POLICING – REFLECTING ON THE PAST: PROJECTING INTO THE FUTURE

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Abstract

The paper will comment or reflect on some of the key developments and themes in Australasian policing in the latter half of this century. Having done this, an assessment of where policing is currently at will be provided. The paper will also:

• highlight emerging issues and challenges, including globalisation of crime, international tension and conflict, technology (particularly information technology), illicit drugs and the growth of the private security industry;
• identify strategic directions as they appear in key documents such as the recently endorsed Directions in Australasian Policing 1999-2002; and
• comment on the future of policing in relation to roles and responsibilities and key strategies.
Introduction

It should be understood, at the outset, that the principal object to be obtained is the prevention of crime. To this great end every effort of the police is to be directed. The security of person and property, the preservation of public tranquillity, and all the other objects of a police establishment, will thus be better effected, than by the detection and punishment of the offender, after he has succeeded in committing the crime. This should constantly be kept in mind by every member of the police force, as the guide for his own conduct (cited in Gilling 1996, p.101).

Thus began the instructions to the Metropolitan Police in 1829. There has been much debate on what they actually meant, due largely to the various interpretations that can be attributed to the term “prevention”. However, it is clear this early English model was based on high visibility uniformed patrolling, or the “scarecrow function”, as it has been referred to (Reiner 1992, cited in Gilling 1996, p.102).

Two significant aspects of the Peel model were the introduction of regular patrol areas or “beats” and the paramilitary command structure (Patterson 1995). In addition, it was said that under the model, the police were the public and the public were the police.

Australian policing was broadly based on the English model, as opposed to the model which developed in the United States. The political context of colonial history was the most important factor in determining the organisation of policing in Australia (Finnane 1994, p.7). There have been some important differences between Australian and American or English policing, most obviously at the macro-level of the constitutional status of police and the extent of jurisdiction of particular forces (Finnane 1994, p.3).

Corns points out that the original form of English policing (or the Peel model) could be characterised as a “softly softly” approach reinforced by additional instructions that police officers were to be unarmed, courteous at all times and refrain from the use of violence. Hence, whilst high visibility was essential, minimal intervention strategies were to be employed. Policing was to be “direct, personal and primarily about crime prevention” (Corns 1988, p.34).

In commenting on modern policing in Australia, Corns comments that in many respects the Peel model has been replaced with anonymity, impersonalisation and a sense of “faceless” policing, due in part to the advent of modern technology such as the motor car and computer databases (1988, p.35). He suggests that the investigation, detection and prosecution of criminal offenders is now a far more significant police function (1988, p.34).

It is useful to reflect on some of the developments and themes in Australasian policing in more recent times.
Key Developments and Themes in Australasian Policing

A variety of events in Australia in the latter half of this century have helped to shape current policing. They include:

- Numerous inquiries and Royal Commissions, including the Lusher Inquiry and the Wood Royal Commission in New South Wales (Wood 1997), the Beach Inquiry in Victoria, and the Fitzgerald Royal Commission in Queensland;
- The formation of a number of criminal justice agencies such as the Independent Commission Against Corruption in New South Wales, the Criminal Justice Commission in Queensland and the National Crime Authority;
- The formation of the Australian Federal Police and several of the National Common Police Services, following the Hilton bombing incident of 1978 and the subsequent report by Sir Robert Mark;
- Major criminal cases and the subsequent inquiries into them, such as Splatt in South Australia (South Australia 1984) and Chamberlain in the Northern Territory (Morling 1987), which served to highlight the critical nature of forensic science to criminal investigation and prosecution and which eventually led to the formation of the National Institute of Forensic Science and more accountable forensic procedures;
- The tragedy of Port Arthur in 1996 and the tightening of firearms regulation that followed;
- The Royal Commission into Aboriginal Deaths in Custody, which made significant recommendations, inter alia, for changes to police policy and practices;
- Other major reviews and reports including the National Committee on Violence report (1990);
- A series of police shootings in the early 1990’s which focused community attention on the police use of lethal force.

Of course, there have been many more events or incidents that have impacted on policing but it is not possible to cover them all in the paper.

Significant research also challenged commonly held beliefs and led to fundamental changes in the way police deployed resources and responded to calls for service. In particular, the value of random motorised patrolling and the value of an immediate response to most calls for service were called into question.

The police response to issues such as domestic violence and sexual assault also came under heavy criticism as the women’s and victims’ movements gained momentum.

Other important trends or developments in recent times have included:

- Intensive growth in the security industry, particularly during the 1970’s and 1980’s. It is now clear that security operatives outnumber conventional police by at least 2 to 1 (Prenzler & Sarre 1998, p.1);
- The development of specialist investigative units within many Government departments;
- Requirements for greater political, financial and managerial accountability within policing;
- Increased community and government concern in relation to issues of privacy and confidentiality, coupled with greater community access to government held information;
• Greater external oversight of complaints against police and more proactive approaches, particularly within policing itself, to the issue of ethics, integrity and police corruption;
• The adoption of equity and diversity principles and practices, which has also led to significant changes in police selection and recruitment practices;
• Significant moves to professionalise the policing occupation, involving enhanced training and education, strategic alliances with the tertiary sector, promotion by merit rather than years served in the job or via “the old boys network”, the ongoing development of a specialised body of knowledge, evidence-based decision-making and policy formulation and the recognition of core competencies;
• Significant changes to multi-tiered, hierarchical and inflexible organisational structures, through broadbanding, devolution of authority, outsourcing and more flexible work arrangements;
• A critical examination of high speed pursuits, urgent duty driving and the general use of force by police;
• Civilisation, particularly the greater use of specialised staff in senior positions and the use of civilians, special constables or auxiliary police in positions such as front counter, communications etc.; and
• Major changes in government policy in relation to such issues as deinstitutionalisation of the mentally ill.

Such developments have occurred in the context of social, demographic, legal, political, economic and technological changes which have also affected the very nature of policing.

Some significant changes in core operating strategies have also occurred in recent years. Partly in recognition of the distancing of police from the community and the recognition of a need to do things differently, policing in the 1980’s moved to embrace the community policing model, which generally involved:
• a “service”, as opposed to a “force” mentality;
• consulting and working with the community on issues of importance to them;
• regionalisation and decentralisation; and
• making police officers accountable for discrete territories or beats.

Since the adoption of community policing, there have been moves to adopt or incorporate aspects of “problem-oriented policing” (Goldstein 1990), “partnership policing” and “intelligence led policing”.

The “Broken Windows” theory (Wilson & Kelling 1982) also attracted considerable attention in Australia and there has been consideration and selective, targeted implementation in more recent years of the Zero Tolerance Policing approach (which appears to have enjoyed some success, particularly in New York).
Where Policing is Currently at

As we enter the new millennium, policing appears to be reasonably well placed to meet future demands for services. There is a strong recognition by police leaders that in the past policing has on many occasions been on the “back foot” and forced to adopt a reactive stance. There is a clear commitment to become more proactive, to anticipate and prepare for change and to adopt more of a leadership and partnership role.

On a strong positive note, a number of recent developments such as the development of CrimTrac and the greater ability to strategically use DNA technology will materially assist police in their day to day operations.

CrimTrac is a national state of the art information system that will give police speedy access to operational information such as Domestic Violence Orders, criminal records and missing persons information. It will also include an updated automated fingerprint identification system, a new national DNA database and a new national child sex offender register.

DNA technology and the ability to link offenders to crime scenes and victims is also developing rapidly and legislative reform is occurring to maximise its potential to law enforcement, whilst also ensuring fairness to the accused.

Whilst further research into the Australasian policing and crime environment is required, valuable research, both local and overseas, is available to assist criminal justice and policing administrators in the development of key strategies and policy.

Intelligence collection, analysis and exchange has improved significantly over the years with greater levels of international and national cooperation and significantly less distrust and “turf protection”. There has also been concerted efforts to develop strategic, “over the horizon” intelligence.

Law reform is recognised as an area still requiring considerable attention, particularly in the areas of:

- criminal offence provisions in relation to IT and computer crime (Berwick 1999);
- police investigative powers in the context of transjurisdictional/multijurisdictional crime and organised crime; and
- the powers of the court to freeze, seize and confiscate the proceeds of crime or tainted property.

We will no doubt continue to witness the expansion of the private security industry, particularly as the more affluent in the community become more prepared to pay for enhanced security and quality of life.

Well developed governance structures, such as the APMC, Senior Officers’ Group, Heads of Commonwealth Operational Law Enforcement Agencies (HOOLEA) and the Police Commissioners’ Conference and its subordinate conferences, as well as other related forums such as the Ministerial Council on the Drug Strategy (MCDS) and the Intergovernmental Committee on Drugs (IGCD) and the Standing Committee of Attorneys-General (SCAG), are in place to ensure that policing appropriately prioritises issues and that the issues are addressed in a coordinated and strategic way.
The Future

The future will be discussed in terms of:

• Emerging issues and challenges;
• Current strategic directions; and
• Future roles and responsibilities and strategies.

Emerging Issues and Challenges:

Whilst more specific and immediate challenges for policing include the Y2K problem and the September 2000 Olympic Games, some of the emerging issues and challenges for policing in the medium to longer term include:

• Changing demographics including the ageing of the population and the breakdown of traditional family structures;
• The emergence of new Information Technology and with it the increased opportunity to commit crime and remain anonymous as well as to effectively launder and sequester the proceeds of such crimes;
• Responding in a timely and coordinated way to multijurisdictional and transnational crime or policing in a “borderless” world (Palmer 1999);
• Responding to growing international tension and conflict which contributes to the migration of people around the world and strengthens demand for organised people smuggling operations. International tension and conflict could also lead to the further diversion of police resources into peace-keeping missions such as have already occurred in East Timor, Haiti, Cambodia and Mozambique (Beattie 1999) or result in local disorder incidents, as has occurred recently.
• Policing Aboriginal people and their communities in a sensible and sensitive way;
• Policing an increasingly multicultural population and client base;
• Dealing with the incidence of violence in society;
• Addressing the illicit drug problem in innovative and strategic ways which minimise harm not just in a health sense but in the context of total aggregate harm to the community (such as demonstrated by the recently launched Council Of Australian Governments (COAG) diversion initiative of illicit drug offenders);
• Servicing a more articulate, discerning and better educated community in the context of static or shrinking resources.

Technology will present a major challenge for policing due to:

• new and rapidly emerging technology, including e-commerce;
• an exponential growth in the use of the Internet and the consequent increased potential for misuse and exploitation (through such things as fraud, hacking, exchange of pornographic or objectionable material etc.);
• the increased use of encryption and the emergence of steganography (or hiding data within data) amongst those trying to avoid detection and prosecution;
• the potential for information warfare and information terrorism (Riddile 1998); and
• the advent of smart card technology or digital cash and its potential to, inter alia, encourage new forms of home invasion (Berwick 1999) and to thwart attempts to detect money laundering activities.

The issue of electronic crime is one that is currently being grappled with at the highest levels of policing. The recent Crime Commissioners' Conference and Seminar held in Adelaide in November 1999 had as its theme “Electronic Crime: The Challenge for the New Millennium”. In addition, the proposed theme for the March 2000 Commissioners' Conference involves economic and electronic crime.

A move in Australia to electronic commerce is inevitable and the very significant implications for law enforcement are being examined by the Research Group into the Law Enforcement Implications of Electronic Commerce (RGEC), a group chaired by the Director, Australian Transaction Reports and Analysis Centre (AUSTRAC).

Commissioner Palmer of the Australian Federal Police, in recognising the criticality of these issues, recently commented that future legislation will need to address the internationality of criminal activity and ensure that law enforcement agencies have the legal means to support international collaboration, co-ordination and investigation.

The United Nations is currently in the process of responding to the issue. The UN Secretary-General, Boutros Boutros-Ghali (1995) stated:

Powerful international criminal groups now work outside national or international law. They include traffickers in drugs, money laundering, the illegal trade in arms – including trade in nuclear materials – and the smuggling of precious metals and other commodities. These criminal elements exploit both the new liberal international economic order and the different approaches and practices of States. They command vast sums of money, which they use to suborn State officials. Some criminal “empires” are richer than many poorer States. These problems demand a concerted, global response.

The United Nations is in the process of drafting what is hoped to be a legally binding international convention on transnational organised crime (United Nations 1999).

Commissioner Palmer (1999) says that in the future we will seriously need to consider adopting “mutual assistance” type arrangements similar to those presently used for humanitarian and war crimes investigations, for the investigation and prosecution of people involved in multinational crimes.

Clearly, police will also need the latest technology and access to well developed technological skills and knowledge, including forensic computing skills, to confront these very real threats to society. The concept of a national forensic computing facility is currently being raised in various forums.

Policing will also need to raise community and political awareness and develop strong linkages with business and the IT industry in order to establish prevention as the key strategy in this area.
Technology is not the only emerging threat. Policing must also consider threats of a chemical, biological or radiological nature. For instance, in 1995 the world witnessed an attack by the Aum Shinrikyo cult with the deadly sarin nerve gas in a Tokyo subway. And earlier this year, Bill Clinton is quoted as telling the New York Times that “It is highly likely that a terrorist group will launch or threaten a germ or chemical attack on American soil within the next few years” (1999, p.22). In addition, the British Government is taking this type of threat seriously and has created special police teams to investigate and respond to biological and chemical terrorist attack (Fogg 1999, p.22).

Illicit drugs continue to present a major challenge to policing. For instance, in 1988 the rate of overdose deaths was 45.3 per million people. By 1998 this had almost doubled to 87.1 per million (Merriman 1999; McNicoll 1999). In addition, heroin overdose deaths in Australia jumped 22.8 per cent from 600 in 1997 to 737 in 1998 (Merriman 1999; McNicoll 1999). Opiate overdose accounted for almost 9 per cent of all deaths in the 15-44 age range in 1998 (McNicoll 1999). Clearly, policing methods of the past have not been effective. Policing and governments are critically analysing their approach to the issue and actively seeking, and in some cases trialing, new and innovative strategies (for instance, the recent COAG diversion of illicit drug offenders initiative, Operation Mantle in South Australia (Kitto 1999) and drug courts).

New crimes will also emerge and police may well be called upon to increasingly deal with such issues as trade in body parts and environmental crimes or incidents, such as the black mussel issue in Darwin earlier this year, which threatened the country’s fishing and pearling industry.

**Strategic Directions**

The overarching strategic document for Australasian policing is the Directions in Australasian Policing document. The latest version, which covers the period until end of June 2002, was endorsed by the Australasian Police Ministers’ Council (APMC) at its meeting in Sydney in November 1999.

This key document provides the guiding principles for the future directions of Australasian policing, while also providing a framework for cooperation and partnerships. (Having said this, it is acknowledged that other documents, such as the National Drug Strategic Framework 1998-9 to 2002-03, will also have a role in determining future directions and approaches to critical drug-related issues).

The Directions in Australasian Policing document will underpin the business of APMC, Senior Officers’ Group, the Police Commissioners’ Conference, including a number of subordinate conferences, and the strategic and corporate plans of all police organisations, including the National Common Police Services.

The document endeavours to foster continual improvement in security, peace and order in society, resource efficiency and the quality of policing services via commitment to the principles of accountability, contestability, continuous improvement and the application of international best practice in policing. The document reflects the dynamic nature of policing and the potential influence of globalisation and the impact of rapidly advancing technology whilst still recognising the centrality of local issues.
The structure of the document is in terms of a vision, key directions, goals and objectives.

The vision is for “a safer and more secure community” while the focus is to achieve the highest standards of police professionalism through continual improvement in:

- service delivery to the community
- organisational and individual integrity and accountability

in order to promote public safety and security and reduce and prevent crime.

In seeking to achieve this vision, the focus is on three key directions:

- Leadership, partnership and consultation;
- Professionalism and accountability;
- Cooperation and coordination in operations and resources.

The document in comparison to the previous document places greater emphasis on the following:

- Achieving a balance between local and global priorities;
- Crime prevention as well as crime reduction;
- Intelligence-led and problem-oriented policing;
- The importance of durable and effective marketing and communication strategies;
- The police response to the use by criminals of new technology;
- A more considered approach to the issue of illicit drugs, including the use of alternative responses to arrest;
- The need for a proactive approach to issues, better follow through and implementation, and evaluation;
- The need to address the role of the private sector in the criminal justice system; and
- The need to develop and adopt mechanisms and protocols for the coordination of interjurisdictional operations.

Leadership and all that it entails continues to be a key feature of the document. However, there is a clear acknowledgement that police are only one of the key players in addressing complex issues such as crime and the illicit drug problem.

Roles and Responsibilities and key strategies

The role of police is changing rapidly and will continue to do so in a dynamic and increasingly global environment. We will need to constantly rethink and redefine the way in which we do policing. We will also need to evaluate strategies and their outcomes and react accordingly.

Bayley states (1999) that the global nature of many crimes today such as illicit drug and people trafficking, terrorism and money laundering, make them inappropriate to community policing and demanding of a new focus. Bayley comments that there is already evidence of a recentralisation of problem definition and key decision-making back to police headquarters and out of the community and the emergence of what he refers to as “high policing” (1999, p.2).
Clearly, the future role of policing in critical areas such as IT crime needs to be better defined and articulated and relevant strategies developed and resourced.

Partnerships, linkages and key strategic alliances including strong links with the community will continue to be essential. As Grabosky states (1996, p.1):

> Just as we recognise that the most effective countermeasures to conventional crime lie in the cultivation of such informal institutions of social control as family and neighbourhood, and in private avenues of crime prevention, so too must our approaches to sophisticated crime and related emerging threats rely on non-governmental actors and embrace private institutions.

The police role vis-à-vis the private security industry will also have to be considered. However, Shearing states that the growth of private policing means that the ”state police” can no longer dictate the direction of policing or their role in it (1996, p.83). Similarly, Bayley states that the state has lost its monopoly on policing (1999, p.2).

Clearly, some critical issues require attention by governments and police administrators.

**Conclusion**

The rate and pace of change is increasing dramatically. Globalisation and new technologies are presenting unprecedented challenges. Policing clearly needs to become more adept at anticipating change in the environment and adapting to it in a timely and effective way. The “softly softly” and paramilitary approach once advocated for Peel’s English police has been inappropriate for some time now. The “scarecrow” function has been replaced by the need to deal with complex and challenging issues in a timely and effective way.

Policing will need to develop new strategic alliances and networks and organisational structures which are less hierarchical and more flexible and which are suitable for a situation of continuous, rapid and, more often than not, unpredictable change. Police leaders need to ensure that their organisational cultures are receptive to change, that the best personnel are selected and recruited, or able to be readily accessed, and that these personnel are appropriately motivated, skilled and equipped to deal with new and difficult issues.

As Corns has stated, the form and nature of policing is a dynamic process. The changes are not however readily apparent and it is not until macro or historical analyses are made that the differences can be identified. It is interesting to note that the role of crime prevention is once again coming to the fore.

An old saying says that those who cannot remember the past are condemned to repeat it. I’m sure that this conference will remind us all of at least some of the perils and pitfalls to be avoided.

Clearly, those who learn from history will be better prepared to meet the leadership challenges of the new millennium. As someone once said, “How can you know where you are going if you don’t know where you have been?”.
References


Australian Institute of Criminology Canberra

Beattie, M. 1999 “Strategies for the Future” *Platypus* No.64 October pp.36-38

Crime Conference and Seminar November held in Adelaide from 15-19 November


No.1. March pp.43-54

Etter, B. 1999 “The Future of Policing: Adapting to the Environment and Connecting to the
Community” Paper Presented to the Second Australasian Conference of Women and
Policing in Brisbane July

University Press Melbourne


Institute of Criminology Canberra November

Australia Police June


Merriman, J. 1999 “Worst State for Heroin Deaths” *Advertiser* 8 December p.6

2002-03: Building Partnerships* November

Morling, the Hon Mr Justice T. R 1987 *Royal Commission of Inquiry into Chamberlain
Convictions* Government Printer of the Northern Territory
National Committee on Violence 1990 *Violence: Directions for Australia* Australian Institute of Criminology Canberra

Palmer, Commissioner M. J. 1999 “A Borderless World - The Politics and Realities of Policing in the New Millennium” Presented to the National Press Club in Canberra on 20 October

Patterson, J. 1995 “Community Policing: Learning the Lessons of History”
http://www.lectlaw.com/files/cjs07.htm

Prenzler, T. & Sarre, R. 1998 “Regulating Private Security in Australia” *Trends and Issues* No. 98 November Australian Institute of Criminology Canberra

RGEC 1999 *Contributions to Electronic Commerce: What Law Enforcement and Revenue Agencies Can Do* Commonwealth of Australia


South Australia 1984 *Royal Commission Report Concerning the Conviction of Edward Charles Splatt* Government Printer

United Nations Department of Public Information 1995
http://www.un.org/ecosocdev/geninfo/crime/dpi1644e.htm


Wood, the Hon Justice J R T 1997 *Royal Commission into the New South Wales Police Service Final Report* August