

SUBSTANDARD: CULTURAL AWARENESS TRAINING OF POLICE IN VICTORIA

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I Introduction

The relationship between police and the Aboriginal community has been a tenuous one since first encounters. Since the days of invasion, Aboriginal communities' interactions with police have been largely negative. This problematic relationship was highlighted by the Royal Commission into Aboriginal Deaths in Custody ('RCIADIC'), which noted that the 'circumstances which gave rise to this Commission illustrate starkly the extent to which Aboriginal people regard police as enemies'.² To address the need for change in relations between Aboriginal peoples and police, the RCIADIC made a suite of recommendations, revealing just how entrenched the problem was.

One method of effecting positive change, as asserted by the RCIADIC, was through the education of police about Aboriginal people and communities. This article will evaluate the implementation status of RCIADIC recommendation 228 concerning Aboriginal cultural awareness training of police.³ This recommendation requires cultural awareness training to constitute a substantial component of recruit and in-service police training, involving local communities and organisations.⁴

Recommendation 228 states:

That police training courses be reviewed to ensure that a substantial component of police training both for recruits and as in-service training relates to interaction between police and Aboriginal people ... Furthermore, such training should incorporate information as to:

- a. the social and historical factors which have contributed to the disadvantaged position in society of many Aboriginal people;

- b. The social and historical factors which explain the nature of contemporary Aboriginal and non-Aboriginal relations in society today; and
- c. The history of Aboriginal police relations and the role of police as enforcement agents of previous policies of expropriation, protection and assimilation.⁵

According to the most recent review of the implementation of the RCIADIC recommendations in Victoria, recommendation 228 was recorded as having been fully implemented.⁶ However, we argue that recommendation 228 has been only partially implemented at best. Our assessment is based on the findings of the most recent evaluation of RCIADIC recommendation status in Victoria, 2011 findings reported by the Office of Police Integrity ('OPI'), and the current nature and extent of recruit and in-service police training.

In order to implement said recommendations, cultural awareness training should be:

1. two days in length;
2. delivered by authorised Aboriginal people (local where possible);
3. universal and ongoing; and
4. based upon models of best practice.

Presently, these requirements are not being met, and therefore Victoria Police continue to fail to provide cultural awareness training as a substantial component of police training. This failure is evident from the recruitment stage.

II Recruit Training

The cultural awareness training of recruits has in fact *reduced* since the 2005 *Implementation Review*, when recruits undertook

training for over half a day.⁷ From June 2008 to October 2009, cultural awareness training was reduced to two hours, and from October 2009 it was further reduced to one hour and 37 minutes. In this time, the following was provided:

- a 65-minute session facilitated by a member of the Victoria Police Aboriginal Advisory Unit; and
- a 32-minute session devoted to Community Encounters where recruits informally engage with representatives from the Aboriginal and/or Torres Strait Islander community.⁸

There are numerous aspects of this training that are problematic. Chief among them is that the majority of the training is being delivered by a person who is a member of Victoria Police. It is our belief that meaningful cultural awareness training can only be delivered by an Aboriginal person who is independent from the police. Independence is crucial if honest and uncensored dialogue about the relationship between police and the community is to be achieved.

Other modules within recruit training that discuss Aboriginal people include a 65-minute introductory session on cultural diversity, and a 65-minute session about duty of care that utilises a case study of an Aboriginal man. We do not consider this to be cultural awareness training. The session on cultural diversity does not educate recruits about the Aboriginal community itself, but rather about the diversity of the broader Australian community of which Aboriginal peoples are a part. The second aspect of the training regarding duty of care is again not about Aboriginal culture or history, but is rather about policing itself.

In light of the apparent reduction in recruit cultural awareness training since 2005, it is not surprising that the OPI recently found that most people they interviewed 'agreed that a greater level of understanding and awareness of Aboriginal and Torres Strait islander traditional and contemporary cultures was needed'.⁹ In line with this, the *Implementation Review* found that '[a]lmost unanimously the Aboriginal respondents were of the strong opinion that the training offered at the Academy was insufficient'.¹⁰

We believe that cultural awareness training is indeed insufficient, and that a central reason for this is the lack of time devoted to police training in its entirety. Police recruit training, whether Operational Safety Tactics Training or

otherwise, must balance incident and restraint equipment curriculum with other operational police fundamentals, such as conflict resolution and tactical communication techniques designed to defuse violent or dangerous situations. The latter cannot be achieved in the absence of the context that cultural awareness training could provide. As the most recent authority on the over-representation of Aboriginal young people in the justice system – the *Doing Time: Time for Doing* report – notes, '[g]iven the extensive and expert training provided to police officers in other areas, it is essential that sufficient cultural training is included'.¹¹

III In-service Cultural Awareness Training

Last year, the OPI reported that only five out of eight managers stationed in a location with a high Aboriginal population indicated that they had received cultural awareness training.¹² At the time of the 2005 *Implementation Review*, in-service cultural awareness training had occurred at four locations where Police Aboriginal Liaison Officers ('PALOs') facilitated cultural familiarisation courses.¹³ Furthermore, the OPI report reveals that there has been no progress in addressing the ad-hoc nature of in-service cultural awareness training, as 50 per cent of PALOs did not facilitate in-service cultural awareness training.¹⁴ This was because over 85 per cent of PALOs themselves did not have the appropriate training to do so.¹⁵ It is our position that substantial cultural awareness training should be a precursor to selection into the role of a PALO. Though recommendation 228 was marked by the 2005 *Implementation Review* as having been implemented, the same review inconsistently reports that 'typically ... no additional cultural awareness training was reported as taking place at the local level'.¹⁶ Therefore, by our measures and by theirs, these recommendations remain unimplemented as they apply to in-service training.

We maintain that comprehensive in-service cultural awareness training that satisfies recommendation 228 should be universal, ongoing and based on best practice. For cultural awareness training to be universal, it should apply across all Victoria Police staff and should not be restricted to locations where there is a high Aboriginal population. Cultural awareness training cannot be considered a substantial component of police training if it is provided on a once-off basis, especially as recruit training as according to the OPI, this only 'sets the scene'.¹⁷ We believe that ongoing cultural awareness training should also involve opportunities for reflection on experiences, and should be tailored to each

police ranking. An officer promoted to sergeant, for example, who is more likely to deal with complaints about police, should receive tailored cultural awareness training.

For cultural awareness training to be based on best practice models, there needs to be a genuine partnership between local Aboriginal communities and Victoria Police members. For this to occur, there needs to be meaningful dialogue and exchange. One of the ways that this could be facilitated is if Victoria Police would relinquish some control over the process, and be open to being approached by the local community to deliver cultural awareness training.

IV Conclusions

RCIADIC recommendation 228 concerning the cultural awareness training of police remains unimplemented. Whilst progress has been made in the relations between Aboriginal communities and Victoria Police, there are many areas that can be identified as needing more work. To achieve systemic change within the culture of policing in Victoria, and therefore improve justice outcomes for people, it is imperative that these changes happen now. It is unacceptable that more than 20 years since the RCIADIC appropriate cultural awareness training of police has not been achieved beyond that which provides 'little to properly prepare a recruit for the realities of police work in dealing with Koori people or policing Koori communities.'¹⁸ The recent findings of the OPI strongly echo what was uncovered by the RCIADIC, where most agree that 'a greater level of understanding and awareness of Aboriginal and Torres Strait Islander traditional and contemporary cultures was needed to improve relationships, and ensure better outcomes for Koori people from the criminal justice system.'¹⁹ We continue to work towards an informed and collaborative relationship with Victoria Police for cultural awareness training that will see better policing and more positive justice outcomes for Aboriginal communities.

of Representatives Standing committee on Aboriginal and Torres Strait Islander Affairs, *Justice Under Scrutiny: Report of the Inquiry into Implementation by Governments of the Recommendations of the Royal Commission into Aboriginal Deaths in Custody* (Australian Government Publishing Service, 1994) 250.

3 RCIADIC, above n 1, vol 5, 116, 120.

4 Ibid vol 5, 120. We are aware of nine recommendations relevant to cultural awareness training. We have focused on two in this article. The remaining seven recommendations are 60a, 60b, 87b, 133a, 133b, 133c, 177: RCIADIC, above n 1, vol 5, 82, 88, 98, 109. A 2005 review by the Victorian Department of Justice found that all had been implemented but for rec 133c: Victorian Department of Justice, *Victorian Implementation Review of the Recommendations from the Royal Commission into Aboriginal Deaths in Custody* (2005). We question whether an overwhelming majority of the recommendations relating to cultural awareness training have in fact been implemented, given the argument made here that cultural awareness training has yet to be made a substantial component of police training.

5 Victorian Department of Justice, above n 3, vol 1, 397.

6 Ibid vol 1, 397.

7 Ibid vol 1, 336.

8 This figure is calculated on the basis that there are up to four community groups (including Aboriginal and/or Torres Strait Islander peoples) that share a one hour and 10 minute session.

9 Office of Police Integrity Victoria, *Talking Together – Relations Between Police and Aboriginal and Torres Strait Islanders in Victoria: A Review of the Victoria Police Aboriginal Strategic Plan 2003–2008* (2011) 38.

10 Victorian Department of Justice, above n 3, vol 1, 418.

11 House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, Parliament of Australia, *Doing Time – Time for Doing: Indigenous Youth in the Criminal Justice System* (2011) 198.

12 Office of Police Integrity Victoria, above n 8, 14, 76.

13 Victorian Department of Justice, above n 3, vol 1, 336.

14 Office of Police Integrity Victoria, above n 8, 39.

15 Ibid 66.

16 Victorian Department of Justice, above n 3, 419.

17 Office of Police Integrity Victoria, above n 8, 38.

18 Ibid 38.

19 Ibid.

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1 The term 'Aboriginal' has been used in this article to refer to both Aboriginal and Torres Strait Islander peoples.

2 Commonwealth, Royal Commission into Aboriginal Deaths in Custody, *National Report* (1991) vol 2, 207, cited in House