal or classified as misconduct. For example consider the indiscriminate searches conducted by police under the new powers ascribed to Victorian Police by the Summary Offences and Control of Weapons Acts Amendment Bill 2009.

[2] Any decision to take formal legal proceedings of any sort against police should be made with legal support, paying particular attention to potential police backlash against individuals.

* That the programs explicitly include in their aims the objective of improving local police responsiveness to marginalised people's concerns, expectations and demands.

* That appropriate mechanisms are created to give the young people involved in community policing activities formal and meaningful control over their own involvement, police involvement and the direction of the program.

* That young people are at all times appropriately supported when dealing with police so as to be able to articulate their experiences and demands.

* That young people are able to determine when and where community policing activities occur.

* That police are not given the power of veto over who participates in community policing activities.

* That police make formal undertakings not to use information gained via community policing activities in criminal investigations. If they refuse to give this undertaking, the police should commit to giving formal notice to involved organisations and individuals, when they intend to use intelligence gathered in the course of community policing activities.

Finally, we recommend that:

* Policy bodies and the community sector undertake more research, which seeks to examine relationships between police and racialised communities. This should include new arrivals under the refugee program, and other minority groups such as the Pacific Islander community.

* That the multicultural lobby and relevant policy bodies work to significantly widen the scope of what are considered 'legitimate' responses to policing issues.

* That policy bodies support calls for greater police accountability, and actively support grassroots initiatives that seek to intervene in police-community relations.

2. Introduction

This report examines the tensions between African young people and the police across three regions of Melbourne: Braybrook, Flemington and The City of Greater Dandenong. We then go on to examine the effect of the 'community policing' agenda on these tensions.

This report is one outcome of work conducted over the course of 2009/10 as part of the 'Racism Project' (the project). Springvale Monash Legal Service, Fitzroy Legal Service and the Western Suburbs Legal Service jointly managed the project, which was funded by the Legal Services Board.

As part of the project the three legal services undertook to conduct research into 'racism in the community', with a view to strengthening anti-racist and pro-diversity initiatives in Melbourne. To this end the authors conducted a review of existing relevant literature, as well as identifying current trends in anti-racist and multicultural research, policy, community development and activist activity. The three legal centres used this review to identify a need for original research into the topic of African young people's experience of police, and community policing initiatives.

In recent years the African community has suffered intense public scrutiny as media reports have seized upon government, police and public conservative figures' comments about their 'failure to integrate'. Even sympathetic public discourse has tended to reproduce these terms, emphasising successful cases of 'integration' into the 'mainstream'.[3] The construction of racialised 'outsiders' as separate to, and against, a sovereign white 'mainstream' is an established political dynamic in Australia. The power of this notion is evident in the familiarity of other racialised 'problem groups' such as Asian 'gangs', Asylum Seekers, Middle Eastern men on Sydney's eastern beaches, International Students, and perhaps most revealingly Indigenous people.[4]

The murder of Sudanese teenager Liep Gony in Noble Park in September 2007 intensified debate around settlement issues in Victoria; policing, crime and community safety were at the centre of these debates. In response to these debates a plethora of police-related initiatives have emerged across Melbourne, designed to provide cultural awareness training for police, and to create increased opportunities for dialogue between young people and the police.

There has been very little interrogation of what effect these programs are having on affected communities; particularly lacking is research that draws on the experience of those who are policed.

Policing is consistently identified as one of the biggest issues confronting African young people in Australia more generally.[5] In this report we will see that, in fact, policing practices render visible social divisions to do with race and poverty. Therefore, to take action around policing issues necessitates taking action around these broader issues.

There is a long history of ethnic and other minorities experiencing conflict with Victorian Police (hereafter 'VicPol').[6] This is still the case with ongoing significant conflict experienced by a range of groups, notably the Victorian Aboriginal community.[7] The experiences of African young people may provide some insight into the contemporary dynamics and experiences of other groups disproportionately affected by policing. The specific experiences of African young people however are not necessarily generalisable to other minority communities. There are both points of particular distinction, and commonality, which require elaboration.

3 The discussion on SBS TV's *Insight* program about Sudanese settlement issues in 2007 provides an example of how liberal public discourse fails to challenge the racialised construction of white sovereignty.
4 Ho, C. and Dreher, T. 2006; Giannacopoulos, M. 2006; McCulloch, J. et al. 2007; White R. et al. 1999.
5 Victorian Equal Opportunity and Human Rights Commission. 2008, pp. 30-38; Duff, A. 2006; Hopkins, T. 2007; Campbell, D. and Roberta, J. 2007; Wyndham Humanitarian Network Sudanese Sub-Committee 2008.
6 Federation of Community Legal Centres Police Issues Group 1991; White, R. et al 1999 p. 2.
7 Victoria Police 2008; Cunneen, C. 2001.

This report is aimed at community networks, organisations, workers and activists who want to support and collaborate with people most affected by policing, to generate positive interventions into their experience of policing. Like the young people we met and interviewed, those people most affected by policing will come to their own conclusions about their own experiences and will continue to take action. We hope that those who want to work with them seek out possibilities for action based upon support for the positive visions people hold for their own communities. Furthermore, it is our hope that these workers refuse to accept the limitations for action imposed by the status-quo practice of the sector or outside bodies, including seeking out ways for circumventing the conservatising effect of funding pressures.

3. Methodology

Drawing on relevant literature and, especially, on young people's accounts, this research sought to generate a picture of relations between African young people and the police across the three regions of Melbourne already outlined.

We also sought to examine instances of 'community policing', which have been designed to intervene in police-youth relations in the three regions.

In drawing on the experiences African young people and experienced community workers, we asked:

• What are African young people's experience of policing?
• What are African young people's understandings of the role and nature of that policing?
• How do community workers understand the role and nature of the policing of African young people?
• What do African young people and community workers understand as the source of conflict between young people and police?
• What outcomes are community workers, African young people, and police seeking via their involvement in community policing activities?
• What are some of the effects of involvement in community policing activities on the part of both African young people and the police?

We adopted a qualitative research method, using semi-formal interviews, focus groups, observational notes and documentation — both official and informal, such as policy documents and correspondence — as a basis for our analysis.

The regions were selected for four interrelated reasons: because of their relatively high African migrant populations; because of the reported presence of high levels of conflict between African young people and VicPol; because they represent different regions of Melbourne (gentrified inner-city, suburban west and south-eastern); and because of the presence of community policing activities in these regions. It is likely that the dynamics outlined in this report are present in other regions and between other 'ethnic' groups and the police, however more research is needed to establish the general applicability of these findings.

In total, we formally interviewed eight community workers, thirty young people, and one police officer from across the three regions. Informally we listened to, participated in activities with, and spoke to many more people working and living in these communities.

In this report we use the term 'African young people' to describe young people living in Melbourne who identify as being of African descent. We did not collect specific data regarding interviewees' ethnicity, but many identified as Somali or Sudanese. Many had either been born in Australia or had spent the majority of their lives here, including being educated in the Australian school system. In using the term 'African young people' we do not intend to simplify how these young people identify themselves. Many of our respondents also identified in some ways with 'Australianness', and we do not mean to imply that their difference excludes them from the category of 'Australian'. We particularly wish to emphasise that these young people should be entitled to the same treatment and opportunities as others, regardless of how they identify.

Through pre-existing work and friendship networks we were able to access the initial 'key informants' for this study, who then put us into contact with others whose experiences were relevant to the study (the 'snowball technique').

Some of the community workers we interviewed and spoke to identified as African; for some the distinction between 'worker' and 'young person' was blurred. Of the young people interviewed, most were young men (aged 15–25 yrs, apart from one young man who was 27). We also interviewed three young women (also aged 15–25 yrs).

Almost all the young people we interviewed have had a negative experience of policing, ranging from harassment and openly racist comments to serious assaults requiring hospitalisation. A number have been incarcerated for short

periods in police cells, and one interviewee has been incarcerated for a longer period in prison. Of those incarcerated, their charges typically involved police-related offences: resisting arrest, using obscene language, and assaulting police. This combination of charges is so commonly used by police to assert authority over young people that it has nicknames across Australia: "the 'holy trinity' in Western Australia, the 'trifecta' in New South Wales, 'ham, cheese and tomato' in Queensland."[8]

In order to maintain confidentiality and to present stories in ways that are non-identifiable, therefore minimising the risk of reprisals, we have assigned 'participant numbers' to all interviewees, and this is how their stories are presented in the report.

This report brings to the fore African young people's voices, experiences and analyses.

The difference between the stories we listened to, and public discourse about these issues, is vast. The scarcity of young people's own accounts in the public realm is certainly not due to young people's unwillingness or inability to articulate their own experiences. The strength and depth of analysis we consistently encountered suggests that these voices are being actively excluded because of their politically unpalatable perspectives. It seems that policy processes and bodies only 'listen to' voices that reinforce sanctioned understandings of the issues and accepted possibilities for action and reform.

There are a range of general ethical considerations that have informed our work[9] as well as some specific concerns including: the importance of ensuring anonymity, particularly in the context of workers' and young people's fears regarding police retaliation; and the complexities of gaining meaningful informed consent from young people. Along with these considerations, we have attempted to remain open-minded and reflexive about the form and content of our current and future work, including interrogating our own assumptions, as well as the effects of institutional and funding pressures.

We have wrestled with the ways in which power relationships weave themselves into the fabric of these kinds of projects.[10] Cynicism and defensiveness about the notion of 'research' and 'consultation', on the part of the young people we spoke with, was palpable. Like other communities in Australia, comparably targeted by police and the welfare state[11], the majority of the participants in this study where chronically 'over-consulted': they had been a part of an endless array of community sector, government, council, youth worker and social worker forums, consultations, policy processes, programs and studies.

We have asked ourselves the question: whose interests do these processes ultimately serve? Who assumes the power to represent others' experiences and to what end? Whose assumptions determine how this experience is 'best' understood? Who has the power to allocate resources to these kinds of projects in the first place?

We are attempting to creating an opportunity for young people's own analysis of their experience of policing — and what would constitute an effective response — to emerge into the wider debate.

While we have been aware of the power disparities at play, and have endeavoured to accurately represent the findings of our research, it must be acknowledged that our position as researchers and community workers has meant we still held the power to both define the project and bring our interpretations of the research into the public realm.

We hope this project has laid the foundations for more genuinely collaborative work in the future, on terms negotiated from a basis of solidarity and shared political commitments.

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[8] Blagg, H. and Wilkie, M. 1997, p. 134.
[9] Our research adheres to the standards outlined in the National Health and Medical Research Council's 2009 National Statement on Ethical Conduct.
[10] We have drawn on other work in this area. See for example: Pickering, S. 2001, p. 491; and Lea, T. 2008, p.xvii.
[11] Lea, T. 2008, p. 16; Peel, M. 2003, p. 27.

4. Conflict, public space and difference: African young people's relations with the police

Introduction

Criminologist Rob White has usefully summarised the kinds of police activity that young people perceive as leading to conflict between themselves and the police. These are: unnecessary police intervention; experience of verbal intimidation and threats of violence; experience of physical violence as a 'normal' part of contact with police; experience of direct and indirect discrimination; and under-policing in cases of youth victimisation.[12] Police perceptions of the cause of tensions between young people and police have been well documented and include: a perception of lack of respect by young people for the law and law officials; experiencing lack of cooperation by some young people; concern with the poor attitudes and demeanor of some young people; and experience of verbal and physical violence directed at police by young people.[13] In short, young people perceive that they are being targeted and harassed while police perceive that young people defy their authority. White and others have observed that conflict over young people's access to the public realm is at the core of police/youth conflict in modern society.[14] This research supports the notion that these tensions arise out of this fundamental contest over young people's access to resources and use of public space.

The young people we spoke with over the course of this research described contact with the police as forming a regular and mostly unwelcome part of their daily lives. They reported experiencing: the overuse of stop and search powers, police engaging in excessive questioning and, in some cases, extra-legal police violence. Young people consistently reported that they felt the police unnecessarily interfered in their lives.

Furthermore, the young people we spoke with were well aware that their experiences of policing differ significantly to other young people more privileged than themselves. Police are the primary means by which the state limits our civil and political human rights — most actions police take against a person will affect a person's freedom.[15] The young people we interviewed had a keen sense of the unfairness of the disproportionate police presence in their lives, expressing considerable resentment and anger.

What our research also reinforced was that violence, threats and intimidation are not one off incidents but are routine aspects of street policing where particular groups of young people are concerned.[16] Almost all the young people we interviewed reported police engaging in racist name calling, taunts and telling young people things like: 'go back to your own country' and that they 'are the problem in this country'.

In short, over-policing is a central feature of the young interviewee's lives. We will now turn to its more specific manifestations: conflict over public space; representations of African young people as outsiders and intruders; and experiences of extra-legal police violence.

4.1 Young people in public space

Our research suggests that for many police the presence of young people, particularly in groups, in public space is a problem *whether or not* those young people are participating in illegal or 'antisocial' behaviour.

Entitlement to the enjoyment of public space is a significant source of conflict between African young people and the police. This conflict often takes the form of young people individually or in groups asserting their legitimate

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[12] White, R. 1997.
[13] White, R. 1997.
[14] Blagg H. and Wilkie M. p. 134; White R. 1997.
[15] Hopkins T. 2007.
[16] Blagg H. and Wilkie M. p. 134.

occupation of public space in response to police attempts to delegitimise their presence — explicitly, by actively attempting to move people on, or by implying criminality through scrutiny, attention and questioning.

In and of itself young people's assertion of their right to occupy public space is a challenge to police authority – conflict over public space is thus expressed as conflict between young people and the police. The assertion of legitimacy often leads to an escalation of police aggression. As young people put it, things get 'out of control' because police officers' perceive they are 'being smart'.

For many disadvantaged communities the distinction between public and private space is blurred. For example young people living in the public housing high-rise towers in Flemington report being subject to police interventions in their homes. As one young person described:

> Culturally we tend to hang around in big numbers and not only culturally, because for me it really makes sense that I can hang around with my friends if I live on top of them. I can't invite them to my house, but if I come downstairs, we can really see each other. We saw the flats as our own backyards honestly because we don't have backyards, so coming downstairs, coming together, it was all fun, it was all good, until police started coming around and saying: 'What are you guys up to? What are you doing?' We were like: 'We're not really doing anything other than standing around.' Some of the police didn't like the idea of talking back to them, so suddenly we became… the police told us we were hostile.[17]

4.1.1 'The guest mentality': how are African young people represented and perceived?

We have seen that African young people are treated as a 'threat' in public spaces and are subject to exclusionary practices. Here, we want to introduce the complex relationship between how young people are treated in street level encounters with the police, and the representation of these issues in the public realm. There is a relationship between police actions and 'law and order' debates. 'Tough on crime' police practices are mandated by these debates and lead to real life consequences for African young people.

It seems young African people are perceived as 'foreign intruders' and white police officers as 'locals'.[18] This ignores the simple fact that the majority of young people we spoke with identified as Australian as much as African and most had either been born here or come to Australia at a young age.

One insightful project participant described the response of the mainstream media and the police to racialised communities as the perpetuation of a 'guest mentality':

> They're not looking at the picture as you being a part of society, but rather you are a guest who is allowed to come here and live here and be obedient … so when your guests behave badly, surely you don't buy it. Who the hell are you? That kind of 'guest mentality' seem to be happening within some sectors of society, particularly the police, particularly some media.[19]

Why is it that criminality is assigned to young, black people in public space? In her discussion of the newspaper reporting of the 2005 Cronulla riots in NSW, Maria Giannacopoulos describes the role that the media plays in the construction of racialised communities as foreign, or 'not local'. We quote from this research at length, as it helps us understand the situation facing African young people:

> The *Sydney Morning Herald* reported the battle for Cronulla beach as being between the 'mobs of youths chanting racist slogans and carrying Australian flags' who attacked the 'youths of Middle Eastern appearance' (*SMH* 11/12/05). Further reporting informed that 'a group later made its way back to Cronulla for a retaliatory strike, where men of Middle Eastern appearance are reported to have bashed a local man unconscious' (*SMH* 11/12/05). This particular representation does not burden white youths with *ethnic* descriptors. In sharp and deliberate opposition 'Middle Eastern' is properly capitalised as it is deployed to *give ethnicity* to the non-belonging youths. This framing of the battle for Cronulla beach continues the work of disavowing the connection between whiteness and violence even as the local youths are reported as being violent. The opposition set up in the reporting between

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[17] Participant 15
[18] Giannacopoulos M. 2006.
[19] Participant 11

the 'men of Middle Eastern appearance' who bashed the 'local man unconscious' repeats the familiar yet unspoken: the impossibility for youths *with ethnicity* to be local. This in turn creates the so-called locals as the un-raced, rightful owners of Cronulla beach.[20]

Our point is this: the prevalence of this construction of 'local' / 'ethnic outsider' in Australian discourse, in conjunction with evocative and misleading media imagery[21], focuses public paranoia on African young people congregating in parks, outside shops, on the streets, and, as we have seen, even the outside areas of their own homes.

In turn, the actions of police are legitimised; they are able to feel as though they are acting on behalf of 'the community' and against the 'outsiders'. The construction of a racialised 'other' implies a mainstream 'community', one that is characterised by the "predjudices of white, middle-class, Australian society".[22]

Youth workers and young people themselves are acutely aware of just how powerful this racialised perception of 'community' and 'outsiders' is. It is clear that the young people we interviewed do not fit in to the definition of 'the community' to whose concerns the police respond. One youth worker described how this feeds a broader fear of African young people:

> People ... feel fundamentally unsafe because this group of young people [is] on the street, whether or not those young people are behaving in an anti-social way, just simply by being present, there are people I suppose who feel threatened by that. It is clear that those young people are not included in that definition in the community to whom the police are responding.[23]

There was consensus among the young people and community workers we interviewed that this construction of African young people as threatening 'outsiders' not only demonises them but also renders invisible their vulnerability and relative lack of power. One worker describes:

> If a person feels intimidated by a group of young people, then they sort of imagine that those young people have power that they really don't have, that sort of vulnerability that they have, is ... not really recognised and the sort of struggles that they are dealing with — just in life in general, are not widely recognised and so it is much easier for the broader public to feel somehow that they are threatening and that they should be controlled more, rather than given more freedom, or given freedom.[24]

4.2 What do African young people experience?

4.2.1 General harassment

Young people across the three regions reported being regularly stopped and questioned in public by the police; being asked to move on; and being asked for their name and address without police providing a reason. Almost all of the young people we spoke with reported the experience of being stopped and questioned and/or being directed to move on by police *several times in the same day*. Some of our young respondents understood these over-policing practices to be primarily concerned with the assertion of police authority. This assertion often involved the young people being humiliated. One of the young people we spoke with described their experience of harassment in this way:

> I see the problem starting as... they're just targeting people... they wanna prove their dominance over the youth, you know, so that when they grow up they won't act up and stuff. So they try and come around and show who's the boss.[25]

Another participant asked:

> Why do I need to get asked three or four times a day for my ID because I'm walking down the footpath?[26]

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[20] Giannacopoulos M. 2006.

[21] In 2009, in response to a complaint from the Sudanese community, the Australian Communications and Media Authority censured channels Ten, Nine and Seven for blaming Sudanese young people for perpetrating violent offences and wrongly implying they were 'prone to crime'. *The Age*, December 1, 2009.

[22] Findlay, M. 2002, p. 117.

[23] Participant 8

[24] Participant 8

[25] Participant 4

[26] Participant 5

Another participant described police using arrest powers to compel him to 'have a word' with them:

> A couple of times I got picked up off the street, the police told me I was under arrest, took me to the station, and I just found out that they just wanted to talk to me, I wasn't under arrest…. they just wanted to tell me, 'get your boys to behave themselves' and I'm like 'my boys? This is my friends. We're only like 17, 18 years old, how are they my boys?' The police were like 'we know that you're the gang leader', so suddenly I'm the leader of a gang. And everything just started to get out of control. You know, even when I'm walking down the street they call out [my name] and then I'll look, and then they'll take a picture of me.[27]

One youth worker described a particular scenario that occurred in the neighbourhood in which she works. Over two weekends police came down to a location known to be a hang-out spot for predominantly African young people. The police arrived on horseback, with cameras, asking young people for ID and wanting to take photos to 'update their files around the young people living in the area'. The youth worker describes being asked to assist in helping the young people to understand the need for this police action and her reaction:

> I did have to say to the police officers, 'Hang on, I have two teenage children, blonde, white, blue eyes… they never, never get asked for ID walking down the footpath. Never. So don't tell me that it's a general population approach to what's going on in the neighbourhood, cos it isn't really'. … They're updating their information so that when they get CCTV footage … they've got something up-to-date to compare it with. Which from a police perspective kind of makes sense. But for a young person it's not that appropriate, to have a horse in your face.[28]

In this instance, despite the concerns of the worker, the young people who attempted to resist police harassment were threatened with further action. There seemed to be a police expectation that young people would accept this activity unquestioningly:

> You hear them say, 'Young people only have to tell us their name and then there is no problem.' What they don't recognise is simply that that very regular request for the name is a problem. They [the police] just see that as being very unproblematic.[29]

When the young people refused to cooperate with police demands, police did not hesitate to escalate their actions. The youth worker went on to say:

> The horses came down, they took the photos, and if the boys were saying, 'No, you can't take my photo.' The police were saying, 'That's fine, we'll just take you down to the police station and deal with it there, and I'll charge you for whatever.' … Of course then the kids go, 'Don't worry about it, just take my photo because I don't wanna go to the police station', because that's a whole other scary process to try and handle on your own.[30]

The effects of police harassment are varied and far-reaching for young people and their communities. Young people expressed concern about their own community's response to their contact with police. They were well aware that in many people's minds it is the simple fact of *contact* with the police, which assigns them criminality. One young person told us:

> It's just with the African community thinking you're a criminal or convict or something you know? That's why most kids don't want to give their names and then they don't want to even be seen with cops. Cos anybody can drive by any time and see you talking to the police, and they'll be like, 'Oh, yeah this guy's talking to the police, he must've done something.' Even if he didn't do anything, even if you're just saying, 'Hi, how you doing?'[31]

Young people are sometimes not believed or not supported by community members when they tell of police harassment:

> Oh, just like when you got out and tell your friends, like older people, like community leaders, they just don't believe you, they're like 'why would police do that?' He [young person] must've done something, and real bad. So yeah, they just don't believe ya.[32]

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[27] Participant 15
[28] Participant 5
[29] Participant 8
[30] Participant 5
[31] Participant 1
[32] Participant 6

Another young person agreed:

> The kids are not talking to their parents about it [...] it increases the parents' fear around what's going on, it's quite humiliating for the family to have to deal with the police lots of times.[33]

A refusal by a young person to provide a name and address in situations where the young person is not required to give these details often leads to conflict with police. Some police interpret a young person's refusal to assist them as a sign of a 'bad attitude' and an affront to their authority.[34] As one participant put it:

> That's where the problem starts, cos you start saying 'No' and then this whole thing starts off.[35]

Another interviewee explained in more detail:

> Sometimes they would come, ask us what's our names and everything. So you know, I don't wanna give them my name. … I'm like 'you gotta give respect you know, to get it back'. Respect's not gonna come outta nowhere. So he just gets all angry and one time he arrested me for that.[36]

The disconnect between what young people understand as their rights and their lived experiences of dealing with police leads to a general distrust of police motivation. One youth worker explained:

> Young people have a very pervasive sense of distrust [of] the police and a very strong feeling that they could get into big trouble even if they haven't done anything wrong — and so when they are asked their name they are very wary about that, they feel very unsafe about giving away their personal details, because they don't feel that their rights are being protected … it is partly to do with the sense of insecurity about whether they are safe from the police and … if they are going to somehow find themselves getting into trouble for something they have never done.[37]

However the need for young people to resist police intervention is tangible and immediate. One young person told us:

> I was described as a thorn in the community. The police didn't like me at all because I was talking back to them … I used to tell the police 'I have to be under arrest for you to take me to the station, other than that you can't really take me.' … While other boys were getting in the car and going with police and then the kid would come back and say, 'Oh my god, I just got bashed by the police'.[38]

It is crucial that community sector workers pay close attention to what they are being told about what is happening. It is also important that in developing responses, the sector acknowledges the underlying power imbalances that allow for the continuation of young people's harassment at the hands of police.

4.2.2 'Winding kids up': police incitement

One of the overwhelming conclusions of this research is that the impact on the whole community of this kind of day-to-day harassment and over-policing of young people should not be underestimated. Many of the young people and workers we interviewed felt that police approaches and behaviour were provocative and an effective way of evoking angry responses from young people. Participants acknowledged that young people aren't necessarily always doing the right thing, but that given their position of power, police behaviour was often perceived as an incitement. One community worker told us:

> From the police perspective, I think that there are issues with speaking in a way that makes a young person feel worthless, or unimportant. They're using words that do kind of rally up some kind of angry response from a young person. … I've been there when they've done it. I've seen it, I've heard them on the telephone because the boys ring me when it's happening and I know that they kind of tease a response out of these boys.[39]

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[33] Participant 5
[34] Hopkins, T. 2007.
[35] Participant 1
[36] Participant 4
[37] Participant 8
[38] Participant 15
[39] Participant 5

One worker we spoke with provided the following example. He described being called on the phone in the early hours of the morning by one of the young men he works with. The young man was in a group of his peers, being held on the footpath by a 'bunch of police'. The young people couldn't understand why they were being held and said the police weren't explaining why. The worker told us:

> I could hear that they were getting agitated with each other and then the police officer called this boy who was on the phone a name, and I said 'What's going on?' And he said, 'He's just called me a donkey in my own language.'[40]

Frustration with this kind of police behaviour emerged as a strong theme in the study. Research participants expressed the view that this kind of provocative police behaviour was intentional, not just a result of police having poor interpersonal skills. One youth worker expressed his frustration:

> If you're in a place of authority, you must be behaving appropriately. … But I'm not sure if that's in the job description of a police officer? … You know they talk about integrity and all of those things and yet they're out there winding kids up. And they're not all out there winding kids up, I've just got an issue with the ones that do. … I know police that look me in the eye and they can be so polite … and then you get them out on the street and they're like [to the young people] 'Oh what are ya gonna do now? Call [the youth worker]? Go on.' … It's so two-faced that I find it very hard to set up a positive thing for the kids … I can't go to them and say 'the police are trying to do their best' and set the kids up to walk straight into another mess.[41]

A young person described bumping into a police officer at the local McDonalds where the following exchange occurred:

> I asked him 'Hey [X] what are you doing?' He goes, 'Oh nothing, I'm feeling bored. … Boys you wanna give me some action?' You know, 'Commit a crime.' I'm like, 'Are you okay?' … 'Are you joking?' He goes, 'Nah.' He goes, 'Youse run, I'll chase you, we'll do the usual.' And he was joking around … I understood that, but like for a second there I thought 'oh this guy's dead serious', ya know, he wants something to go down today, they just do it for the thrill of it. They don't do it because they're doing their job, ya know, it has nothing to do with their job. For them it's just 'oh we're bored, let's go bash a coupla kids'.[42]

Another young person reported:

> Yeah, cops do try to intimidate you and try to get you pissed off, try to make you do something ya know so they could charge you but yeah, and they will bash you if they have to you know? Like they'll bash the crap out of you and if you throw a punch back you know you're gone, there's an assault of a police officer, ya know? Stuff like that.[43]

These stories provide clear examples of the types of police incitement commonly experienced by African young people in Melbourne. For these young people, the police presence in their lives was described as almost constant. Because of the authority the police hold, and the relative lack of power of young people, police feel empowered to intervene even when young people have provided them with no real reason to do so. Young people are aware that no matter where they are, or what they're doing, 'the usual' (see quote above) could occur at any time and they could suddenly find themselves having some very unpleasant or at least unwanted interactions with a police officer.

4.2.3 Police violence

Almost all participants in this project reported experiences of violence at the hands of police. Of those that hadn't, all knew of a friend or family member who had. We have seen that young people reported feeling unsupported or not believed by their own communities when it came to these experiences. However, the youth workers we spoke to strongly supported the young people's statements. One youth worker told us:

> It's clear that a number of young people out in [the region] have been beaten up by police — there has been quite some serious police brutality [sic], some of those

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[40] Participant 5
[41] Participant 5
[42] Participant 2
[43] Participant 2

situations seem to be on a particular young person who has got targeted and other situations have been where there have been a group of police who have come to fight a group of young people.[44]

Many assaults reported to us occurred in the course of normal police work, however both young people and workers made reports to project researchers of young people being assaulted by police *out of uniform*. One youth worker described an incident in which it is alleged that police returned to a particular locality after hours in singlets, out of uniforms, in order to fight a whole group of young people. The worker's interpretation of this incident was:

> "That seemed like a group frustration on the part of the police and a sort of a snapping and just laying aside their professional responsibility and indulging in their frustration."[45]

Young people described this same event. On a summer evening, a group of young men were hanging out in their local park. Police approached the group and told them to leave the park by a certain time. The young men told the police that they didn't intend leaving the park as it was still early, it was school holidays, and they wanted to keep hanging out. One of the police officers warned the group that the police would return again at the time they wanted the boys to leave. At the allotted time, two officers approached the group. Some of the young men decided to run away from the police. Others remained seated until they noticed one of the police officers running towards them, armed with his baton, at which time the rest of the group joined the others and ran across the park towards a group of civilians. The young men were following each other when someone in the group noticed one young man had been 'dropped' by one of the civilians. As it turns out the 'civilians' were actually police, all of whom were either completely out of uniform or had taken off their police shirts, and were wearing only white singlets. Upon realising this, the group started running in a different direction, however the out-of-uniform police had already grabbed and assaulted a 14-year-old boy.[46]

Another story related to us involved a group of 10–15 young people. After having eaten, the group was hanging outside their local shops. Two police officers in a patrol car arrived and got out of the car with pepper spray canisters in hand, telling the group to move on. The young men initially refused but after one of the police officers repeated the request several times one of the young men decided to cross the road and was followed by the rest of the group. Out of frustration at what they felt was unfair harassment, one of the young men in the group picked up a rock and threw it at a police officer, just missing his leg. A chase ensued, most of the young men got away, but one was grabbed by both of the police officers in an 'arresting motion'. After protesting his innocence, the police agreed and left him alone. The young person in question describes the same patrol car arriving at the same location later that night. Again, a group of young men were hanging around, and again a young person threw a rock, this time narrowly missing one of the officer's heads. This time, police chased and caught approximately 17 young men. The police called for backup and 10 police cars, carrying 15–20 police officers arrived. The young people were forced into a line and then on to their knees, with their hands behind their heads. Police then proceeded to hit individual's legs, kicking some to the floor, and punching some in the back of the head. All were threatened with further violence if they moved from their kneeling position. At the end of this ordeal, the police left without arresting anyone.[47]

Two young people we interviewed described their experiences of being picked up by police and the assaults that followed. In each of these situations, the young people described being 'forced' by police to go with them. This is despite the fact that in the case of Participant 6 it was unclear whether they were being arrested and on what charges. In the case of Participant 3 it was

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[44] Participant 8
[45] Participant 8
[46] Participants 1 and 2, Field Notes
[47] Participants 1 and 2, Field Notes

clear that they were *not* being arrested but that the police had the authority to insist the young person go with them. Participant 6 told us:

> They picked me up, they put me in the back of the car. Then they took me to [locality] and all beat the shit out of me, and they left me there.[48]

Participant 3 was abandoned far from home, at night, without any money:

> They kicked me on the ground, I thought I was gonna die or pass out ya know? Just after that, I thought they were taking me to the police station, [they] put me in the divvy van, they drove me all the way to back of [deserted locality]. Then they all bashed me, they chucked my wallet out. 'Come out you black cunt. Get out of divvy van', you know? They hit me straight away, aiming at my leg here with the torch. So I ran down you know, they just, they got in the car and they left ya know, they left me there.[49]

Some young people we talked with expressed their conviction that certain police officers hated them because of their race. They formed this opinion on the basis of their experiences of police name-calling and assaults. One young person said:

> Like um, on a number of occasions they have assaulted me and yeah, they use racism, like they're telling me, I'm a criminal, go back to your country and all that.[50]

One young participant expressed the view that police take advantage of young people's perceived lack of awareness about their formal rights: "I think they just hate black kids … they take advantage cos they think we're kids and we don't know our rights … [the police think] 'We're just gonna hit em'.[51]

The police violence experienced by these young people is extremely concerning. Our study found that experiences of police violence plays a huge role in undermining communities' faith in the role of the police to "contribute to a high quality of life for individuals in the community by ensuring a safe and secure society".[52] Rather than the police providing protection *for* their community, African young people feel they need some form of protection *from* the police.

4.3 Inadequate police complaints mechanisms

The inadequacy of existing police complaints mechanisms was a consistent theme of our interviews.

The Flemington and Kensington Community Legal Centre (FKCLC) has extensive experience of dealing with client complaints against the police. A FKCLC report notes that in Victoria, as in many places in the world, the state's mechanisms for handling complaints against the police do not inspire community confidence.[53] The Centre, as well as our research participants, has found that complaints to police oversight bodies — the majority in relation to police assault — are largely unsuccessful. While complainants and their families continue to report police misconduct to the Centre, many clients no longer want to make complaints.[54]

Reasons for this lack of confidence in the police complaints handling system include:

* Lack of faith in the complaint system;
* The fact that complaints will be investigated by police officers;
* Fear of physical retribution or increased harassment;
* To reduce the risk that 'cover charges' (see below) will be laid;
* That communities have come to expect police mistreatment and do not trust the system to uphold complaints that police are acting unlawfully;

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48 Participant 6
49 Participant 3
50 Participant 6
51 Participant 6
52 Victoria Police. 2009. *About Victoria Police*.
53 Hopkins, T. 2009.
54 Ibid.

* Lack of faith in any institutional commitment to do something about the police violence;
* Lack of legal support;
* The lack of independence between police and the complaint system.[55]

One youth worker described her experience of making a complaint about police conduct. A police officer had made comments such as, 'You guys, you're an African gang and we know what you're up to and we're gonna search you all' to a group of young men hanging around outside her service. [56] Some young men were thrown against a wall and one had his mobile phone deliberately stepped on and cracked by police. The youth worker explained:

> So we wrote a letter about … the name-calling and the inciting of a response from the boys and throwing this kid against the wall to the police complaint commission. Yeah so police officers came down and did an investigation and of course the kids were just going, 'This is ridiculous you can't have police investigating police, you've gotta have somebody independent'. The police wrote me a letter saying we haven't got enough evidence for anything.[57]

Another community worker describes another incidence of a young person being assaulted by police and no appropriate action being taken:

> A young man who had been beaten up by the police went and made a complaint about it. It is a very serious complaint. If there was a call to the police because of a physical assault that would be taken very, very seriously. And if that had been a young person of African background who had assaulted somebody the police would go straight out there and try to find who that person was and if they couldn't work out who that person was [then] they would find a collection of young people and take them back to the police station and they would certainly respond. Whereas there is a young person who has been physically assaulted and … they can't help. The fact that it was a police officer that assaulted him, that shouldn't be relevant, the fact is that there is a member of the community that has been physically assaulted.[58]

The FKCLC has documented a pattern of complainants being charged after lodging a formal complaint, or after a potential complainant tells a police officer that they intend to complain. These charges are commonly understood as 'cover charges'. The threat of cover charges is very real for young people; many participants in our study talked openly about pleading guilty to charges, despite believing they were innocent of them. One person we spoke to said:

> Nah man, like I plead most of the stuff I didn't do. Just cos I been in remand for a long time. I don't wanna stay there longer ya know what I mean, so I plead guilty for some stuff, all of them, so I can get out.[59]

Another young person describes being assaulted by police and the police response to his subsequent attempt to make a complaint:

> Oh just slapping me in the head, calling me 'black cunt', one of them spat on me, and then they picked me up and one of the copper goes to me 'What are you gonna do, what are you gonna do, what are you gonna do?' He just started pushing me around, and the other guys were holding me back and then anyways they beat me up for about ten minutes, they kept me in there, they kept me in there and then they let me out at the end, they let me out of the back door.

> So I went to the front door and I said 'I wanna make a complaint' and the one that was at the reception goes to me 'What happened?' I'm like, 'I was just at the back and the coppers were beating me up for no reason'. He goes to me, 'Wait'. He went inside, he called one of the coppers that were beating me up. Another copper came in and goes to me, 'If you don't get out of here now, I'll pull you back in.' And I left.[60]

Youth workers also described the threat that faces those who make complaints against the police, and their own frustrations around attempting to make complaints themselves:

> I know that the kids have been threatened. I know one boy who came to me saying … 'I just spent 24 hours in a cell.' … He was told that if he made a complaint his life would be not worth it. … He was prepared to say guilty to all the charges, based on

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[55] Ibid.
[56] Participant 5
[57] Participant 5
[58] Participant 8
[59] Participant 3
[60] Participant 4

the fear that he had coming out of that interview and that custody. … It's taken us a long time to set him up so that he will not plead guilty. But if anything happens to him I'll feel completely devastated. That I set him up and I supported him to not plead guilty and he met a police officer in a quiet dark corner.[61]

Another worker reported being threatened by police when she indicated her intention to make a complaint. The police officer responded: 'You won't win, we will win.'[62]

After one incident in which a young man claims he was violently assaulted by the police — sustaining injuries that required hospitalisation — one of the officers alleged to have assaulted the young person stated that if he wanted to complain, the senior sergeant at the local police station was the best person to complain to. The young man summed up his response: 'Yeah okay I'll do that. When I'm insane I will try to do something like that!'[63]

Instead, this young person lodged a complaint with the appropriate police oversight body. He told us:

> My parents were going insane … My father was saying to me, 'Oh they're gonna kill you now, they're gonna finish you off now, that's it.' Cos my father's used to corrupt officers, he's like, 'Woah, you're gone now. Just stay at home, don't go outside.' Ya know, my father tried to impose his own curfew on me.[64]

Disillusioned with police complaints mechanisms, young people and community workers described being at a loss as to what alternative action to take. One youth worker told us:

> Yeah I don't probably do much. I talk [to sympathetic police], I mean when I've got the opportunity to talk about it, but [the police] that are happy to listen to it are people who aren't the problem you know? … It's so two-faced that I find it very hard to set up a positive thing for the kids. You know I can't go to them and say 'the police are trying to do their best' and set the kids up to walk straight into... another mess … there's not much course of dealing with that, and the kids are in a place where they expect it from the police now so, they just deal with it themselves.[65]

This study paints a picture of a range of policing interventions into the lives of African young people in Melbourne. We have not catalogued our research participants' negative experiences of policing. Rather, we have provided some examples.

We will go on to see that young people's experiences of police harassment, police violence and incitement, along with an inadequate police complaints mechanism, have led to their participation in community policing activities. Community policing is seen as the only viable way for African young people and the people that work with them to secure better results from police.

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61 Participant 5
62 Participant 10
63 Participant 15
64 Participant 15
65 Participant 5

5. Responses to conflict: 'Community Policing'

Introduction

Across the three regions of this study there have been a number of attempts at interventions designed to transform relations between African young people and the police. Some of these attempts include: community networks and community organisations applying political pressure for police reform through peak bodies; community networks mobilising grassroots opposition to policing practices; individual acts of resistance on the part of young people; utilising the official police complaint channels and; the use of other legal channels, such as civil litigation of police and human rights complaints. Often a combination of approaches is used.

There has also been a proliferation of initiatives designed to: foster 'trust' and 'greater understanding' between communities and police; educate communities about their rights and responsibilities and; 'break down barriers' between affected communities and the police.

Typically these programs take the form of police-youth camps, sports games, collaborative creative activities and joint dialogue/problem-solving groups. Loosely speaking, these kinds of activities are associated with 'community policing' practices and philosophies which have emerged from a number of sources, including stakeholder policy bodies such as the Australian Multicultural Foundation (AMF) and the Victorian Multicultural Commission (VMC), academic policy centres, the police themselves[66], as well as community networks and organisations.[67]

In this section we will describe and analysis African young people's and community worker's experiences of a range of community policing programs.

5.1 What is 'community policing'?

The community policing paradigm emerged in the US, the UK and Australia in the early 1980s.[68] There is no universally accepted definition of community policing. Nonetheless, 'community policing' can be loosely understood as a "philosophy which, when applied to policing practices, places emphasis on the development of effective working partnerships with the community".[69]

Community policing techniques are designed to refocus the role of police from traditional 'crime investigation' undertakings to community-centred, problem-solving approaches to crime, the fear of crime and public safety. As a proactive 'preventative' approach, community policing relies on high visibility of the police, requiring increased police contact with the community in a diverse range of contexts, in addition to the street level encounters associated with law enforcement.[70]

VicPol does not have a specific 'community policing' agenda as such, but is involved in a range of activities, programs and policies that can be understood as emerging from this operational paradigm. In this report, the phrase 'community policing' is used as a kind of catch-all term to describe various activities, undertaken in the regions of the study, associated with this paradigm.

The rise of community policing is due, in part, to consistent public criticism, emerging in the 1970s, of 'traditional' crime-oriented policing practices.[71] Community organisations, networks and activist groups played a significant role in generating political pressure. 'Community policing' can be seen as a response to this pressure on the part of the state and the police.

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66 Nixon in Victoria Police. 2008, p. 2; Victorian Multicultural Commission. 2008; McCulloch, J. et al. 2007, pp 60–103; Australian Human Rights Commission. 2009.

67 Participant 10

68 Findlay, M. 2004, p.28; Macintyre, S. and Prenzler, T. 1997, p. 36; Segrave, M. and Ratcliffe, J. 2004, p.1

69 McCulloch, J. et al. 2007, p. 31.

70 Segrave, M. and Ratcliffe, J. 2004, pp. 28–39; McCulloch, J. et al. 2007, p. 31.

71 Segrave, M. and Ratcliffe, J. 2004,

Community policing can also be understood, more recently, to have gained ground as part of the increased influence of the 'social cohesion' agenda in Victorian state politics.[72] These ideological shifts have resulted in a corresponding increase in the influence of liberal policy proponents in the policing policy realm — such as the VMC, the AMF and liberal academic policy centres. Many liberal policy bodies have welcomed these developments, pursuing new possibilities for extending their influence, collaborating, for example, on research aimed to facilitate the consolidation of VicPol's community policing practice.[73]

Since the 1980s VicPol has increasingly allocated significant resources to community policing initiatives. For example, VicPol has established a number of consultative committees that seek to provide an opportunity for non-police input into policy — the generalist Police Community Consultative Committees involve businesses, local government, and community groups; the Police and Communities Multicultural Advisory Committee is a joint committee, with the VMF, that deals specifically with multicultural policy.[74]

At a regional level VicPol dedicates time to involvement in local community networks and forums, as well as assigning specific roles to some officers, such as the Youth Resource Officers (YROs). The YROs are tasked with being "a facilitator, co-coordinator and referral service provider of local youth services for police, youth and the community".[75] Similarly, there are dedicated Multicultural Liaison Units (MLU) in each police region, staffed by full time Multicultural Liaison Officers (MLOs) who "liaise with various community and religious leaders within their region". The aim of the MLUs and individual MLOs is "to develop and enhance trust, respect and cooperation between police and culturally and linguistically diverse community groups".[76] The newest dedicated addition to VicPol's multicultural platform is the unsworn New and Emerging Communities Liaison Officers (NECLOs), which were created in 2009 to "significantly improve access to policing services by CALD communities and enhance relations between police and new and emerging communities".[77]

In each of the three regions of the study, MLOs have assumed particular responsibility for undertaking community policing activities with African young people. The kinds of activities that these dedicated MLOs undertake varies and is often ad hoc, but typically includes: participation in community sector networks; running, and participating in, youth camps; organising joint police-community sporting events; establishing information sharing forums; developing education resources; delivering information sessions to community groups on the law and the role of the police; organising for operational police to participate in such activities; and generally 'being seen' and making themselves available to people through attendance at community events.[78]

All this has resulted in increased collaboration between police and the community sector. The role that community sector workers play in these activities includes: acting as a portal for police to access communities; directly collaborating with or partnering police to organise events; and leading initiatives that also involve the police.

5.2 Why do community workers get involved in community policing activities?

So why have these kinds of activities emerged as community sector facilitated interventions into police-youth conflict, instead of other responses that have been consistently called for, such as reducing police discretion,[79] increasing

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[72] For an example of the prevalence of social cohesion discourse see the objectives outlined in the 2008-09 Victoria Police Annual Report

[73] For an example see McCulloch, J. et al. 2007; Wood, J. et al. 2008.

[74] Victoria Police. 2009.

[75] Victoria Police. 2006.

[76] Victoria Police. 2009.

[77] VMC, 2008 pp. 13

[78] Field Notes

[79] Blagg H. & Wilkie M. 1997

police accountability[80] or redistributing material resources to alleviate community disadvantage?[81]

There are a number of obvious reasons why VicPol pursues the cooperation of the sector. These include: the community sector enables police access to people who are wary of police; these networks are an important source of knowledge about what is going on in the community; and because police are seeking to integrate themselves into the welfare sector.

As we will outline below, from the perspective of the community sector, such collaborations are often fraught. Due to its decentralised and diverse nature it is difficult to summarise the motives for the non-state parties in getting involved. There are however a number of material and historical factors worth noting, as well as themes that emerged from interviews with community workers and young people.

Community policing programs have emerged as vehicles to channel community discontent with policing practices because they are deemed legitimate forms of action by various state bodies, policy centres, the police and the multicultural lobby. Accordingly, there are resources available to run them. Further, due to the weakness of the oversight bodies, there is a lack of other official channels to pursue.[82] There is the risk, however, that in adopting the language of 'community' and 'relationships' community policing activities can de-emphasise the pursuit of young people's entitlements: to be free from police harassment, to be able to occupy public space, and to have meaningful control over resources.

Young people's and community worker's decisions to participate in, or facilitate such activities, must be viewed in light of the government, police and multicultural lobby's considerable power to define 'acceptable action'.

Of course, many community workers hoped that facilitating community policing activities will have a tangible, immediate impact on police-youth relations in their local area. They hoped for a genuine exchange, which would ultimately lead to greater police responsiveness to young people's perspectives and demands.

Some community workers hoped that young people's involvement in community policing activities would help address the multiple factors contributing to the marginalisation of African young people, such as low levels of confidence, unemployment, boredom and disenfranchisement. It was hoped that if young people were supported to actively engage in influencing 'real world' issues, the experience would be positively validating for the young people involved.[83]

Community workers also hoped to better equip young people with skills, confidence and knowledge to assist them in managing interactions with the police. While this included 'rights training', community workers noted that the vast gap between formal rights and young people's meaningful ability to assert these rights was a central problem for young people. As previously noted in this report, young people asserting their rights can be understood by police as a challenge to their authority and often results in police aggression.

Other community workers understood community policing activities to provide the police with an opportunity to dispel African young people's 'myths' about police, and 'educate' them about the 'role of the police in Australia' and about what constitutes 'appropriate behaviour'. Here 'appropriate behaviour' included not running away from police, and obeying police directives to move on, *even where* police were not legally empowered to issue such a directive.[84]

The understanding that community policing activities primarily involve police educating young people, rather than the other way around or an equal

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[80] Hopkins, T. 2009
[81] White, R. 1997
[82] Federation of Community Legal Centres Police Issues Group. 1991; Hopkins, T. 2007; Hopkins, T. 2009.
[83] Participant 9; Participant 22
[84] Participant 9

exchange, accords with police understandings of community policing. However, young people overwhelmingly participated in these kinds of activities in the hope that it would result in police listening to them and being more responsive to their demands. Their demands included: an easing of police harassment; police employing conflict de-escalation tactics; halting the practice of persecuting young people occupying public space; and reduction in police violence. One young person explain to us:

> We show what we don't like about police, so that they learn about how to react ya know, like approach us, stuff like that you know, how to calm the situation down.
> **Interviewer:** So about training the police?
> **Participant:** Yeah.[85]

We note that the fact that community workers and young people *do* pursue community policing activities in the hope that this will lead to increased police responsiveness underlines the need for effective mechanisms to enhance the actual entitlements young people have.

5.3 Why do young people get involved in community policing activities?

In each of the three regions we found that the MLOs were largely well liked and respected by community workers and young people. One young person reported that after participating in community policing activities he experienced a growth in personal confidence, expressing positive sentiments regarding the relationships he built with the individual officers that participated in the activities.[86] The distinction between the MLOs and the rest of the police force is clearly understood by the young people targeted by these programs across the three regions:

> He [the MLO] is so funny, he jokes, he joke like, his relationship ya know, with young kids is better than with the other policeman that try to ya know…

Here another young person interjected:

> Because that's his job, he's multicultural, he's not police on duty![87]

For the most part, however, the young people we spoke to expressed a deep cynicism regarding community policing activities:

> I thought [the community-youth relationship building activity] was a waste of money. You're not gonna get things to change in [a short amount of time]. It's been happening for years ya know, ya can't make people change themselves in [in a short amount of time]. Some of the kids here are trying to get references, ya know, that's why they come into these [community policing activities]. Such as myself, I'm trying to get references. Ya know that's why I'm helping out with the [community policing activities]. The police are here for the same reasons ya know. They're not there to better themselves, they're not there to change anything. I'm not there to change anything…
> **Interviewer:** So the police are just there to look good, is that what you're saying?
> **Participant:** Basically we're all there to look good.[88]

Despite the cynicism regarding their efficacy, there was largely no antipathy for the individual MLOs and the activities that they participate in. Mostly young people simply emphasised the weakness of the 'trickle up' logic of community policing — the notion that through building relationships with individual officers, these officers will somehow significantly influence the broader police force. This community worker summarised a common perception of young people:

> [The kids think]: 'The police were really nice and good to us because they had to be. They're on an [activity] and there are other workers there and they had to be on their best behaviour…and that's great and I enjoyed it, but when I'm out on the street how many of those cops are going to tell the other cops — that I'm going to run into — that I'm an okay person? When it comes back to that dynamic of, on the street, and in life again, it won't make a difference.'[89]

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[85] Participant 2
[86] Participant 16
[87] Participants 11 and 12
[88] Participant 2
[89] Participant 7

These young people offered evidence for their cynicism regarding the effectiveness of community policing activities. One young person reported being racially harassed one night *by the same officer* with whom he had attended a 'relationship building' activity earlier *on the same day*.[90]

5.4 Notions of 'community'?

In launching an educational DVD produced as part of a youth-police 'relationship building' project, a senior police officer stated: 'That's what this was, getting those kids to engage with police, and through police engage with the community.'[91]

Earlier in this report we showed how the term 'community' is employed in street level encounters to construct police as 'insiders' and African young people as 'outsiders'. This logic is also at work in community policing activities. The kids the senior officer refers to are clearly not already part of the 'community' as he understands it, but 'disengaged' outsiders. According to this formula, the police are not just part of the community, but a kind of vanguard for it, acting as a benevolent portal through which these young people could 'engage'.

There are number of points to make about this.

Firstly, the notion that police are 'part of the community' is clearly incorrect. The police are best understood as a "bureaucratic organisation with specific functions, legal powers (in particular the right to use force) and technical resources". As such they are "clearly separate from other forms of social organisation".[92] Constructing the police as 'part of the community' obscures the specific objectives pursued by police as well as obscuring the immense power disparity — between police and young people — at play.

The concept of 'community' itself can obscure crucial social relations in that it "ignores deep social divisions of class, gender, race and ethnicity". This simplistic construction belies the fact that police are "not required to deal with 'a community' but with many communities which are often in entrenched conflict". [93] In implying a racialised notion of who *does not* constitute the legitimate 'community', this construction equally implies a notion of *who is* considered legitimate. As one youth worker surmised:

> It strikes me as the most conservative end of the social spectrum and that's who they may be responding to. People who feel fundamentally unsafe because this group of young people are on the street, whether or not those young people are behaving in an anti-social way, just simply by being present. There are people I suppose who feel threatened by that. That's who he [police officer] was referring to. It is clear that those young people are not included in that definition in the community to whom the police are responding."[94]

This understanding, of police as legitimate 'insiders' (protecting the community) and kids as racialised 'outsiders' (potentially criminal and disengaged), has clear implications for the dynamic between police and young people engaged in community policing activities together. As one community worker explained to us:

> From the beginning the police presence was extremely patchy and I felt that the police did not actually understand, on a real level, that they were there in fact to *learn from the young people*. I felt that they had paid a bit of lip service to that but fundamentally they believed that young people should just buckle to police authority, and that they as individuals, and representatives of Vic. Police were beyond criticism. I did feel that there was that attitude from the beginning and that made me feel quite angry.[95] (Emphasis added.)

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90 Participant 13
91 Field Notes
92 Hogg cited in Cunneen, C. 2001, p. 226.
93 MacIntyre, S. and Prenzler, T. 1997, p. 36.
94 Participant 8
95 Participant 10

Young participants reported that their negative experiences of policing were explicitly excluded from material published as one outcome of a community policing program they were involved in:

> **Participant 13:** Ya it [the program] was good, but ya didn't asked, didn't get to put our opinion, what we know, because we do go to party, we do see what goes on, we do get pulled up by police...
>
> **Participant 12:** They didn't get chance to express the negative side.
>
> **Participant 13:** We do get pulled up by police and … sometimes they treat us bad.[96]

Many young people and community workers said they were committed to exchange and dialogue with the police, and tried to make community policing forums interactive. However police consistently representing themselves as the legitimate voice of the community, there to teach the illegitimate racialised outsiders about 'life in Australia'.

5.5 Overcoming barriers, creating relationships and building trust

'Overcoming barriers', 'creating relationships' and 'building trust' are consistently referenced in community policing rhetoric.

What is meant by these phrases?

Young people's lack of trust in police is commonly cited as a contributing factor to conflict with police — by both police and our research participants. However, an analysis that clearly posits the responsibility for conflict at the feet of the young people emerged over the course of this research. It seems police often attribute 'lack of trust' and 'hostility' towards police to a migrant community's 'cultural memory' of improper, corrupt, and / or violent policing practices in their country of origin.[97] This is seen as a 'barrier' to harmonious police-youth relations.

Multicultural Liaison Officers have been charged with 'building relationships' to "develop and enhance trust, respect and cooperation between police and culturally and linguistically diverse community groups".[98] This idea that if police and young people get to know each other as individuals, overcoming 'misconceptions' and 'stereotypes', is a common rationale for community policing activities.

Without diminishing the significance of people's individual experiences, this understanding risks "systemically distort[ing] and oversimplify[ing] the social reality, diverting attention from other causal factors and deeper explanations" for conflict between African young people and police.[99]

Our respondents explicitly disputed the concept of 'cultural memory' as barrier, positing young people's experiences with police in Australia at the centre of young people's negative attitudes towards police. One young interviewee even pointed out that many of their parents had been policemen in their countries of origin:

> What was really sad was the fact that the senior police officers went to the community leaders and starting saying 'these kids are doing this, these kids are doing that' and suddenly the community leaders were against us. So the police played a pretty good card, they played their tactics well. But we persisted, my friends persisted, and we started to get the mothers on board. Because the police had the fathers and the community leaders on their side. And you know, coming from Africa, the parents, the fathers, most of them were either in the military or police, [they] know that they were always corrupt police officers themselves, so they weren't going to help us at all. They just like, 'Oh you have to be wrong, the policeman's right, you can never be right.' And I'm like, 'How do you know that?' 'Oh cos I used to be police.'[100]

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[96] Participants 12 and 13
[97] Poynting, S. 2000, p.1.
[98] Victoria Police. 2009.
[99] Poynting, S. 2000, p.1.
[100] Participant 15

In fact, like other migrant groups, we found that our young respondents had much "higher expectations of probity, equity and justness of law enforcement in this country and were disappointed when these did not match the reality of their experience".[101] This disappointment emerged as a strong theme of many interviews:

> It's been [a] rough ride. I honestly thought that coming to Australia I was going to leave, ya know, the entire corrupt, political, civil war ideology of Africa behind me … You have a lot of the people in the community saying, 'Just make the best, be quiet, if the police hit you on one cheek, turn the other. Let them do whatever they want you to, just behave yourself, we're gonna get out of here eventually.' So when I see this, obviously it really destroys my heart. People are running away from Australia because of, ya know, people are saying we're never gonna be accepted. The police won't, the politics won't accept us.[102]

What is it that the police are seeking in 'creating relationships' and 'building trust'?

Most of the literature on community policing emphasises the potential that good relationships with the community holds for intelligence gathering and the easy exercise of power ('cooperation' in police lexicon).[103] Criminologist Muir provides an example of a policeman on 'skid row' in the US, which aptly demonstrates this point. An officer formed strong relationships with the marginal people that lived there — through small loans and favours — that gave them a reason to stay on the right side of him. Muir points out that this was a more effective form of control than simply the threat of violence, particularly because those on skid row had little else to lose, in terms of status or income, from police sanctions.[104]

Given the disparity in power involved, once police get to know a young person and they have 'a relationship', is that relationship voluntary? What are young people expected to give in return for police 'goodwill'?

Certainly some young people reported that community policing activities substantially improved their relationships with individual operational officers (not just MLOs).[105] However, many others found themselves exposed to increased coercive contact with police as a result of their participation in community policing activities. One young person told us:

> They try to be friends with us, and when we refuse, then that's when they think we're being smart-arses to them. Like to try to come here and give you a chat and we don't like talking to or having anything to do with them.[106]

Furthermore, many of our respondents reported being expected to provide intelligence to police, and that refusal to do so acted as a trigger for suspicion or police aggression:

> Once they think they know someone, they see someone, they call you by your name and they tell you 'come here' and they try to talk to you and when you walk away they'll tell you 'come here', if you keep walking away they'll get out of the car. 'Don't be a smart-arse.'

> Last night I was waiting at the bus stop, one of the coppers that I know drove past and he's like, I was drinking, I dropped the drink, I dropped the bottle and he looks at me, 'Come here, pick it up.' I picked it up, I put it in the bin, I walked off, and he goes to me 'I'm talking to you, stop [ignoring] me and I'm like 'nah'. When I got up and I kept walking he got out off the car and he grabbed me from the back 'I'm talking to you, listen, stop trying to be a smart-arse'. And then I stopped and he's like, 'How you doin, how's the boys?' and he started showing me some pictures, 'You know these guys?' I'm like, 'I don't know them.' [The police officer then said] 'They're your mates here aren't they, where do they live?' I'm like 'I don't know', then he started getting mad. And we had an argument for like ten minutes, he's like 'I'll get you'.[107]

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[101] Ibid, p. 1
[102] Participant 15
[103] Campbell, D. and Roberta, J. 2007; Cuneen, C. 2001; Findlay, M. 2004; Kappeler, V. and Kraska P. 1998; McIntyre, S. and Prenzler, T. 1997; McCulloch, J. et al. 2007; Poynting, S. 2000; Segrave, M. and Ratcliffe J. 2004.
[104] Muir cited in Green, P. and Ward, T. 2004, p.70.
[105] Participant 1, 6 and 16
[106] Participant 4
[107] Participant 4

Young people consistently articulated the desire for their involvement in community policing activities to result in *less policing*. However their experiences suggest that building closer relationships with police results in an *intensification* of policing. One youth worker described the situation in this way:

> In a way I think their [the police's] agenda is simply to have a sort of deeper connection with that community, so that they know who is around and they can police more intensively.[108]

Rates of contact with police are the most determinant factor in whether young people go on to being exposed to harsher forms of state action such as arrest, court actions and incarceration. Given this fact, the implications of increasing young people's exposure to policing practices are potentially extremely serious.

In normal circumstances, criminologists note that police have a relatively high degree of discretion in terms of whom they target for attention, and "decisions made on the street or immediately following a street encounter are, with little intermediate review or screening, quickly translated into judicial/legal events". Furthermore, "there is evidence that the police are biased in their use of discretion and do not exercise their discretion in the best interests of children and young people, particularly those from ethnic minority backgrounds".[109]

We know of one case where contact and physical confrontation with a police officer *during the course of community policing activities* contributed to police pursuing charges and court proceedings.[110]

It should also be noted that police justify pursuing relationships with these particular young people, through community policing activities, on account of their ethnicity. This suggests that African young people are being policed more intensively *because they are African*.

Community organisations and workers can also face serious consequences as a result of their involvement in community policing activities. In the regions of the study police have sought to use their participation in community networks to pursue particular policy objectives. For example we know of a case in which police officers applied pressure to drug and alcohol workers, in order to help them clear young drinkers out of a park.

The experience of one community organisation is instructive. The organisation, which worked extensively with African young people, had begun to develop relationships with the police via community policing activities. Throughout the course of this collaboration, workers in the organisation developed concerns about police activity in the locality in general, including specific concerns regarding the community policing project. The organisation stated their concerns in an appropriate, independent public forum and as a result experienced significant informal police censure. One officer expressed his 'disappointment' with the 'attitude' of the organisation. The police began a kind of undeclared boycott on spaces, young people and activities associated with the organisation, a fact not missed by other organisations in the area. The culmination of the conflict included the police contacting other community organisations in the sector and 'warning them off' associating with individual workers involved — even after individuals had left the employ of the organisation originally involved.[111]

Subsequently, it became known in the region that the organisation and individual workers exposed themselves to police censure by being publicly critical of police. While there were no significant problems incurred by the organisation in question as a result of these events, the withdrawal of police support, and the attempts at undermining relationships with other organisations caused considerable anxiety about the potential for this episode to damage the organisation's credibility in the sector. More significantly, this event had

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[108] Participant 8
[109] Blagg, H. and Wilkie, M. 1997
[110] Participant 9
[111] Field Notes

ramifications for individual workers. One community worker in the area who heard about what had occurred, but had no direct involvement in the episode, felt like her employment and even her personal safety would be jeopardised if she criticised police practice — including community policing activities involving her organisation — even if it was confidential.[112]

Community organisations need to be aware that the power of police to exert influence over community organisations in the ways described above will only increase as VicPol seeks to embed itself deeper into the community sector. This is especially the case where organisations accept funding from police.

5.6 Community policing and over policing: the carrot and the stick

Elsewhere it has been suggested that there is a contradiction between "inducing resistance and resentment in ethnic communities by a 'zero tolerance' blitz (over policing), and demanding assistance from the same communities in investigating crime (seeking cooperation through community policing)".[113] This analysis has some value. In places with a large police presence, "it is difficult to see how the rhetoric of community policing can be matched with the feeling among the … community that they are the object of constant and adverse police attention."[114] In other words, in these kinds of cases there is a 'tense relationship' between community policing, which exists as a kind of an ancillary activity, and core police work.[115]

However, rather than displacing over-policing practices, community policing in Victoria has emerged *alongside* the intensification of explicit, racialised practices of over-policing. For example in 2009 the state government, in conjunction with VicPol and the Victorian Multicultural Commission, introduced NECLOs, the latest expansion of their multicultural community policing approach. In the same year the Victorian state government moved to grant police unprecedented new powers. New measures legalised police discretion to conduct random searches, including strip searches; introduced new public order offences; and effectively created discretionary police powers to 'move people on'. These powers will clearly result in the disproportionate targeting of the young, marginalised, and homeless.[116]

On the ground, we note that across the three areas of the study, community policing activities were occurring at the same time that participants reported experiencing police harassment and extra-legal violence.

That is to say, in practice, over-policing co-exists comfortably alongside community policing.

While community policing is clearly emerging at a time that police practices are transforming, these changes amount to police adding an additional layer of tactics to the same ends. In the process, the "police institution is being reconstituted … enabling the government to expand the applicable targets of control and to draw openly on a much larger array of tactics".[117]

In all three regions young people and youth workers reported that participation in community policing activities was conditional on young people being considered 'good kids' by the police, who held the power to veto particular young people's involvement. Needless to say, young people were not entitled to veto individual police involvement.

This right of veto was a source of considerable frustration for community workers involved in community policing activities. In one activity, police were so insistent that two young men's attitudes towards police were 'not

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[112] Participant 17
[113] Poynting S. 2000, p 1.
[114] Cuneen, C. 2001, p. 206.
[115] Brereton cited in Segrave, M. 2004.
[116] Gregory, P. 2010.
[117] Kappeler, V. and Kraska, P. 1998, p. 299, p. 306.

appropriate' that they made police involvement conditional on the young men's exclusion. A community worker told us:

> They were actually the young people who most needed to be involved in the project. So what seemed to be happening was that the police seemed to be saying, 'Well, we only want to go away with young people who have actually had no negative involvement with the police.' And so they were kind of really seeing it as an early intervention. [The police were effectively saying] 'While we are going to be making positive links with these young people, we're just going to continue excluding those young people who we find problematic and who we may have had violent incidents with in the past.'[118]

In this particular case, the police determined that these young people could not come because they had 'bad attitudes' towards police. However these two young people alleged that the individual police involved in the community policing activities had recently been harassing them, and felt like the police had engaged in the conflict inappropriately — that the police themselves had 'bad attitudes'.[119]

In this instance, police practices resulted in the *further* marginalisation of young people who had contested police authority. This had the effect of 'rewarding' young people responding to police authority, and excluding those who don't.

This dynamic was common across the regions of the study. In another incident, police refused to work with a group of young people with whom they had been experiencing conflict and instead engaged some young people in the area who were successful at school, were involved in an array of mainstream activities and presented no challenge to police authority. Interviewees explained to us that at the conclusion of the community policing activity, the police pursued media coverage, which portrayed these same young people as 'troubled' and 'disengaged' youth. The young people involved were devastated by this inaccurate depiction. Tragically, for one young person this sequence of events was actually the beginning of a process of disengagement, including dropping out of school.[120]

Young people and youth workers contested police attempts to construct activities in this way. In one of the regions, conflict over police discretion to declare who was 'good enough' for them to work with erupted into physical confrontations between young people and police over the control of the activities.[121]

There is some evidence to suggest that in all three regions police have targeted particular young people whom they have identified as 'trouble makers'. For more than one young person who it is alleged has been targeted in this way, increased contact with police has led directly to some form of incarceration.[122] A youth worker related the following case of what she interpreted as a 'personal vendetta' on the part of the police:

> There was the story told about a young person, there was a fight at a party and the police came and they came with pepper spray and chased people and then this particular young man got taken to the river and beaten up and thrown in the river and he was a young man who was known to the police. So it seemed in that situation it was somewhat of an excuse: that it was a situation where he was vulnerable and they were using pepper spray on the crowd and that created a situation, a sort of vulnerability of this young person, so they took that opportunity to beat him up. That seemed to me to have a bit of a 'personal vendetta' quality to it. [123]

This fact of over-policing hangs over young people's heads in community policing activities. The message is clear — police will admit you to a community policing activity if you toe their line, and if you do not, the consequences are known.

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[118] Participant 10
[119] Participants 1, 2, 3, 4, 10
[120] Participant 15
[121] Participants 1, 2, 15
[122] Participant 4, 10, 15
[123] Participant 8

The overall effect of simultaneous over-policing and community policing is that involvement in community policing activities is offered as a 'carrot' — a sort reward, or an inducement to behave and adopt attitudes that the police deem acceptable. Young people who do not accept this offer are instead given 'the stick' — they are subjected to aggressive police actions including harassment, incitement, and in some cases violence.

5.7 What would constitute a strong response to policing?

It is both difficult and fraught to represent the desires of the young people we spoke to, especially in an area as broad and complex as policing. Policing cannot be separated from other aspects of the prison industrial complex — such as the courts and prisons. Nor can the conflict with the police be separated from the other issues surrounding the marginalisation of African young people, such as distribution of resources and equitable access to the public domain.

People's frustrations and desires were often vague or broad brush and do not always easily translate into concrete proposals. This section does not in any way claim to represent the complexities of our participants' aspirations in regards to these issues. Instead, we attempt to sketch some of the broad themes that emerged throughout the study, in terms of what young people would like to see happen in response to policing issues.

Most of our participants remained positive about the potential of the community policing activities, to the extent that they saw the opportunity to put their demands to the police. Some young people reported that the relationships they were able to build with individual officers through these programs were positive. Some participants' reported feeling like some 'bad' officers had turned 'good' over the course of such activities.[124]

However, through cynicism borne of experience, many young people remained pessimistic about the possibility of such activities to win significantly increased entitlements for young people. Like many community workers they often participated in community policing activities out of lack of other opportunities for seeking redress.

Many young people said they would like to find ways to exert direct political pressure on police, and to have their stories heard:

> A few months ago a journalist came here, and I asked her … cos you know we wanna get a paper done about police officers and youth around here. She goes, 'Unfortunately I'm not here for that … and I'm thinking, like they just want stuff to sell, they don't care about stuff like that … cos the kids around here, a lot of us have stories to share with people and yeah, we need people to basically help us out and try to get to the newspapers cos as a youth nobody really listens to us.[125]

Others articulated policy proposals. These include: the introduction of policies to overturn practices of over-policing; the reduction of police discretion; increased training for police in methods for de-escalation of conflict; the introduction of an effective complaints mechanism; compensation for all people who have been the victims of police violence and harassment; redistribution of resources into community infrastructure, particularly into projects that young people have meaningful input into; and formal mechanisms for community networks to have meaningful input into policing practices.[126]

Not surprisingly, some of the young people we interviewed did not participate in the community policing activities, or withdrew after they found them to fall short of their desired outcomes. As noted, some were actively excluded.

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[124] Participants 1, 2, 4
[125] Participant 1
[126] Participants 1, 2,15

Some young people told us about other strategies that had been successful, including mobilising broad community support for young people most affected by policing. As one interviewee related:

> So we got the mothers on our side which was, ya know, I can't thank the African mothers for what they done for us honestly. The mothers started speaking out, they told the fathers to back off, they know nothing [about] what's going on, the mothers [started] coming [out on to the street]. Some of the mums actually sat [outside] for hours just to watch if the police were gonna do something to us. And then we've had times when we standing playing basketball, and the police car would come and they would park the car, right in the middle of the basketball court and everybody would be stand around. And we're like, 'Man we're playing here.' And they're like, 'I don't care, unless you give all your names up, I'm not gonna move.' So the mums would come, and the mums would start screaming at the police and the police are like 'okay what's going here?' And so diplomatically the police will say, 'Oh calm down we be leaving now.' And so the police would leave, and the mums are like, 'We saw that, they started it, they started it, you guys are good boys'. Well, that's what we wanted to hear… so we were really happy about it.[127]

Some participants emphasised the need to resist police and policy bodies' authority to determine what is considered legitimate action, and instead identified building grassroots pressure within their communities, like that described above, as an effective way to express their demands. Grassroots pressure could be complimented with the pursuit of alternative legal avenues, such as fighting 'cover charges', civil litigation of police and putting complaints before human rights bodies, as a means of pressuring police, and securing entitlements.[128]

Young people continue to resist police authority by 'causing trouble' rather than acquiescing to police demands. They continue to occupy public space and resist police interference by being uncooperative, for example refusing to give names and addresses. Obviously this approach has implications for individual young people, in terms of conflict with police and subsequent legal implications. However it is important to note that often these are deliberate actions, which occur in a social context, rather than simply 'troublesome', adolescent behaviour. As one young person put it:

> Young Africans ya know, they chuck rocks. Why shouldn't they? I could give a hundred reasons why they should. Youse bash us, youse get away with it. We touch youse we get charged. That's the main thing, the law's always gonna be on your side.[129]

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[127] Participant 15
[128] Participant 15
[129] Participant 2

6. Conclusion

African young people across the three study areas are over-policed. This over-policing involves extra-legal police violence, which is not being acknowledged or addressed by the existing oversight bodies. The policing of African young people clearly has a racial dimension to it. While we do not wish to underplay the significance of individual racist or violent police, nor undermine attempts to hold individuals accountable, this pattern of over-policing is only partly the result of 'bad cops'.

Rather, this report shows that much police-youth conflict is the result of a contest over African young people's attempts to exercise the same entitlements as others, which is perceived as a challenge to white, middle class norms and interests. Community organisations must work to displace the notion that the police enforce fundamental 'community' values. Instead community organisations must work to challenge the state's pursuit of middle class interests, and push for the redistribution of resources and power into marginalised communities.

Community policing activities have themselves emerged, in part, as a response to political pressure critical of racialised practices of over-policing. However involvement in community policing activities can actually *intensify* African young people's experience of policing. As many of these programs are justified on the basis of ethnicity, African young people are being exposed to more policing *because they are African*.

Community organisations need to be wary of facilitating activities that may serve as a kind of 'pressure valve': channelling community discontent at social conditions and policing practices into activities that do not challenge the underlying structural factors that contribute to police-youth conflict.

We urge community and policy workers, individually and collectively, to take a strong, independent and critical stand on policing, and the issues surrounding the criminalisation of poverty. We must critically reflect on our own involvement in the issues outlined in this report. Further, we must be wary of our practice being dictated by the orthodoxies of the welfare sector and funding pressures, instead of the interests of the communities we work with.

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