

A.L.W.G. DISCUSSION PAPER ON POLICING 13/5/82

Dave Brown

INTRODUCTION

This paper is a brief background discussion paper prepared for the A.L.W.G. It arises out of the debate at the last Co-ordinating Committee meeting on the question of the Redfern Police Complaints Project. That debate illustrated a wide divergence of opinion and this paper has been prepared in an effort to clarify issues in the hope that the A.L.W.G. can formulate a general position that will command support, prior to approaches being made to other groups.

The basic thrust of the paper is that rather than more narrowly conceived projects around the issues of police complaints procedure or police verbals the A.L.W.G. should initiate a debate around the broader project of bringing the police under some form of local democratic accountability as a precondition of the struggle for democratic control.

The U.K. Police Committees

One possible strategy we can look to is the U.K. debate around the operations of Police Committees. These Committees are local council committees, hangovers from the old watch committees. They consist of 2/3 elected local councillors and 1/3 non-elected local magistrates. Theoretically at least the police are answerable to the committees through budgetary appropriations (police are financed through local government rates) through questioning over policy (as distinct from 'operational') decisions and the committee's powers to appoint the local Chief Constable. The operation of these committees varies widely. (For information on the current debate see: Monitoring the police. State Research Bulletin vol. 5 No. 28 Feb-March 1982 pp.65-67 and Ian Taylor; Law & Order: Arguments for Socialism. MacMillan. London. 1981 pp. 156-9.)

Problems with using U.K. Police Committees as a model

A number of problems arise in attempting to adapt the U.K. experience to the local situation. These include:
1) the different constitutional position of Australian and most U.K. forces. In Australian forces there is no provision for any local accountability, the police commissioner is answerable to the Minister,

2) the actual operation of the committees varies widely in different areas,

3) the committees are hampered by the 'operational'/policy distinction which precludes them investigating daily policing practices,

4) active and critical committees run into difficulties in that their work is obstructed by the non-co-operation of certain chief constables,

5) the local councils have a financial responsibility for the police, payable from out of local government taxes. In Australia, financial responsibility rests with State and federal governments,

6) the corrupt and right-wing character of some, particularly inner-city, local councils makes their suitability as a base for attempts to bring the police under some form of democratic accountability and control, somewhat problematic,

7) difficulties with both the concept and the identification of 'the community' as a basis for action in the policing area.

A Proposal

The establishment of a committee in the Redfern area (Campaign for a democratic police/Police Accountability Committee/Police Monitor etc.) to monitor the activities of the police. The committee to be initially set up by popular pressure from within Redfern, rather than by governmental or council appointment.

The Committee to consist of representatives of a broad diversity of local organisations and interests: local community health and law centres, CYSS and youth support schemes, A.L.S., A.M.S., women's organisations, health centres, rape crisis etc., unions, migrant organisations, church groups, C.C.L., PAG/W.B.B., local council, etc. etc.

Until such time as such a committee had established a sufficient base to argue for the creation of legislative powers and functions it would have to attempt to develop powers through the stimulation of public debate, pressure, protest, community mobilisation, press statements, letters, submissions, political lobbying etc.

This activity should be conducted with a view to hegemonising community or specific group interests in particular aspects of policing (e.g.

- i) complaints against police procedures
- ii) monitoring of police stations. For example such a committee might form the basis of a roster of community observers, to be rostered on a 24-hour basis to observe and monitor the operation of police stations. It may be that 24-hour monitoring by community representatives would be a sounder base for contesting verbals, bashings etc. than the current focus on tape/video recording or the presence of lawyers.
- iii) building up information about the specific local policing practices and patterns as they affect different groups.
- iv) police verbal, fabrication, planting and assaults.

However, these particular issues should be taken up within the general framework of attempting to establish some form of democratic accountability over the police in the context of a longer term struggle to bring the police under popular democratic control.

Some underlying political and theoretical assumptions

It may be as well to identify some of the political and theoretical assumptions underlying this proposal, so that objections can be more adequately formulated and discussed.

- 1) The state is not a monolithic, undifferentiated repressive apparatus merely to superintend class rule.
- 2) Strategies of insurrectionary seizure or overthrow are largely polemical and rhetorical in a situation where there is no immediately identifiable insurrectionary force.
- 3) That the police, although a central part of the state repressive apparatus, securing class control, nevertheless carry out some functions and tasks that are socially useful. Not all their activities are repressive.
- 4) There is no substantial body of opinion in the local community that would demand the total withdrawal of the police from the community.

It is important to identify these assumptions for there is a strong argument that attempting to subject the police to popular democratic accountability and control is a reformist and forlorn task. For if the police are merely a repressive

apparatus of a monolithic capitalist state securing and reproducing class control then they cannot be made 'accountable' or 'democratised'. The police must simply be overthrown, as part of the task of smashing the state. The demand must thus be for the withdrawal of the police from areas such as Redfern, coupled with attempts to physically and ideologically contest their presence, organising local self-defence groups, etc.

If on the other hand we analyse the state not as a thing but a relation, then our strategy must be one of transforming power relations rather than 'seizing power'. And if we analyse the state's non-monolithic and contradictory structure we may uncover modes of determination that are specific to particular sectors. Within this strategy we have to leave behind a generalised opposition to the police as always and of necessity repressive, and contest specific practices: verbal, fabrication, planting, bashings, harassment, in relation to specific communities (e.g. blacks, unemployed youth, migrant groups etc.).

The contesting of specific practices which could thus encompass (e.g.) the running sheet on verbals, keeping track of police complaints, building up evidence of specific local patterns of policing, victimisation of particular groups and individuals etc. should be conducted within the overall thrust that 'the public', which funds the police has a right to a say, not only in relation to police abuses/ illegalities/going beyond power etc. but also in relation to the manner and form policing takes. In the local context, the allocation of priorities etc.

It may be premature at this stage to attempt to formulate with any precision the exact structure or model that a popular democratic initiative might take. The main thrust at this stage should perhaps be:

- i) to adopt a general position within the ALWG that commands support.
- ii) to identify and weld together an alliance of organisations, groups, interests in the Redfern area that might constitute a basis for some sort of monitoring of the police and for raising issues of democratic accountability and control over forms of policing.