

ABORIGINAL/POLICE RELATIONS IN THE PILBARA

A STUDY OF PERCEPTIONS

**Special Cabinet Committee on
Aboriginal/Police and Community Relations**

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THE PILBARA

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by

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Special Cabinet Committee on
Aboriginal/Police and Community Relations

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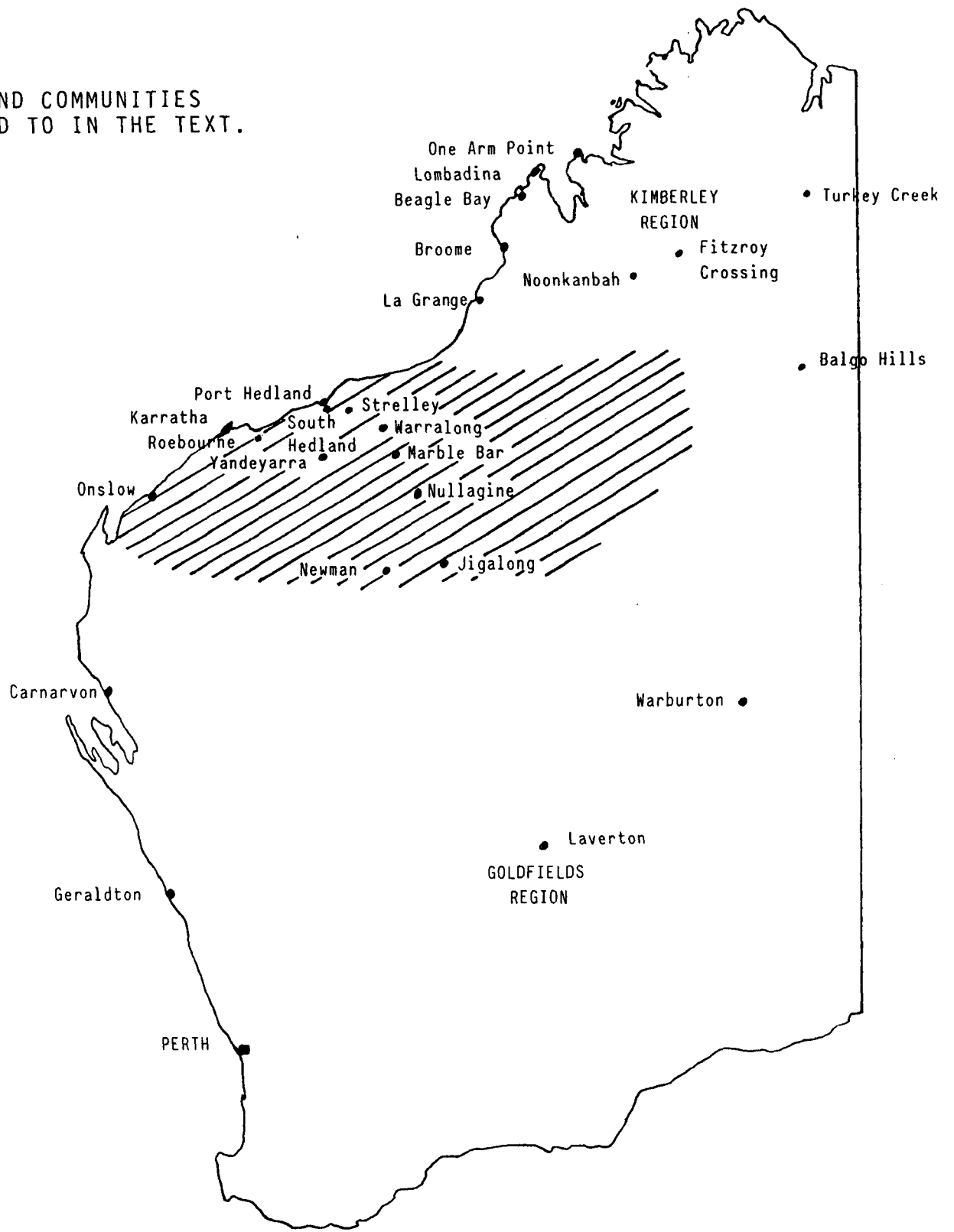
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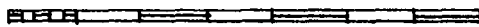
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PILBARA REGION

CHAPTER ONE

INTRODUCTION

In 1983, an Aboriginal youth named John Pat¹ died whilst in police custody in Roebourne². His death raised public concern about Aboriginal/police relations to a level unprecedented since the events at Laverton and Skull Creek which led to the 1976 Laverton Royal Commission.³ The ensuing court case against the police and the verdict of innocence, served to maintain that concern and focussed media attention on Aboriginal/police relations in connection with the incident, for some two years after the event. Meanwhile in Port Hedland,⁴ a further 180 kilometres up the coast from Roebourne, a group of Aborigines from the Jigalong community⁵ were involved in a hotel brawl where many arrests were made. The 'Top Pub incident' as it came to be known, was the most visible of a series of clashes between Jigalong Aborigines and the law. In the four months from October 1984 to January 1985, Jigalong

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1. The 16 year old Aboriginal was involved with police in a hotel brawl. He died later that night in the police lock-up. Four policemen and an Aboriginal police aide were tried and acquitted in connection with the death. All police stationed at Roebourne at the time have since been transferred to other towns. The police aide connected with the event has also been transferred.
 2. Roebourne is situated in the north west (Pilbara region) of Western Australia. See map, p.iv.
 3. See pp.51-52.
 4. See map, p.iv.
 5. Ibid.

people were reported by the media as having been arrested at Nullagine, Port Hedland, Broome and Fitzroy Crossing.

It was suggested at the time that these incidents were just the tip of an iceberg, that there had been a long history of racial conflict in the region, and that unless something was done to ameliorate the deep hostility that lay beneath the surface further outbreaks of violence were likely to occur. With these concerns in mind the West Australian Special Cabinet Committee on Aboriginal/Police and Community Relations successfully applied to the Australian Institute of Criminology for funds to set up a case study research project focussing on Roebourne and Jigalong. The project was welcomed by Aborigines in the two communities and was fully supported by the Commissioner of Police. A senior police officer was nominated as a consultant/liaison officer to the project. An Aboriginal research assistant from the Pilbara was appointed to carry out the field work.

PURPOSES OF THE PROJECT

The central aim of the project was to formulate proposals for improving the working relationships between Aboriginal people and the police in the Pilbara, particularly with respect to Jigalong and Roebourne. Related to this aim were a number of other purposes. It was hoped that the project would:

1. identify the major issues affecting Aboriginal/police relations in selected areas of the north west
2. make a direct contribution to Aboriginal/police liaison in the area

3. propose structures which enable police and Aboriginal communities to work effectively and in concert to address law and order issues in the Aboriginal communities at Jigalong and Roebourne
4. propose ways of defusing potentially violent situations
5. function as a pilot study for further research projects.

Before outlining the methodology of the project, brief background sketches of Jigalong and Roebourne are included.

ROEBOURNE

The small north west town of Roebourne (population 1200)⁶ lies 1500 kilometres north of Perth. To the west, several kilometres of marsh separate the town from the coast. The Harding River, of spiritual significance to the Indjibandi people of Roebourne, flows in from the east and forms the northern boundary of the town.

Roebourne was first settled in 1864 by a small group of pastoralists (Withnell Taylor 1980). By 1867 a new industry, pearling, was providing wealth to these and other settlers. During this time Aboriginal men and women found themselves being shipped off pastoral properties in the slack period, for a further season's unpaid work as pearl divers and in the case of women, as prostitutes (Hunt 1986). As the pearling industry became increasingly lucrative, Aborigines were

6. The Australian Bureau of Statistics 1981 Census gives the population as 1689. However, a local estimate, which excludes workers on the Woodside Petroleum off-shore pipelines, gives the town's population as 800 Aborigines and less than 400 whites.

kidnapped from the interior in 'blackbirding' expeditions and were indentured to white pearlers through draconian laws administered "by a J.P. who was most often a fellow pearler or a sympathetic pastoralist" (Hunt 1986:50).

1888 saw the discovery of gold in the region and an influx of prospectors and miners. Police records show that drunkenness and violence against Aborigines was on the increase (Hunt 1986). By the turn of the century however, the miners had headed inland and the focus of the pearling industry was moving further north. Roebourne settled down to become a service centre for the local pastoral and mining industries.

Progress, in the form of big buildings, big business and big government, appears to have passed Roebourne by. Instead it is centred in Karratha, a brash and gleaming town 40 kilometres away, which sprang out of the surrounding plain in 1970 at the height of the mineral boom. In the early 70's Roebourne was host to construction workers, many being single migrants who built the nearby mining town of Wickham and its port, Cape Lambert. In a repeat of the cycle, police have suggested that booze and Aboriginal women again became sources of entertainment for the latter day influx of workers and adventurers.

Most of Roebourne's 800 Aborigines live at the 'village' in the southern corner of the town. Others live in scattered Homeswest rental accommodation. Smaller groups live at Cheeditha Village, several kilometres west of the town, and at the Three Mile and Five Mile camps. A drying out camp for Aboriginal drinkers, Ngurrawaana, 100 kilometres south of Roebourne, usually accommodates 15-20 people.

The death of John Pat in 1983 provided an impetus for the setting up of several Aboriginal-controlled self help groups which have gathered strength in the last two years. Ngurrawaana was started by an Aboriginal ex-drinker, Woodley King. Police support the scheme by running grog-checks on vehicles going to the camp and passing the information on to Woodley King. An Aboriginal resource agency, Ngurin, co-ordinates Aboriginal activities in the town. One of its aims is to create more training and job opportunities for Aborigines, particularly youth. It is largely responsible for the recently established Roebourne Aboriginal Medical Service which is one of a small number of employers of Aboriginal people in Roebourne. Another Aboriginal group, Ieramugadu, acts as both employer and labour pool for Roebourne Aborigines.

The Police station in Roebourne has a staff of 10, including 2 police aides. The nearby 'white' towns of Wickham and Karratha, populations 2,400 and 8,300 respectively,⁷ have police strengths of 4 and 14. By any standards, Roebourne has a high proportion of police per head of population.

JIGALONG

Jigalong Community Inc. - ex maintenance depot, ex mission - is 1,100 kilometres N.N.E. of Perth, near the abandoned remnants of the No.1 rabbit proof fence, and 200 kilometres west of the Canning Stock Route. The nearest town, Newman, is 150 kilometres to the west.⁸

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7. Australian Bureau of Statistics, 1981 Census. The 1986 projection for Karratha is 8890 and for Wickham is 2385.
 8. Newman is a mining town, built in the early 1970's and run by the Mt Newman Mining Co.

Established in 1907 as a centre to service the rabbit proof fence, the depot began to attract Aborigines from the Western Desert. The superintendent was made a protector of Aborigines who were employed by depot staff in return for ration handouts (Tonkinson 1974:30). The area became populated mostly by Western Desert immigrants with Mandjildjara and Katudjara speakers comprising the numerically dominant groups.

In 1945, the Government conceded defeat to the rabbits and abandoned maintenance of the fence. The Apostolic Church, a small fundamentalist Eastern States based sect, was invited to take over the site. The Apostolic missionaries sought their converts from the Aboriginal children whom they housed in dormitories as a means of segregating them from their families and hence from their traditional beliefs and practices. In 1969, the missionaries departed Jigalong having obtained, according to Tonkinson (1974:38), almost no genuine converts. By 1973 the Jigalong group had become an incorporated body with an elected council, a State-run school and access to Commonwealth funding for development projects. Today, its population stands at over 500.⁹ Some former residents have moved to outstations.

Since 1984 Jigalong has been serviced by the Newman police,¹⁰ who send patrols to that community every 2-3 weeks. Most of their work on these occasions is in connection with motor vehicles. Jigalong people

9. D.A.A. 1985 Community Profiles.

10. Prior to this it came under the jurisdiction of the two man station at Nullagine (one officer and one police aide).

visit Newman regularly for mail, stores, alcohol, and the purchase of motor cars. They seldom stay long and, according to police, "rarely cause trouble in the town." In addition to the regular patrols, the police visit Jigalong in response to calls for assistance. They say that such calls have increased recently to an average of one a week. The police believe that this is partly a response to a good working relationship which has developed between themselves and the Jigalong people, and partly due to an increase in alcohol consumption at the community.

METHODOLOGY

Planning and Administration

At the outset of the project, in May 1985, the research team met in Perth over a period of two weeks to discuss methodology and prepare materials for the collection of data.¹¹ Interview schedules were constructed to ascertain Aboriginal and police perceptions of the nature and seriousness of any negative relations that might exist between them, the determinants of those relations, and ways to improve relations between the two groups. The police schedules were then trialed by the Aboriginal research assistant in a mock interview session with police in Perth and necessary amendments were made. The final result was the set

11. The research team consisted of:

Research Officer/Coordinator	- Lynn Roberts
Research Assistant	- Rose Murray
Police Consultant	- Kevin Gordon
Academic Consultant	- Rod Chadbourne

of 61 questions listed in the Appendix. Aboriginal people were asked questions to elicit similar information.

Before fieldwork commenced, steps were taken to inform Aboriginal groups about the project at meetings and by word of mouth. The Police Department took the major responsibility for informing its officers. A newspaper article on the project also helped convey the purpose and nature of the research (The West Australian, May 20, 1985).

Fieldwork was carried out from June - September, 1985. Aboriginal people at Jigalong and Roebourne, and police who have most contact with people from those two communities,¹² were interviewed by the Aboriginal research assistant. 54 Aborigines from Jigalong and Roebourne participated in the project as well as 7 police aides,¹³ 31 police officers and 8 other people¹⁴ working in the field of Aboriginal affairs in the Pilbara. Over 350 pages of type written comments were collected.

In analysing the data and writing this report, material collected from Aboriginal people at Jigalong has not been included because in the event, too few Jigalong people participated formally in the project. Responses about Jigalong by people outside that community, however, form an important part of this report and helped in pointing to research areas

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12. Police from Newman, Nullagine, Marble Bar, South Hedland, Port Hedland and Roebourne police stations were interviewed.
 13. That is, all the police aides working in the region at the time. There are no police aides at Newman.
 14. These people were interviewed at the suggestion of either Aboriginal or police respondents.

that could be pursued in the future.¹⁵

Action Research

The project was 'action research' in nature. Thus it was "concerned primarily with discovering the most effective means of bringing about a desired social change.....the discovery of scientific principles [was].....of secondary or incidental interest" (Theodorson and Theodorson 1969:4). Action research is applied research that focusses on 'practical' problems in contrast to pure research which deals with 'theoretical' problems (Halsey 1972:165-179).

Action research also involves bringing about desired social changes, or solving practical problems, partly through the medium of the research process itself; that is, to some extent with action research the 'medium is the message'. Specific ways in which this was the case in this project will be detailed in the final chapter. As indicated below, the action research nature of the project also influenced the type of questions asked and the basis on which recommendations were formulated.

Symbolic Interactionism

The questions in the interview schedule were constructed mainly in accordance with the principles of symbolic interactionism and were

15. When first proposed, the Jigalong people were keen to support the project. By the time fieldwork commenced however, it was clear that Aboriginal/police relations was not currently a high priority topic. This does not mean that Jigalong people have no concern with law and order issues. See, for instance, p.191.

selected within the context of a review of the literature on Aboriginal/police and community relations, the psychology and sociology of race relations, and the research team's experiences and observations in the field.

A key principle of symbolic interactionism is that our behaviour is determined not by actual situations but by our 'definition of the situation'; that is, by our interpretation of the situation, by the meaning we place on the situation, by what the situation symbolizes for us. Our 'definition of the situation' includes various levels of meaning such as:

- * the meaning we place on the situation
- * the meaning we think others place on the situation
- * the meaning we think others think we place on the situation
- * the meaning we think others think we think they place on the situation.

An example of how symbolic interactionism influenced the formulation of questions is as follows. Police were not asked, "Do you discriminate against Aborigines?" but rather, "Do you think Aborigines consider police discriminate against them?" Similarly Aborigines were not asked; "Do you 'pick on' police?" but rather, "Do you think police reckon Aborigines pick on them?" The underlying assumption here is that it matters less if Aborigines or police do or do not treat each other unfairly than if one group or the other believes it is unfairly discriminated against.

One reason why the symbolic interactionist approach was considered to be appropriate is that it allows questions to be of a

non-threatening nature. For instance, because the aim is not to find out if police actually are prejudiced, there was no need to ask them questions along the lines of, "Are you prejudiced against Aborigines?" Instead less threatening questions could be asked such as, "Do you think Aborigines consider you are prejudiced against them?" or "Do you think Aborigines are prejudiced against the police?" Given the sensitive nature of Aboriginal/police and community relations in the Pilbara members of either party could have become defensive and withdrawn support from the research if they had felt threatened by the type of questions asked or by what might seem to be a judgemental researcher. Withdrawal of support could have taken the form of very guarded answers or outright refusal to participate.

A second reason for concentrating on subjective meanings (perceptions) rather than objective facts is that it fits the action research nature of the project. One aspect of improving Aboriginal/police and community relations is to increase the level of awareness, sensitivity and understanding of both groups towards the other's definition of the situation. The process of answering questions concerned with perceptions can make a contribution towards this end. Desired changes are also more likely to come about if they are based on ideas grounded in the perceptions of the participants rather than on conceptual and ideological frameworks imposed by outside researchers. Participants are more likely to accept responsibility for bringing about improvements if they feel that they have some ownership of the data and that their feeling and beliefs are being accepted as significant.

Keeping such principles in mind, similar questions were asked of both groups. The idea was to find out the extent and type of conflict on

particular issues. This would in turn reveal the type of conflict resolution (education or negotiation) appropriate to the issue.

For cultural/linguistic reasons some questions of the symbolic interactionist type were inappropriate for the Aboriginal groups involved. Certain other important questions were obviously relevant to only one group (for example some questions on selection and training - see the Appendix).

Conceptual Framework

Ideally, symbolic interactionism involves gathering data by means of participant observation which in turn "involves the discovery and use of ethnographic questions to guide what you see and hear" (Spradley 1980:33). According to Spradley, ethnographic questions and answers should not be derived from a pre-determined frame of reference but instead "must be discovered in the social situation being studied" (1980:32). However to adopt this approach effectively it is necessary for the researcher to have extended and close contact with the people whose views are being sought. In our project there simply wasn't time or resources to establish such contact fully, although by employing a local Aboriginal research assistant with kinship ties in the area, these conditions went some way to being met. In the event, much of the material had to be collected by means of structured interviews.

The method for constructing questions for the interview schedule involved formulating a series of key propositions. A number of questions, reflecting symbolic interactionist principles, was then formed

in relation to each of these propositions. It should be mentioned that the key propositions were not derived from, nor did they form, an 'interrelated set of laws'; that is, they did not constitute a 'theory' of Aboriginal/police relations. The reasons for selecting them, and not others, were that: (a) they dealt with concepts and concerns frequently mentioned in the literature; (b) they covered issues which frequently arise in the day to day business of the team members whose work is with Aboriginal/police relations; and (c) they collectively provided a comprehensive framework within which police and Aboriginal people could outline their definitions of the situation.

These key propositions, used as a basis for forming questions for the interview schedule, can be listed as follows.

1. Relations between police and Aborigines are likely to be regarded as negative or bad in situations that involve:
 - (a) physical violence - such as fights and the use of force
 - (b) verbal violence - such as name-calling, abusive language and ridicule
 - (c) social violence - such as non-verbal slights, 'put downs', ostracism, and offensive gestures.

2. Positive relations between police and Aborigines might break down if the members of one group:
 - (a) think the other group is prejudiced against them; that is, if one group feels 'falsely accused' or labelled with an unfair negative reputation by the other group
 - (b) feel victimised, picked on or discriminated against by the other group
 - (c) feel used up and taken for granted by the other group
 - (d) think that the other group regards their culture as inferior, looks down on them, and regards their way of life with contempt

- (e) think that their women are offended, abused or exploited by the other group
 - (f) think the other group abuses its power in situations where there is a conflict of interest
3. Relations between police and Aborigines are likely to improve if:
- (a) members of both groups have knowledge, qualities and skills that are admired and respected by the other group
 - (b) the possibility for conflict is reduced, for example by decriminalizing drunkenness
 - (c) both groups understand how the present day situation is based on the history of Aboriginal/police and community relations in the local area
 - (d) both groups are satisfied with the effectiveness of liaison and communication channels
 - (e) both groups are satisfied with the Aboriginal Police Aides Scheme in the community
 - (f) police are adequately prepared for working with Aborigines
 - (g) Aboriginal people participate in the administration of law and order in their own community.

NOTES ON THE TEXT

The main body of this report is devoted to presenting police and Aboriginal views on the relations between the two groups. In large measure, the officers and Aboriginal people have been left to speak for themselves. Consequently many direct quotations appear in the following pages. Even so, in the interests of keeping the report to a manageable length it has been possible to include only a fraction of the interview material. In line with researchers such as Connell, some of the

quotations have been "edited to remove the hesitations and repetitions of ordinary speech, and....sometimes with intervening statements on other topics deleted" (1985:7).

Unless stated otherwise or the context clearly indicates otherwise, the terms 'Aboriginal' and 'Aborigines' apply to responses of Aboriginal people from Roebourne.

Chapters five and six provide an account of significant aspects of the history of Aboriginal/police relations in the Pilbara. Such an account was considered to be a necessary background for understanding the present day situation.

CHAPTER TWOTHE NATURE AND SERIOUSNESS OF NEGATIVE ABORIGINAL/POLICE RELATIONS

Aboriginal/police relations can be analysed in various terms: as being positive, negative or neutral; as being intense, mild or moderate; as being close, distant or mid-range; as being ongoing, infrequent or periodic. Where relations are negative they can be regarded as simply a phenomenon or as a problem; that is, as an inevitable fact of life not worth bothering about, or as an undesirable state of affairs in need of reform. The interviews in our project began with questions about the nature and seriousness of relations between the two groups. Police and Aborigines were asked whether they considered a problem existed between them, how worried they were about their relationship, and how much need and desire there was to see a change in that relationship.

The first set of questions asked whether all cases of negative situations between police and Aborigines were instances of one of three types of violence, namely:

- (a) physical violence - such as fights and the use of force
- (b) verbal violence - such as name-calling, abusive language and ridicule
- (c) social violence - such as non-verbal slights, 'put downs', ostracism, and offensive gestures.

POLICE VIEWS

The police could not think of any cases of bad relations between

them and Aborigines outside of these three types of violence. They also said that of these three types, it was verbal violence that they were confronted with most often. For one policeman in Roebourne, "verbal abuse is common language up here; but sometimes it's directed abuse. If you went down the street, you could book people for it, every second person." Reportedly, social violence occurred least often. Incidents of physical violence were said to arise occasionally rather than regularly, though for a number of individual policemen, "physical violence is most common..... not much verbal or social violence."

Most police said that negative situations arose between them and Aborigines more so than between them and any other group. They also stated that violence occurred more often with Aborigines in or from Roebourne than from Jigalong. In another set of responses the frequency of violent encounters was said to be higher with younger Aboriginal people (16-25 age group), with 'mixed blood' Aborigines, and with those who had been drinking alcohol; it was also reported to be higher in arrest situations.

Other comments place the relationship between police and Aborigines in the Pilbara in a broader perspective. Nearly half of the police said that they personally had not been in violent situations with Aborigines. For many policemen a lot of the violence they described was reported to, or observed by them, rather than directly experienced. Also a number of police said that they encountered less violence with Aborigines in the Pilbara than with Aborigines in Perth. Another police observation was that when sober, Aborigines are no more violent than other ethnic groups such as Vietnamese, Asians, the Irish, Yugoslavs, and the Dutch. The

police felt that whilst the media makes much of the conflict between them and Aborigines, the main victims of Aboriginal violence are the Aboriginal people themselves and not the police. When placed in the perspective of these observations, it was implied that relations between police and Aborigines are not as negative as the media portrays.

Nevertheless the police expressed concern about their relationship with Aborigines and they expressed a desire to participate in moves to improve the situation:

"We have a duty to be peacemakers amongst Europeans and Aborigines. We have a duty to the drunks for their welfare."

"I believe in prevention, not detention."

"The police are very concerned about this situation, and they would like to assist. After all, after their own people themselves, we bear the brunt of most of this violence."

"We do try to create a good relationship; sometimes with humour, person to person. There is a real effort in () for the police officers to be considered as normal human beings with personalities."

"We'd all like to see an improvement."

"There is a general feeling of concern amongst police."

"We've talked about it a lot."

"Police are very supportive. No police officer wants to be on the outer of the Aboriginal community."

In making these statements, police indicated a concern not only for their own needs but also for what they perceived to be the interests of Aboriginal people.

Police offers to support programmes to improve relations with Aborigines were not unanimous or unconditional. Some qualifications and reservations were expressed. For instance:

"The majority of police don't want problems with Aborigines. But there is independence in the job, and it can vary with the individual's make up."

"The majority of police are concerned, but there's always someone who will be prejudiced."

"Yes, if police can be shown that something is going to be done and that it is going to work; that they (the Aborigines) be cooperative and not just shit being put on police."

This qualified police support was reinforced by a perception among them that most Aboriginal people also desire to see an improvement in intergroup relations. One policeman said that, "Aborigines have a certain amount of respect for the uniform.¹ Because they respect police, Aborigines don't enjoy being in conflict with them."

However not all Aborigines were perceived to be concerned about improving relations with the police. For instance,

"The level thinkers are. Offenders are not."

"Some couldn't care less, others would."

"I don't think the young ones are interested. The older ones would be."

"Jigalong, without question. Roebourne, probably the elders, but not the youth."

Overall though, police perceptions of Aboriginal concern were high. They reported that the, "sober more responsible" people and indeed, "probably the majority of Aboriginal people would be worried and would like to help stop these types of violence with the police."

1. See footnote p.44.

ABORIGINAL VIEWS

The Aboriginal people also agreed that all cases of bad relations between them and police were instances of either physical, verbal or social violence. The most commonly referred to incidents were cases of physical violence. For instance, in response to the question - "Have you ever had police (a) call you bad names, (b) be rough, and (c) show in other ways they don't want to help" - most people said "yes" with typical responses being:

"Yes. One time, when they get you in to question you. And you never did it. I didn't do one thing, and they'll, you know, sort of force it out of you, even though you didn't do it. They might give you a few whacks, some."

"Yes, I've had police be rough with me. One policeman took me up the road. He put the two handcuffs around my two hands and give me a bashing. I said to him, 'Hey, give me a fair go.' I was drunk myself. I had nothing against the police, I was just looking for my wife, gone from my camp. After that he put me in the gaol and took me to court."

"Yes, I've had that happen to me. They grab my arm, nearly broke my arm."

A number of people, including women and young people, said that the police were rude and used abusive language. One claimed that,

"The swearing comes from both sides (i.e. both Aborigines and police). I think they act like children. They say, 'well, if they do it, why shouldn't I?' Never mind, that we are grown up. We go back to our childish ways."

Generally, most people were very matter of fact with their responses, as if they accepted such treatment as being part of their usual relations with police.

There was less unanimity about whether these kinds of unhelpful or violent situations occurred only between Aboriginal people and police, or

whether they also happened between police and other groups. Half of the Aborigines said that violence occurs more often, or only, between them and the police; alcohol and police bias against Aborigines were mentioned as producing this pattern. The others cited instances where violence occurs between police and other groups. For example, "When it was my time in the gaol, there were white people getting arrested who did give the police a hard time."

In making comments about violence, most Aborigines did not distinguish between the current state of relations with the police in Roebourne and relations which existed in the past. One person however stated that, "The sergeant now is doing a very good job....I reckon the police here are alright, taking them (the drunks) and making them sober in the gaol." It should also be pointed out that no serious allegations have been made recently by Aborigines against the police.

The Aboriginal people indicated that they did not accept as an inevitable fact of life that an improvement in relations between them and the police was unnecessary or unattainable. On the contrary, there was unanimous agreement that violence should be eliminated and that:

"We need a change."

"We should try and make things better."

"Yes that's what we want to see; police giving a hand to the Aborigines and the Aborigines giving a hand to the police."

"We should tell the police if Aboriginal people have to get locked up, don't knock them about. We should tell Aboriginal people to go around quietly, not go around making fights in people's camps."

"We have to learn to respect each other. Not that everything is going to be smooth."

Most Aboriginal people thought that the police would also want to see an improvement in relations. To lend support to their claims, several people pointed to progress that had already been made in recent times. For instance, alcohol counsellors with the Aboriginal Medical Service said that the police are currently assisting them in their jobs and that that was a good step. Another person said that, "Presently with the new sergeant, he's quite happy with our tribe to make the meetings." Only three people doubted whether in fact the police would be prepared to work for improved relations. One said, "I don't think they've (the police) changed much.....It's a long way to go before the policeman changes his working role."

CONCLUSIONS

Police and Aborigines acknowledged that, at times, relations between them are violent. The police recounted mainly verbal abuse, and occasionally physical violence, at the hands of Aborigines. The Aboriginal people recounted mainly physical violence, and occasionally verbal abuse, at the hands of the police. Most officers and Aborigines were in agreement that relations between them are worse than are relations between the police and any other group in the community. Both groups were also in agreement that not only is there room for improvement but that there is a general willingness on both sides to support reforms.

The extent of the problem is believed by the police to be not as serious as the media at times portrays. Also, the Aboriginal people indicated that relations between them and the police have improved

significantly since the John Pat incident. However, some police and Aborigines made comments suggesting that there is little room for complacency. Clearly, the long standing tensions between the two groups have not been removed overnight; the potential for serious outbreaks of violence that has been built up over the years is ever present, and, whilst on the surface relations may appear to be relatively calm at present, there remains an underlying stream of suspicion and ill-feeling. If not taken into account and constructively dealt with, this undercurrent could erode recent gains, inhibit further progress, or erupt into outbreaks of violence of the type seen in the past.

Police and Aboriginal responses to the opening set of questions in the interviews may seem to be brief and bland. As a result, the picture of the relations between the two groups may not appear as clear cut as might be expected. However, many comments were made in answer to other questions that bring the nature and seriousness of negative Aboriginal/police relations more sharply into focus.

CHAPTER THREE

PREJUDICE

Prejudice and discrimination are two key concepts in research on race relations. Prejudice refers to inner attitudes, to what different people think and feel about each other; discrimination refers to overt behaviour, to the way different people treat each other. Eggleston stresses that, "prejudice does not necessarily bring with it discrimination, that is, it need not have any direct result in action" (1976:19).¹ For this reason the two concepts were treated separately.

Prejudice often involves pre-judging people on the basis of a stereotype rather than on the basis of evidence. Negative stereotypes are fixed and unfair over-generalisations. They can function as a form of false accusation against individuals and groups and can lead to ill-feeling and racial conflict. Certainly, relations between the police and Aborigines are likely to be strained if one group feels it is judged by the other group in terms of negative stereotypes.

It is worth emphasizing again that our project is concerned with perceived rather than actual prejudice; with whether police and

1. Eggleston goes on to say, "Prejudice may never be expressed in open hostility because of other counteracting attitudes within the individual" (1976:19).

Aborigines think prejudice exists between them, rather than with whether or not it really does.

Responses to the second set of questions - on perceived prejudice - were analysed in terms of social regard, gratitude for services rendered, and respect for culture.

POLICE PERCEPTIONS OF PREJUDICE

Social Regard

Two-thirds of the police interviewed considered that they were judged fairly and regarded positively by Aborigines. They did not think that the Aborigines were biased against police, or held even mildly negative images of police. On the contrary, they thought Aborigines accepted that police have a necessary job to do, approved of the way in which the police did their job, and were apologetic if they offended the officers on duty. In response to the question, "What is the view of Aborigines to police here?" two-thirds of the officers made comments such as:

"There is no general open hostility. Most accept our work is for their own benefit. The alcoholics forget, but the next day they say sorry."

"We are fairly respected."

"On the whole, they are pro-police."

"Positive."

"Probably they have the attitude that we are here to do a job. Since the patrols have started, they can see that we help them. I think they would like to see more of us."

"[Aborigines have a] pretty fair view, in how we operate in a fair way. We behave fairly strong, but it's still fair, and the people can see reason."

"They don't like being picked up but the next day they are sorry. None have said the charges are unfair or biased."

"[Aborigines think] that we are good blokes, only doing our job. Often you'll go up to make an arrest and other Aboriginal people around them will say, 'Yes, just go with them.' They know that we don't put them in for nothing."

"I think generally they know they will suffer the consequences when they've done something wrong. So that there's nothing negative on a personal basis."

Understandably, the police who made these comments felt that the Aborigines view of them was fair and unbiased and provided no cause for concern or ill-feeling. The remaining one third of police however, expressed opinions that called into question the positive picture portrayed by the above comments. Some suggested that Aboriginal respect for police may in fact amount to fear. For instance:

"I've only had brief dealings. They've shown respect and are very wary."

"Aborigines have some fear of the authority of the police. The police have a reputation among Aborigines as having something to be a little wary of. If they see the police coming, the automatic reaction is, 'What have I done wrong?' "

Other police said that Aborigines generally, or at least certain groups within the Aboriginal community, have negative perceptions of the police. For instance, Aborigines were described as "anti-police" and as regarding the police as, "Purely...an enemy, going to lock me up." Aboriginal offenders and Aboriginal youth in particular were considered to hold antagonistic views of the police. For example:

"Most Aborigines know that we have a job to do. But a percentage would not like you for the uniform. Those people are the consistent trouble-makers."²

2. See footnote p44.

"With the Jigalong mob: my dealing with them, I get on okay. Roebourne: the elders are concerned; the youth have an anti-police feeling, but that's not restricted to Aborigines."

Also, Roebourne Aborigines were perceived as being more anti-police than Jigalong Aborigines (though none of the police in Roebourne said this).

"Jigalong used to have a positive view of police. Then the elders lost some control. Last year the Top Pub incident³ caused a negative view of police.....there is no conflict now with police. Roebourne Aborigines probably have a negative view of police."

"At Roebourne that boy's death (John Pat's) has affected them, and I'm sure they've got a negative view. Jigalong: I did relieve at Newman but there was no immediate trouble there, everything seemed okay."

Of those officers who thought Aborigines were antagonistic towards police, some seemed accepting of the situation. They pointed out that the same reaction can be found in the white community and some said that there may be good reason for Aborigines to hold negative views of police.

"When they are charged they don't realise we can be okay. They can get antagonistic, but this also happens on the police side. When people are drunk, they think police are baddies, but when the people are sober there's no trouble. But that's a general community reaction as well."

"All communities distrust police and feel disappointed that they're not getting a fair go. This is understandable. The traffic police are not trusted much."

"It's not unfair. All people feel that way."

"Sometimes you get racist police, and the people might have been flogged just because they're black. I mean some may have reasons."

"It's fair, except those that react to the uniform."⁴

3. See p.1.

4. See footnote p44.

Only two officers reacted strongly against perceived Aboriginal antagonism towards them. One said, "Personally I feel it's unfair to me", while the other said, "It's not fair because we're not recognised that some of us are human and caring too." However, apart from those two comments, the officers who said that some Aborigines do hold anti-police attitudes gave no indication of feeling personally under attack.

Gratitude for Services Rendered

One of the negative stereotypes of Aborigines held by the broader community is that 'they've come to believe the world owes them a living and they just sit back and expect to be waited on'. This stereotype is based partly on an interpretation of Government grants and services as excessive welfare handouts rather than as provisions to promote equality of opportunity with other Australians.

In this project, both police and Aborigines were asked whether they felt used up and taken for granted by the other group. Just over half of the officers said that Aborigines are appreciative of what police do for them (though a few said that Aborigines are ungrateful for what the government does for them). One officer said that "they (the Aborigines) are grateful for personal assistance, even the habitual offenders." Only two particular instances of gratitude for services rendered were cited by the police:

"The other day an Aboriginal bloke had passed out on the road, and two road trains had to pull up for him, and when he sobered up he certainly was grateful for being saved."

"At () we flew out because a couple of petrol sniffers had broken into the store and threatened people.....When we had a meeting out there, every man shook hands with us. We tried to help them with their firearms and their drivers licences."

Five police said that at times they do feel taken for granted by Aborigines. They commented that Aborigines rarely say 'thankyou' and that when they get into trouble or become intoxicated and aggressive they are unappreciative. Another complaint was that Aborigines do not seem aware that often police go beyond the call of duty. Sometimes, "They expect police to do more for them than police have to" and:

"They don't realise what police do for them. They don't see the work that we do outside our scope. In a way, it's taken for granted. We might give them two chances and then they expect us to give them three chances."

However, again it was pointed out that whilst some Aborigines may just 'use up' police, such behaviour is not confined to Aborigines.

Do Aboriginal people feel used up by police? Some officers seemed a little unsure of themselves on this question. Others said, "No one Aboriginal person has helped me here, so I can't say"; "I've never had real assistance; well, very rarely, and that's quite natural"; and one officer made the transition from saying that, "There is no Aboriginal cooperation when we are doing our investigation," to admitting that, "The older blokes do cooperate." Despite these comments, most police doubted whether Aborigines would feel unappreciated when they provide police with help because, as one sergeant said, "They have to be thanked by police." Also police said they reciprocated when helped by Aborigines.

"If somebody does me a favour, well, I'll do them a favour the next time."

"The Aborigines don't expect favours and police officers do say thanks."

Nearly all police stated that because they demonstrate gratitude, Aborigines would have no grounds for feeling taken for granted. The only possible exception here was in the statement, "It has happened when I've

got information from somebody, then I've had to come back and pick them up. But this has happened with whites too."

Respect for culture

The police intimated that there is very little prejudice relating to their view of Aboriginal culture and the Aboriginal view of white culture. In general they said that they believe traditional Aboriginal culture to be extant in the Pilbara, though not as strongly so as in the past; that Aboriginal people prefer their culture to white culture; that Aboriginal culture is worthy of high respect; and that Aboriginal people should be encouraged to maintain their culture.

Police talked about language, ceremonies, initiations, skin groups and interpersonal relationships as aspects of traditional culture still practised by Aboriginal groups. Some police said that "80% of the Aboriginal people in Roebourne are still tribal", but that the young were drifting away and there was a danger that the traditional ways would soon die. The same danger was not perceived as applying to Jigalong where, "99% speak their own language" and where "they are strong in the culture." In making these descriptive comments, the police gave no indication that they believed they might be regarded as holding a negative stereotype of Aboriginal culture.

Most police seemed to hold the view that Aborigines prefer living their traditional way of life in the bush to living in a European style town. Roebourne police see the 'village'⁵ as creating problems of

5. See p.4.

hopelessness, lack of motivation, unhappiness, alcoholism, boredom, unemployment and lack of pride and respect for property. Various officers commented that Aborigines, "don't like living in town"; "They want to be out bush, like the outstation movement"; "Some people have said to me that they feel as if they're being forced to live in a white man's town"; and "They like to be able to move around a bit. They're nomadic people."

Jigalong Aborigines were perceived as being generally happy living on their settlement and as not wishing to move into a European style town. The police said that if Aborigines "didn't like living the way they do at Jigalong they wouldn't stay there." (The same comment was not made about Roebourne where police believed Aborigines were unhappy but stayed nevertheless). This is not to say that the officers considered there was no room for reform. In fact, different policemen made different suggestions about the types of improvements they thought Aborigines at Jigalong would welcome: "older people probably want to be back to a closer extended family"; "They want to improve conditions for everyone. They want work and new projects for the community"; "They would like better water, better roads and facilities, I'm sure"; "I know they're not happy with the food supply, the trucking and the stores ... The older people are unhappy about grog coming in"; and "At that settlement they want more decentralizing living, like outstations." However, despite these perceived problems, the police perspective on Aborigines from Jigalong can be summed up in these two statements:

"They like it because it's part of their heritage. They are not happy elsewhere. They don't seem interested in moving into a white way of life."

"Well, they always want to go home. There's no place to stay here. So they must like the way that they live back home."

A preference for their "traditional way of life" does not necessarily make Aborigines contemptuous of white culture, according to the police. In fact, "Quite a few like the white lifestyle. It's the possessions they like, and a lot would like both sides"; "They like our cars and T.V. and grog"; and "The young have the pull of the old culture. They get into turmoil over the luxuries versus the pull to go back." Several police made the point that Aborigines regard their culture as different rather than superior to ours, and that if anything it is not so much a matter of Aborigines disliking white culture as regarding it as alien.

A few officers said that it would be understandable if police were perceived by Aborigines as regarding Aboriginal culture as inferior, because, to quote one respondent, "Police probably do think that it is inferior." This statement was contradicted by another officer who said, "I don't think police have that view - I don't. Lots of police officers don't look down on Aboriginal culture." What may be more significant from the symbolic interactionist viewpoint is that most police believe they are not perceived by Aborigines as looking down on Aboriginal culture.

Summary

Overall, the police said that they make a good impression on Aborigines. They claimed that their image in the Aboriginal community is positive and healthy (though later they said that more public relations work is required). They claimed that their work is appreciated and that they are perceived as being respectful of the traditional Aboriginal way

of life. In short, the police did not consider Aborigines have a negative attitude towards them or that they were seen to have a negative attitude towards Aborigines.

To what extent do the perceptions of Aborigines coincide with those of the police?

ABORIGINAL PERCEPTIONS

Social Regard

To some extent the police were right in thinking that they are regarded positively by Aborigines. When Aboriginal people were asked, "What do you think about the police around here?" most of the replies were positive. For example:

"Presently the police/people relationship is quite sound and quite good.....I mean I've seen from what happened with the trial that happened here (the John Pat trial). The police are trying to make amends, they suffered just as much as the Aboriginal people's feeling, I guess in some ways. There's the bad publicity."

"They are very good police, so far, in Roebourne. They've done a very good job."

"Some of them are really good, talk to you and everything. If you get to know them, they get along really good. You know, they start leaving you alone."

"Well, they're alright. These days, they're alright."

Two people qualified their positive view of the police by saying that not all officers are good, and by saying that:

"In the past we have had police who have been friendly and those who have had a complex. The ones now are a bit of a mix

up bunch. They need to learn the ways of the culture and how to be accepted."

The only outright negative response came from a 15 year old who said, "I feel bad about the police around here because I don't like how they treat Aboriginal people." In particular, police were disliked because of their style of interrogation and failure to give anything of themselves, to show that they are human. Both of these points will be taken up in later chapters. What also will become apparent later is that Aboriginal replies to other questions suggest that their endorsement of the police may not be quite as comprehensive as suggested above.

Do Aborigines think the police are prejudiced against them? They do in part. The police are seen to have a good opinion of those Aborigines who don't drink, behave themselves, are quiet, and who go quietly to gaol.

"Most police usually say hallo or give a smile to the Aborigines who don't drink and keep quiet."

"More of the people are behaving and they respect the police, and vice versa."

However, the police are considered to have a negative and biased view of Aborigines who swear, drink alcohol, and who they think are incapable of running their own affairs. For example, the police were criticised for, "not looking at the good people" and:

"Some police have hard views, some have the right views."

"They have a fair view of the people that they respect. But the people who are regular pick-ups, they are the people that they attack mainly. They've got nothing better to do than to pick on people who in their eyes are no-hopers."

Another reason given for police developing prejudices against some Aborigines is that:

"They don't stay long enough to learn anything from us. They only stay two or three years, and that's a problem. It does take two or three years to get to know a good policeman from the Aboriginal point of view."

Aboriginal people frequently indicated that they were not sure what the police thought. At times then, their answers would have been referring to the way they perceived overt police behaviour rather than to what they perceived to be police attitudes.

Gratitude for Services Rendered

Most of the Aborigines said that their people received help from the police. A few said that police either don't help at all, or don't help enough. Examples of police assistance ranged from warning drunks and telling them to go home, picking them up so that they are not involved in fights, and assisting someone who had previous drink driving convictions to get his drivers licence. There was a matter of fact acceptance of the police helping role, that it was all part of the job.

All except one Aboriginal claimed that Aboriginal people help the police. Examples of cooperation were: taking notice of police warnings and going home when drunk; ceasing to fight when instructed to by a police officer; encouraging other Aboriginal people to heed police warnings; helping find people for warrants and at times telling police where they are; and generally assisting the police officer in his work -

"We are working in together. They help us, but we help them" and "I feel as if they have helped me, and I'll help them." And,

"A couple of years ago, a police officer was by himself and there was a car accident at about 5 a.m. in the morning. We live just across the road and he came over and said, 'Is there anybody awake to give me a hand, there's been an accident?' We didn't know whether they were dead or what. He didn't go to the white people, he knew that we were friends. The people that had the accident were white people, and the black people were able to show that we care in times of need."

These examples and the widely held belief among the Aborigines that they help police, stand in contrast to the majority police response to this question.

Most Aborigines stated that the police were aware and appreciative of the help they received from the Aboriginal community, although there was some criticism that the police, "don't say 'thankyou', they just say 'alright'".

It seems possible then that given the level of perceived intergroup cooperation and gratitude for services rendered, Aborigines would believe that they are valued by the police and that the police would feel valued by them.

Respect for Culture

The Aboriginal answers to questions on equal respect for different life styles differed in a number of ways from the police responses. Whereas the police emphasized that "traditional Aboriginal culture" is worthy of high respect and should be preserved, the Aborigines made brief passing reference to only two aspects of traditional culture - the extended family and the law. And whereas the police emphasized the

importance of traditional culture as containing the distinctive features of Aboriginal life style, the Aborigines themselves emphasized, rather defensively, things they have been stigmatised with - alcoholism, poor housing, noisy parties, unemployment and boredom. For instance, when asked what they did that made their way of life different from white people, the Aboriginal people made comments like:

"Well, I mean drinking habits is something that everyone has whether it's Aboriginal or white. I mean, the Aboriginal people they expose themselves to the public, whereas the European society would comfortably drink at home, and watch T.V. and everything else to go with it."

"Most of the Aboriginal people are so noisy at night. White fellas go to sleep and they have to get up and go to work - they start complaining and everything."

"They (Aborigines) are bored and have no jobs and become alcoholic."

"Because how Aborigines act when they are drunk, how they dress. White people have better housing."

The defensive nature of these comments suggests that Aborigines think their way of life is regarded as inferior by police. This is reinforced by a majority of Aboriginal respondents saying that they thought the police wanted them to live "like the white man."

CONCLUSIONS

In this chapter, the responses to the second set of questions - on police and Aboriginal views of each other - were examined in terms of social regard, gratitude for services rendered, and respect for each other's culture.

With respect to 'social regard' Elizabeth Eggleston's extensive research into police attitudes in Western Australia found that the majority of policemen, "tend to generalise about the Aborigines as a group and ascribe to its members inferior standards of intelligence, morality and behaviour. They are prejudiced against the race" (1976:18). Also, most police were found to hold the view that "a typical Aboriginal rarely works but gets drunk very often and gets himself and others into trouble" (Eggleston, 1976:18).

Since our project was concerned with perceived rather than actual prejudice, the findings can not be used directly to confirm or refute Eggleston's research. What can be said from our project is that most officers do not think Aborigines in the Pilbara share Eggleston's conclusions about police prejudice. Two out of three policemen considered that they were regarded with respect. On the other hand a sizeable minority made comments suggesting that Eggleston's claims had some foundation in fact; from the perspective of these officers' views, measures need to be taken to improve the reputation of police in the eyes of Aborigines if relations between the two groups are to improve.

Eggleston also found, in interviews with Aborigines, that "surprisingly few express statements of general hostility against the police were made" (1976:19). The material presented in this chapter tends to confirm Eggleston's finding on the general feelings of Aborigines towards police. However, as foreshadowed in this chapter and as will become apparent later, on a number of specific issues, Aborigines do express negative views of police.

Our research did not find any strong ill-feeling resulting from one party thinking that the other was ungrateful for services rendered. The Aboriginal people acknowledged that they received help from the police and the police said that generally the assistance they provided Aborigines with was appreciated. Although not asked directly, some police indicated that they thought Aborigines took government welfare assistance for granted. Four police also said, in effect, that whilst they often go beyond the call of duty to help Aborigines, the Aborigines do not return the favour. Although the point was not pressed in our interviews, possibly these police do hold the stereotyped view that Aborigines expect to be waited on.

In contrast to the perceptions of these officers, most Aborigines claimed that they did return the favour and cited many instances of specific services rendered to the police.

The concern of some police that Aborigines are unreasonable in expecting officers to provide service beyond the call of duty is possibly due to a misunderstanding on both sides. It is possible that Aborigines consider that whatever the police do is part of the job. That is, Aborigines may not distinguish between required 'on duty work' and voluntary 'off duty' services. They may not see an end to the 'call of duty'. Also they may not see an end to the number of 'chances' they can be given; even if the police give them two chances, then Aborigines may think why not three, and if three why not four? If this is the case, then what constitutes 'being on duty' and the concept of 'giving chances' need to be clarified and resolved through discussions between police and Aborigines.

Another area of misunderstanding became evident in response to questions about 'gratitude for services rendered'. Police and Aborigines criticized each other for failing to say 'thankyou' when given help. Most police were unaware that it is traditional among many Aboriginal cultures not to express verbal thanks in return for a favour. No ungratefulness is intended by this custom; it is simply assumed that people provide help "either because they want to, or else because they have some obligation to relations" (Harris, 1980:134). Presumably any misunderstanding police may have on this matter could be easily cleared up at pre-service or in-service training courses. The Aboriginal claim that police don't say 'thankyou' requires some consideration because if true, it means that Aborigines are likely to see police as breaking their own (white) rules of courtesy (rules, ironically, that the Aborigines are criticized for not conforming to).

Far from being prejudiced against Aboriginal culture, the police said they had deep respect for it and considered the Aboriginal people would and should prefer it to white culture. The Aborigines themselves however were less openly enthusiastic and more defensive about their culture than were the police. The discrepancy here could be due, in part, to police perceptions of traditional Aboriginal culture as something that is static rather than dynamic. This is reflected in the lack of definition given to terms such as 'culture' and 'tribal' (for example, "they - the Aborigines - are strong in the culture" - and "80% of the Aboriginal people are still tribal") and in broad generalisations where accuracy is debatable (for example, "At Jigalong 99% speak their own language"). It is also reflected in the belief that returning to the traditional way of life in the bush (as it existed before white settlement) is a real option for Aborigines and that Aborigines stay at

Jigalong because they can live out their traditional culture there. The police did not indicate an awareness of why Aborigines came to be at Jigalong in the first place.

All of this is not to deny that police respect Aboriginal culture as they perceive it. What it does suggest is that police may hold a view of Aboriginal culture that is based on the stereotype of the noble savage rather than a view based on the reality of present day Aboriginal values, perspectives and ideas. Also, police respect for Aboriginal culture as they perceive it, could be based on the hope that if Aborigines were encouraged to return to the 'traditional way of life in the bush', then the 'village' way of life in Pilbara towns would close down. The police may see such a move as of positive benefit to the Aborigines and as reducing the amount of police work required in the towns.

CHAPTER FOURDISCRIMINATION

Discrimination involves overt behaviour and therefore is easier to identify than prejudice. However, it is important to note that from a symbolic interactionist viewpoint, treating people differently is only discriminatory if it is interpreted as such. So again, it is with perceived rather than actual discrimination that this project is concerned.

As with prejudice, discrimination is usually experienced as a form of injustice. People subjected to discrimination often react by thinking, "I don't deserve to be mistreated in this way", and by feeling resentful and hostile towards those who are singling them out for unfair treatment.

For a number of reasons it would be surprising if Aborigines felt less victimised than did the police. For instance, unlike the police, Aborigines are on the receiving rather than delivery end of law enforcement and therefore have less formal power and opportunity to discriminate against the police than vice versa. Furthermore, the history of Aboriginal/police relations in the Pilbara and indeed throughout Australia shows that police have suffered less victimization at the hands of Aborigines than the converse.

Eggleston observes that, whilst "prejudice does not necessarily bring with it discrimination....Nevertheless, it seems reasonable to

expect that in most cases prejudice and discrimination will co-exist" (1976:19). Then, after claiming that police hold negative stereotypes of Aborigines, she goes on to say that: "the existence of many prejudiced individuals within the police force is important and would be expected to lead to discriminatory behaviour among Aborigines" (1976:19).

Perceived discrimination was the subject of the third set of questions.

DISCRIMINATION AGAINST THE POLICE

Most police said that they are not discriminated against or treated badly by Aborigines, at least at a personal level. When asked, "Do Aborigines pick on police?" typical responses from the officers were:

"I've never had any aggression shown towards me."

"No, I can't recall any incidents."

"I've not experienced that, but I suppose it depends on the individual."

"This has not been directed towards me personally."

"Aborigines show more respect for police than whites do. Aborigines say 'Yes sergeant', stand up when talking to police, obey immediately, and don't argue. Whites make more smart alec comments than do Aborigines. For example 'pig, honk' is said down the street more by whites than Aborigines."

Some police pointed out that as part of their job, they are sometimes in the 'firing line' and are subjected to Aboriginal aggression and unfair accusations of victimization. However these occasions were said to be rare and at times the result of unusual situations. The

following answers to the question - "Do Aborigines pick on police?" - provide some cases in point.

"Only if they've (Aborigines) been drinking, and only on occasion."

"They don't victimize anyone in particular. When on the rampage, they do their own thing to anyone. This has been an individual thing, but it could incite others."

"In isolated cases. For instance, when you have continually arrested someone. An example is (). When he is drunk he's accused me of all sorts of things. When he's sober, he'll talk properly."

"For sure. Locals are okay, but Roebourne - they start getting aggro. I'm sure its something to do with John Pat, and they say, 'Oh, you're always picking on us just because we come from Roebourne.' It happens at Jigalong too but not as much as at Roebourne."

The Aboriginal people confirmed that those of them who drink too much do give the police a hard time, and that some do retaliate if given a hard time by the police.

Four types of explanations were offered by the police for instances of aggression against them. One group of officers said that Aboriginal aggression was a reaction against the 'uniform',¹ suggesting that Aborigines are anti-police in general.

"The Top Pub was an incident like this. They reacted to the uniform, not the blokes."

"It's the uniform. I don't really know about other whites."

1. The police seemed to hold contradictory notions about the power of the uniform. On the one hand the uniform, in denoting 'police', was said to symbolise a type of authority that engenders fear and distrust in Aborigines. On the other hand, the uniform, in denoting 'police', was said to symbolise a type of authority that engenders respect from Aborigines. Aborigines themselves suggested that respect is given to people who merit it and in this regard they talk about the "man behind the uniform."

"Could be the uniform, could be based on a personal experience and therefore they are against the person."

Other officers suggested that Aboriginal aggression was based more on a personality clash with individual officers rather than on a negative stereotype of the police as a group. Thus, with respect to Aboriginal aggression against them, a few police said:

"I don't know. Some don't like police. It could come from personal experience or someone else's."

"If it did occur, it would possibly be a personal problem with an officer."

"The behaviour of a particular police officer in an incident would be the reason why these things could occur."

"Possibly because of a particular policeman."

A third group of officers said that Aborigines who pick on police are only going through what they (the police) believed to be a human stage of rebelling against authority:

"I don't know. But it's peer pressure. The other day we drove past an Aboriginal kid only 6 years old and he gave us the 2 finger sign. It happens with white kids too."

"For those few that react that way it's probably just a thing between youth and authority, like all cultures."

And a fourth but small group of officers explained Aboriginal aggression against them as resulting from inexperience or provocation on the part of the police:

"That Roebourne confrontation (the John Pat incident) was a combination of alcohol and stupidity. I've been in to hotels to get people out when there's been problems and as I've gone out with the troublemaker, sure, a few of the people standing around will say a few things....that incident was like that, but it became out of hand.""

"Aborigines basically just want to be left alone by the police and vice versa. Some police stir up Aborigines in order to get them arrested."

Very few concrete cases or specific examples of Aboriginal aggression were mentioned by the police. This, and the balance of the responses made by the officers, suggests that apart from a few isolated instances, the police do not feel 'picked on' by Aborigines. The same conclusion does not apply if the officers' perceptions of the Aboriginal Legal Service (A.L.S.) are considered to be an integral part of discrimination against the police.²

DISCRIMINATION AGAINST ABORIGINES

Although a few police stated that some officers might have provoked Aborigines, most considered that Aborigines have very little ground for feeling discriminated against. In their view, victimization does not occur: "There's no singling out here"; "It might seem so because of the high Aboriginal arrest rate, but it isn't so". Moreover, they said, their claim that there is no discrimination against Aborigines would be supported by the general Aboriginal community itself. Representative of police answers to the question, "Do Aborigines feel picked on by the police?" were:

"I don't think so. They might say it, but next day it's all finished."

"No, not the Jigalong ones and probably not even most of the Roebourne ones. Most Aborigines support the police."

"I've never heard that".

"No, they don't."

"I've never seen, heard or felt it."

2. See chapter 7 for a discussion of police perceptions of the A.L.S.

The police also pointed out however, that whilst most Aborigines do not feel discriminated against, there are a few who would claim victimization. Aborigines who may do this were said to be more likely to come from Roebourne than Jigalong; to be young rather than old; to be offenders rather than law abiding; to respond as individuals rather than as a group; and to be drunk rather than sober. Thus, responses to the question, "Do you think Aborigines feel picked on by the police?" were as follows:

"Some do, some don't. The John Pat incident in Roebourne 'had to happen'. Young people know their rights. It is a youth problem rather than a black problem."

"The Roebourne people are a bit more aggressive. They stand and stare you out. I assume that it stems from the John Pat case. But there's nothing verbal or physical."

"In Roebourne - yes, the young people do. But I don't think so in Jigalong."

"The everyday offender might think the police pick on them....but not the general Aboriginal community."

"A couple would do...the ones that have been arrested a few times, have been in prison, and bear a grudge."

"Sometimes you go up and they'll say, 'What have I done this time? Every time you see me, you pick me up'."

"Only when they are drunk. And picking them up the next day, it's like turning a page in a book. They are completely different the next day."

Only one specific instance of alleged victimization of Aborigines was reported by the police.

"In one incident I smiled at an Aboriginal woman when I gave her a speeding ticket. I was trying to be friendly. She thought I was mocking her and enjoying punishing her. She complained to the authorities that I was picking on her."

In contrast to the perceptions of the officers, 90 percent of the Aboriginal respondents considered that they were discriminated against by

the police. The most common complaint was rough handling in the arrest situation.

"I saw how they throw them in the gaol when they're fully drunk. They don't care how the bloke feels when he's been thrown in the can, and police just treat them like dead kangaroos, how they throw them in.....Over the years I've seen them push white people in slowly. Those things I've seen when white blokes are drunk. With Aborigines they just throw them in."

"They think he's just another drunk, so they chuck him in any way. He got no respect for someone who is really drunk. They should help them and put them in properly, in the cage. He might bang his head, cut his head and bleed to death."

"One time we were talking about getting someone to take photos of the way police chuck people in the van, like a bag. Then we can take the photo to court and say, 'see how they treat him'."

Other complaints were that the police didn't appear to arrest white people, and that the police "work better with their own colour....They are easier than the blacks."

Two types of reasons were given by Aborigines for being given a hard time by the police. One was that the police were racially prejudiced. This view was stated but not elaborated upon. A second explanation - offered mainly by reformed drinkers who had an active interest in alcoholic rehabilitation - was that Aborigines were given a hard time when their excessive drinking caused behaviour which provoked police. In their view, the police give Aborigines a hard time because:

"They've (police) got to do their job. They have to give drunks a hard time. When I pull up and go around into the pub I see that there aren't much white people there, and they are very quiet. Aboriginal people are worse because of the grog."

"These things happen only after the people have been drinking, and they act stupid."

"When I used to be drunk every day and the police would come, and say, 'You've had enough' and arrest me, I used to go quietly. But some people don't."

"The police might give Aborigines a hard time if they're thinking that Aboriginal people give police a hard time."

The Aborigines had mixed feelings on the subject of unfair treatment by the police. On the one hand, most Aborigines believed their people were discriminated against. On the other hand there was no rush of complaints against the police or a general laying of blame at their feet. Several possibilities may account for such a discrepancy. Among them is the view of an Aboriginal man that, "Right now, they're (police) alright", implying that in the past this has not been always the case. Another is that there seemed to be a matter-of-fact acceptance among the Aborigines of physical suffering at the hands of the police; not that their acceptance is unlimited, as outbreaks of hostility have shown.

CONCLUSION

Nearly all the police ruled out the possibility that instances of bad relations between them and Aborigines could be explained in terms of serious and widespread discrimination against either party. They did not feel picked on by Aborigines and they believed that most Aborigines would not feel victimized by the police. Some police said that a few officers might 'stir up' Aborigines. Others said that personality clashes between some officers and Aborigines might be interpreted by the latter as victimization. Overall though, the police denied that discrimination against Aborigines occurred or was even seen to occur.

In contrast to what the police said, most Aboriginal people claimed that they were discriminated against by the police, though their comments

on the alleged mistreatment were usually subdued. Nevertheless, even if relatively latent, Aboriginal resentment against felt injustices is a source of distrust and resentment of the police.

Perhaps it is because of the Aborigines' seeming acceptance of the way they are treated, that the police considered themselves to be more highly regarded by the Aboriginal community than was in fact the case. Insofar as the police have misjudged the extent to which Aborigines feel 'picked on', measures need to be taken to ensure that police are aware that certain of their actions may be discriminatory or may be perceived as such. This applies particularly to the alleged selective arresting of Aborigines when whites are involved in the same offences and to the manner in which Aboriginal people are arrested. For their part, Aborigines need to develop an effective forum in which to air and seek redress for grievances about their alleged unfair treatment at the hands of the police.³

3. As indicated later, it may be inappropriate for the A.L.S. to be the forum.

CHAPTER FIVEQUESTIONS OF POWER

Some writers explain breakdowns in race relations as beginning with a conflict of interests (Cox 1948, Banton 1983). Where conflicts of interests are accompanied by an imbalance of power between two parties then it is possible that the 'underpowered' group will experience its subordination as a form of oppression and as the outcome of an abuse of power at the hands of the dominant group. Resistance to perceived oppression and abuse of power can lead to a vicious cycle of retaliation, reprisals, further oppression, and abuse of power, and so on. Some elements of this self perpetuating process can be seen in the Skull Creek incident, recounted below.

On 5th January, 1975, a group of Western Desert Aboriginal people from the remote desert regions around Warburton attempted to travel through the town of Laverton to take part in a series of traditional ceremonies further west. A group of police from Laverton, with reinforcements from other goldfields towns, intercepted the travellers at Skull Creek outside the town and after a confrontation between the groups proceeded to arrest all able-bodied men in the contingent (Clarkson et al. 1976:46).

In the weeks preceding these arrests police in Laverton had called on reinforcements to help maintain law and order in the town. The pre-Christmas season had seen an upsurge in drunk and disorderly behaviour from a group of Aborigines, culminating in a confrontation

between them and the police. Disturbances and arrests continued to be a feature of the festive season, with a resurgence of hostility between Aborigines and police early on in the new year. By January 4th the police had heard that a group from Warburton was heading for town. The confrontation which took place and the arrests and imprisonments which followed eventually resulted in a Royal Commission. The findings showed that most, if not all, of the 30 arrests were unjustified (Clarkson et al. 1976:140-161) and much of the police evidence had been invented or falsified (Clarkson 1976:199).

There was a clash of interests at Skull Creek: the Aborigines wanted right of passage through Laverton, the police wanted 'trouble' kept out of town. The balance of power was weighted heavily in favour of the police. The outcomes of the confrontation can be viewed as oppressive and emanating from police abuse of this power. As a result Aboriginal/police relations in the area reached an all-time low.¹

In this project, an attempt was made to identify whether police or Aborigines in the Pilbara were perceived to have excessive power and if so whether this power was seen to be abused and hence detrimental to Aboriginal/police relations. Before discussing the perceptions of the police and Aborigines on these matters, some historical and contemporary background on the distribution of power between the two parties is outlined below.

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1. One outcome of the Laverton Royal Commission was the establishment of the Special Cabinet Committee on Aboriginal/Police and Community Relations, by whom this project was undertaken.

HISTORICAL BACKGROUND TO A PERCEIVED IMBALANCE OF POWER

The colonial history of police forces in Australia has given them traditions and public images very different from those of their English counterparts (Foley 1984:160-163). The prototype of the English Bobby - kind authority figure patrolling a village street, occasionally apprehending villains - contrasts with that of the early Australian trooper, in or near the front line of expanding European civilisation.

The first full-time police in the Swan River colony were soldiers appointed to the Mounted Police Force in 1834. The purpose of the Mounted Police was described in a Police Department publication as being "for the protection of settlers against the aggressors....the native menace" (Lawrence 1979:11-12). It goes on to say that "although the Mounted Police Force had not been established solely to deal with Aborigines, it was formed to deal with problems of law and order outside towns of the colony. Accordingly as Western Australia did not have any escaped convicts or bushrangers, at this stage most of their work was in control of the Aborigines" (Lawrence 1979:12).

One of the first duties of the new police was to 'control' the Aborigines in the Murray River region south of Perth. In what became known as the Battle of Pinjarra fifteen Aborigines were killed by Governor Stirling's combined force of Mounted Police and military personnel. There was one police fatality.²

2. This is the death toll cited by Green (1981:84). Lawrence (1979) puts the figure at over 30 Aborigines killed.

The first police district to be acclaimed in the north of the State was that of Roebourne in 1877 (Lawrence 1979). The settler group, whose members and social circle included the government resident and local magistrates, exerted strong pressure on police to protect their property and interests. Such was their influence that special constables, key figures in reprisal raids against Aborigines, were appointed not by police but by the magistrate or Government resident (Gill 1977).³ Among the duties of the police was the apprehension of Aborigines for cattle theft (Hunt 1986). Offenders were often chained.⁴ This practice was extended to include victims of venereal disease who were rounded up by police and transported, generally by foot, for hospitalisation on islands off the north west coast.⁵

Police powers in relation to Aborigines were augmented by legislation passed in 1905 which saw police constables in many districts appointed protectors of Aborigines (Bolton 1981:130). The legislation granted sweeping powers to police in relation to Aboriginal persons and property and included the right to arrest Aborigines without warrant.⁶ During the 1920's, police duties expanded to include the compulsory

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3. The 1868 Flying Foam Massacre was one such raid. Pastoralists and other influential citizens from Roebourne were appointed special constables in order to avenge the fatal spearing of a white man. About 60 Aborigines were killed on an island in the Flying Foam Passage near Roebourne (Hunt 1978).
 4. According to Aboriginal people, chains were used by police in W.A. as recently as the 1950's. A symbolic gesture indicating neck and wrist chains, is still used by older Aborigines in the Pilbara to signal the proximity of police.
 5. See p.72.
 6. Aborigines Act, 1905.

rounding up and despatch of part-Aboriginal children to native institutions in the south, where it was hoped that they would,

"so thoroughly [conform] to white patterns of acceptability that [they] might eventually marry into a European-Australian family, thus eventually diluting any traces of Aboriginal origin to virtual invisibility" (Bolton 1981:138).

The police then, wielded an authority over Aborigines which must have seemed to the recipients both arbitrary and brutal. Such power was supported by legislation which remained until very recent times. Frontier values and the absence of well established lines of accountability gave rise to a situation where police power over Aborigines and its potential for abuse were considerable.

CONTEMPORARY BASIS FOR A PERCEIVED IMBALANCE OF POWER

The over-representation of Aborigines in the criminal justice system is well documented. At the interface between the two stand the police. Daily, the police make choices which affect Aboriginal involvement with the law; choices such as whether to proceed against an offender by arrest or summons, which charge to lay, and whether to recommend bail. Eggleston, in her survey of 10 Western Australian towns, concludes that the kinds of decisions police make on these matter in relation to Aboriginal people, contribute to the high rate of Aboriginal imprisonment (1976).

The Laverton Royal Commission focussed public attention on the relationship between police abuse of their power and the poor state of Aboriginal/police relations. The death of John Pat, in the Roebourne

lock-up in 1983 revived the issue. However, neither of these events should be seen as isolated instances of allegations of police abuse of power. In 1985 alone the A.L.S. received 48 complaints against police from Aborigines. Police use of excessive force in carrying out arrests can lead to resistance and retaliation by the detainee and a range of other outcomes. A police superintendent's perspective on the issue was presented to recruits thus:

"If an Aboriginal (or for that matter any other person) resists you, only use as much force as is necessary to effect an arrest. Do not be childish and bait him, because you will sometimes find that you have bitten off more than you can chew. I reiterate, be firm without this over-reaction, which has a tendency to lend itself to the inference that an Aboriginal person has been assaulted" (Weaver 1983:33).

What is implied here is that there is often a fine line between the justifiable use of force and the abuse of power. In our project an attempt was made to identify Aboriginal and police perceptions of where this line is drawn.

In the fourth set of questions, both groups were asked how much power they thought the other has, whether they considered there was a perceived imbalance of power and whether there was any abuse of power - particularly with respect to interrogation procedures.

ABORIGINAL RESPONSES

On the whole, Aboriginal people were satisfied that the current police were not acting 'unfairly' in their dealings with them. However, two thirds of those interviewed in Roebourne said they had been treated

with rudeness or violence by the police in the past. Most spoke in a matter-of-fact or off-hand manner of alleged mistreatment by police, as if such behaviour were the norm and acceptable within certain limits:

"With normal things, I think we should keep away. But if it's a big thing, like that case, like John Pat's case, then you will not ignore them. It's a fair deal. I think you'll find you can see, you roughly get an idea if he's (i.e. the police) pulling about too much."

Although there were no current complaints about police heavy-handedness, some officers were perceived to abuse their powers in other ways. One man said he had received complaints from people who believed police were re-cycling warrants in order to make repeated arrests of a person for a single offence. Another man was indignant at what he perceived to be police "baiting" or lack of fair play. He related a recent incident where police had warned a young "bit too drunk" Aboriginal man at the pub to go home. When he tried to do so he was promptly arrested:

"The policeman gave him a warning to go home, and he took the warning [but] they (the police) waited....followed him, picked him up and put him in the wagon [then] in the goal for the night."

Police were also regarded as abusing their powers by upholding laws which run counter to and subvert traditional laws. The police role in enforcing the by-laws relating to the riverbank reserve⁷ in the town is a case in point. The aim of the by-laws appears to be the prevention of "disorderly conduct" or Aboriginal drinking sessions on the reserve. Such activities are disapproved of not only by the Shire authorities but

7. The reserve was gazetted in 1978.

also by non-drinking Aborigines. Nevertheless Aborigines consider that the Shire does not have the right to restrict activities on the reserve, whatever these activities might be, because, as one man put it, "We were born there. That's our land."

Thus the reserve provides a focus for a conflict of interests.

This does not go entirely unrecognised by the police, one of whom said:

"Aborigines basically don't own anything in this town, but they have a close association with water. They're part of each other. The Harding River Reserve, right in the town, is quite a problem to them because they're not allowed to drink there and they feel it is their country."

As law enforcement officers, the police, in a situation reminiscent of the early days of white settlement, find themselves defending established interests, in this case those of the Shire. The Shire's jurisdiction over the land is not seen as legitimate by the Aborigines. The by-laws are not respected or obeyed and police intervention under the Liquor Act is seen by Aborigines as harassment.

Aboriginal people did not offer solutions; however, the imbalance of power in favour of dominant non-Aboriginal groups, with police as their agents, suggests there is potential for considerable conflict in the future.

Juveniles

Although there were relatively few complaints by Aborigines about 'unfair' treatment at the hands of presently-serving police, deep-seated reservations were still held about some police practices, with the treatment of juveniles causing particular concern. While there was a

recognised threshold below which police behaviours were acceptable to Aboriginal adults, and above which they were perceived as abuse, it was implied that the 'fine line' needs to be much lower where juveniles are concerned. Incidents or allegations of brutality by police to Aboriginal juveniles were seen by the adults to engender distrust, and lay the foundations for negative and aggressive relationships in the future.

One man recalling his youth said he confessed to a crime he didn't commit because he was afraid: "I remember when it happened to me when I was a teenager. An older person or welfare should be there."

A young man from another town said that police interrogation methods which he had experienced allowed little chance for self-protection or defence:

"You get scared when you're with them....They tried to blame me for stealing a car.....I had nothing to do with it. They were pushing and giving a bit of a slap or two, and I was really scared so I just agreed and made a false thing (statement)."

The same youth, whose attitude to police had been formed in a climate of fear, said he had never met or heard of a "good policeman".

A young girl expressed anger about the delinquent label she believed police to have given her. She considered herself harassed by police and police aides who, "think they can get away with things and arrest anyone they can." She suggested police "go ask someone else" instead of her the next time an offence was committed.

A further group of young people considered police abused their powers by their choice of language and by being provocative in their

contact with Aboriginal juveniles; for example, by making remarks such as, "You Aborigines really like sitting on the road don't you." Women and girls in particular were sensitive to any comments by police with implicit sexual connotations.⁸

Police were also said to have assaulted and intimidated Roebourne youths during interrogations in the past. These actions were allegedly rationalised by police as providing the only means of getting sufficient information to secure a conviction in the courts. While these procedures were not the subject of allegations against current police, Roebourne Aborigines believe that police regulations are insufficient to prevent the possibility of such abuses in the future. On this and other matters they suggested avenues of reform.

Suggested Improvements

Most Aborigines considered that police should interrogate juveniles in the presence of an adult known and trusted by the particular juvenile. They also had strong concerns about male officers dealing with women and girls in the absence of a female third party.⁹

Aboriginal people also pointed to avenues which could be used to redress perceived abuses of power by police. Some suggested approaching the Aboriginal Legal Service or the police sergeant, depending on the standing and reputation of the particular officers.¹⁰ Most respondents

8. See chapter 6.

9. Ibid.

10. See chapter 7.

believed they could and should work towards communicating more regularly with police on an equal footing, with the emphasis on preventing situations leading to abuses of power.

POLICE RESPONSES

Police believed that Aborigines have ample power to defend their interests. In the past, said the police, Aborigines used to keep their complaints to themselves but now, when in conflict with police, they can and do turn to the A.L.S., the officer in charge of the police station, white church or mission leaders, the Department for Community Services (D.C.S.), their local M.P., the media, J.P.'s and community advisers.

Nevertheless, Aborigines in the Pilbara were not perceived by police as having too much power: "They have the same power as everyone else", but at Jigalong "it's more difficult for them because of their isolation, in terms of not being on the phone, things like that"; and anyway, "Jigalong people would probably let it pass" (that is, an instance of unfair treatment by the police). In situations of conflict then, police do not perceive themselves as being threatened by Aborigines wielding too much power. One officer, referring to the more remote, non-urban Aboriginal communities said, "They should be made more aware they can contact the legal service, and the ombudsman."

In short, Aborigines are seen as having ample but not too much power. Any abuse of that power, suggested the police, would not be by the Aborigines but by the A.L.S., politicians, media, 'blow-ins', white do-gooders and academics.

Apparently, police believe Aborigines are divided in their estimates of how much power police have. On the whole the police at Roebourne thought Aborigines would consider the police have enough power, though, "the offenders would say we have too much power." Also, some police referring to the Jigalong community, thought that Aborigines consider the police have too much power. For example:

"They probably think we have too much power in picking them up; that we are never there to help them."

"Some say [we are] doing alright, but others are saying that we police use strong arm tactics all the time."

"They would probably think we exercise too much power at times. That's just the gut feeling that I get, though nobody's actually said it."

"There are two views: the elders would say enough; the delinquents would say probably too much."

Other police said that they are (or at least the legal system is) perceived by the Aboriginal lawmen as not having enough power.

"The elders say the white man's punishment is too little for young offenders on certain things. Aborigines carry out their way of punishment, instead of the 'holiday camp', as they call the gaol. Some elders say that this is a very soft law, the white fella's law. The law isn't harsh enough, not the police officers."

The police view of their own behaviour was that generally they don't abuse their power when in conflict with Aborigines. They were aware that there are allegations of abuse and heavy handedness but claimed that this is due to "too much misinterpretation."¹¹ The truth of the matter they said, was that at Roebourne, "police tread pretty

11. Some police did suggest however, in answer to questions on discrimination that 'other' police might have abused their powers in the past (see chapter 4).

carefully here. People are treated with kid gloves - carefully. You have to work with them (Aborigines), so you do a lot of explaining, and spend extra time." Elsewhere, explained the police, it was necessary to use "power to quell the situation. It may look like you're using too much power. In that situation you think you're doing the right thing. An example of that is physical force as self protection, and to defuse the situation."

Another officer suggested that peer accountability works to ensure the proper use of police powers.

"The blokes that I've been out with have done the right things....Here, we can criticize each other at this particular station after a scene, so if somebody thinks I've been too heavy we can talk about it."

However, whilst generally police believe they don't abuse their power, some officers did report instances of what they considered to be a misuse of power - some of it bluff, some of it more serious. For example:

"A couple [of police] do [misuse their power]. For instance, in () there's a piece of Crown land where police officers do go and tell people they're not allowed to drink; but, in actual fact, they're allowed to because it's Crown land."

"Most Aborigines know what's right around the police. Some police might try it but they wouldn't get away with it twice. For example, telling them they will get banned from the pub for all year."

"Not abuse, but they (police) get forced to use power that is not really there. For instance at the shops they might go up to people who have alcohol with them outside the shop, go up and say that there are people getting upset, you will have to move on. But it's really a bluff. We use power that's not really there sometimes."

This use of elusive or non-existent power would be strongly supported by some Aborigines, especially (non-drinking) community leaders, one of whom said, "We got to tell the people to get their grog, take it away and drink. Not in the public."

Of a more contentious nature was the incident recalled by one officer involving a three year old boy caught throwing water bombs who was threatened by a policeman with a trip to town in the paddy wagon. The incident was regarded by the interviewee as a blatant abuse of power. He suggested that peer pressure would probably limit the offending policeman's use of such methods in the future.

Another policeman suggested some officers-in-charge of police stations misused their positions by telling their men to, "go and round up as many Aborigines as you can so they (i.e. officers-in-charge) can get a pile of meals. Then they have to spend a lot to keep the tax down."¹² Others suggested that:

"Some [police] do unfair things. They might arrest too easily."

"A certain type of individual [policeman] may [misuse his power] but generally no. It can be direct conflict, verbal or physical."

Overall, police suggested that abuses of power are rare, and that when they do occur they are mainly 'technical' and warranted by the situation.

12. There were no direct questions asked of either group about meal allowances with respect to prisoners in police lock ups. The current meal allowance for officers supplying meals to prisoners in the north of the State is \$3.05 per meal per prisoner.

Interrogation Procedures

Police were aware that many of the allegations of brutality or excessive use of force levelled against them concerned procedures for interrogation, particularly of juveniles. Police Routine Orders state that during an interview between police and a juvenile,

"a parent, guardian, relative, friend, school teacher, or if none of these persons is available, a police officer senior in rank to the interrogator and not connected with the case, should be present."¹³

Police are warned that failure to adhere to the guidelines might render any confession obtained by police inadmissible in court. They are similarly advised that Section 49 of the Aboriginal Affairs Planning Authority Act, 1972, "provides for courts to reject confessions made by persons of Aboriginal descent where the person does not understand the possible consequences of that confession."¹⁴

Most police believed that provided they go "by the book" their interrogations of Aborigines do not attract criticism or complaint:

"We go by our orders here. We have an adult present, or a Department of Community Services representative while we're interviewing [juveniles]. We have to make sure that they are on your wave length, that we use the right words. I mean some lie, some don't."

"These things may be a problem to outsiders. Most Aborigines are approached in a fair manner. We don't get them to say 'yes' when they mean 'no'. We don't try and get them on a charge that's not there. Most police are careful that they know and understand what is going on. If they understand

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13. Routine Orders refer to juveniles generally, not specifically to Aboriginal juveniles.
 14. Routine Orders cite the precedent in the appeal case Dixon and others v. McCarthy and Another (N.S.W.L.R., 1975 p.617 et.seq.)

what's happening they will come clean with a fair cop. With juveniles it's a problem more with whites than Aborigines. Aborigines let their kids stand on their feet sooner. White parents mollycoddle their kids. Aboriginal parents say to the children, 'tell them if you did it.' Usually I get a sober Aboriginal adult to be with them if not a parent. A lot of time it's with another police officer. Maybe this is abuse of power."

"There have been no problems since I've been here. I make it a practice of interviewing juveniles before a D.C.S. representative, or a J.P. With adults you normally interview without anyone else being there, unless there's a language problem, or a literacy problem, and then a J.P. or a member of the Aboriginal Church can read it back to them; and they ask questions like, 'Were you threatened to write this down, to agree to this'."

Four officers suggested that at times some police may not 'go by the book'.

"Accusations have been made, some legitimate, but the majority are not."

"Two police I know would do it their way, not how I'd do it."

"It's always a bone of contention by the time it gets to court - but the rules are there, and if they've been broken, well, that's their problem."

"Some offenders do get fitted up for things they did not do - this is bound to happen. I work by the book even if it means not being able to secure a conviction. It is not worth the risk doing otherwise."

Although police stated that they had not personally engaged in misconduct during interrogation of Aborigines, some agreed that interrogations generally were a source of accusations of police abuse of power.

The police also indicated that interrogations and the procedures governing them could present problems for officers, particularly with respect to adults attending with juveniles and communication

difficulties. Sometimes the adults were said to be drunk or aggressive:

"The parent or guardian or friend, nine out of ten times, they are three-quarters drunk."

"Parents can be there when you're asking questions, but then again there are some aggressive parents and the whole thing can develop into a bubble."

Sometimes the officers of the Department of Community Services were expected by police to fulfil the role of guardian or 'next friend'.¹⁵

However, these welfare officers were said to,

"Have refused to attend in the early hours of the morning".

And, "The D.C.S. hum and haw about coming in sometimes. They don't seem interested."

There were also communication difficulties:

"Sometimes there's communication problems: the accent or the language. Particularly with the women and old people. The women are very shy."

"We don't have any trouble with the juveniles. I mean the juveniles have had some education, and they understand what you're talking about. The other day a constable asked a particular bloke did he wish to make a statement about an alleged assault. I told him the Aboriginal person involved was confused. I told the constable just to break it down and talk to him in plain language, and the bloke knew what he was talking about. So the trouble is with the language and it's a communication problem. We should stick to plain talking."

Some police were concerned that the absence of a parent, guardian or next friend seriously disadvantaged Aboriginal juveniles under interrogation.

"With Aborigines you can get them to say anything. The police officer can get the answer that he wants. This is a problem."

Another officer told of "begging" a welfare officer to attend during the interrogation of a young Aboriginal juvenile charged with grievous bodily harm:

15. Term used to denote a third party nominated by the person being questioned.

"I had to demonstrate to her when she came down how agreeable [the boy] was to anything I would say, therefore I would have been able to talk him into anything. He kept agreeing with what I was saying. She didn't realise what I was really talking about I'm sure."

Despite the difficulties inherent in police interrogations of Aborigines, the police made a variety of suggestions to shield themselves from unjustified allegations and to overcome some of the difficulties outlined above. These included:

- * **The provision of translators:** "Police aides are good for interpreting what the people are saying."
- * **Strict adherence to Routine Orders:** "If a member of the D.C.S. or some senior members of Aboriginal organisations could be present at interviews, that could save all that."
- * **Institutionalising the system of a next friend:** "I would like to see someone in a position as a guardian. Not one of their own, someone for bail."
- * **A review of Routine Orders:** "We could have a police seminar to get cast iron guidelines. It'd save all the allegations of heavy-handedness in juveniles."
- * **The use of video records:** "It would combat accusations of police verbals."
- * **Prosecution for wrongful allegations against police:** "Most police are honest. They don't set people up"; "The Police Department needs more backbone. It should prosecute people for making false accusations."

CONCLUSIONS

Juveniles. Police comments regarding juveniles related mainly to interrogations. Most of the additional safeguards suggested above were seen as protection for the defendant as well as for police. There was no suggestion that police considered their reputation with Aboriginal juveniles to be other than sound. They believed that they themselves did not abuse their power and that most such allegations were misguided.

On the other hand, Aborigines in Roebourne indicated that Aboriginal juveniles in the town believed police did abuse their power, and they had thus developed a fear of the police and did not trust them. Some juveniles saw themselves as victims of police harassment and resented it. The adults wanted some intervention to alter what they saw as a blueprint for poor Aboriginal/police relations in the future.

Both groups advocated greater accountability in the administration of justice. There was agreement for example on the desirability of a third party being present at police interviews of juveniles. The evidence also suggests that police should take affirmative action to promote good public relations with Aboriginal youth,¹⁶ otherwise their relations with the next generation of Aboriginal adults will be characterised by even greater resentment and aggression.

Complaints Against Police. Generally speaking, Roebourne Aborigines said they had the potential to seek redress when police abuse of power resulted in complaints against the police. Apart from generalised suggestions they did not say how they would achieve this in practice.

The Ruddock Committee voiced reservations about the A.L.S. instituting legal proceedings against the police, which were said to "constitute further confrontation", to be "costly and time consuming", and to be an ineffective means of "influencing patterns of police behaviour and attitude" (Ruddock, 1980:79). Roebourne Aborigines did

16. See p190.

not see the A.L.S. as being pre-eminent in dealing with complaints against police. However they expressed interest in developing better regular communication with police as a preventive measure and as a means of ensuring that minor Aboriginal/police conflicts can be dealt with quickly and locally.

Regular meetings might well be an appropriate means of developing accountability and building trust. Issues which directly interest the wider Roebourne community, such as the use of the Harding River Reserve, could also be discussed in such a forum. Moreover, at these meetings police could ensure that Aborigines are fully informed of the circumstances surrounding any incident which is the subject of a complaint, and that ill-feeling between themselves and Aborigines does not brew because of ignorance.

CHAPTER SIXWOMEN

In March, 1985, an Aboriginal teenager from outback Western Australia was convicted in Perth on charges of murder and attempted murder. The victims were white men in their 60's who sought sexual favours from the Aboriginal girl and her friend. In a frenzy of outrage and drunkenness the girl stabbed her victims repeatedly, disembowelling one and mutilating the genitals of the other. The National Times described the girl thus:

"She was the one who lashed out under provocation at two men she hardly knew, but who wanted to use her as so many individuals and authorities had wanted to use her and her people for generations" (April 12 - 18, 1985)

The history of sexual exploitation of Aboriginal women in the Pilbara region goes back to the early days of white settlement of the area. The major industries of pastoralism and pearling depended for their often considerable profits on white control of Aboriginal labour. In a system akin to slavery, the Master and Servant legislation of the era ensured that Aboriginal men and women were indentured to pastoralists and pearlmen as unpaid labourers, stockworkers and divers. In addition, Aboriginal women frequently served as domestic servants and sexual partners to the white settlers, and as prostitutes on the pearling vessels (Hunt 1986).

One of the major tasks of the police at the time, was the "pursuit and capture of so-called 'absconding natives'" (Hunt 1986). This

punitive, custodial role of the police was also a central feature of the Lock Hospitals scheme, which operated in the north west between 1908 and 1918. The scheme enabled the authorities to segregate Aborigines suffering from venereal disease and confine them to the special island hospitals. The figures indicate that throughout the life of the scheme more than double the number of women than men were admitted. More than a quarter of the patients died during treatment. The police were involved in all aspects of the scheme: "collection, transport and treatment" (Jebb 1984:79). Aborigines able to walk were chained like prisoners. Under the Aborigines Act of 1905, police as Protectors of Aborigines were given the powers, which were used extensively under Commissioners Neville, Bray and Middleton,¹ to remove children from their mothers and transport them to institutions in the south.

Clearly, both of these events, the confinement of Aborigines in Lock Hospitals and the removal of part-Aboriginal children from their mothers, stemmed from the sexual activity between white men and Aboriginal women. Regardless of the intentions behind the two measures, the effects were highly punitive - to Aborigines, and particularly to women. The police were the agents by which these extreme policies were put into practice and as a consequence they became widely feared.

Police today continue to be mostly male² and to be representative of white authority in a very public and obvious way.

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1. A.O. Neville was Protector of Aborigines, and later Commissioner of Native Affairs from 1915 to 1940. F.I. Bray succeeded Neville as Commissioner and was followed by S.G. Middleton (1948-1962).
 2. In the research period there was one female police officer serving at the stations participating in this research.

Any attempt to develop good relations between Aborigines and police needs to consider the unique situation of Aboriginal women in those relationships.

Our project looked at Aboriginal and police perceptions of the other group's treatment of women. The fifth set of questions sought opinions on the abuse or exploitation of women without defining the nature of the maltreatment. In the event, many respondents emphasized the sexual component of what they perceived to be either verbal or physical abuse.

MISTREATMENT OF ABORIGINAL WOMEN

Police Perceptions

Police were asked, "Do Aborigines in Roebourne believe police offend, abuse or exploit Aboriginal women?" The majority of answers were emphatic and concise: "No!" Some added that other white men abuse Aboriginal women:

"They (the white men) get onto them (Aboriginal women) at the liquor shop in any state of sobriety and try to get their favours."

"I guess you've heard that too - gin jockey."

"Other white men abuse them, especially when Roebourne was a single men's town."

But - never the police:

"Most definitely not! Police treat Aboriginal women more courteously than they treat Aboriginal men; all women in fact. Aborigines complain about some white men abusing them - but not the police."

Another said:

"No, we pick on all of them."

Two police suggested that incidents of abuse did occur:

"There probably has been an incident of offence."

"Police sometimes might abuse Aboriginal women and this might offend them."

-hence the implication that Aborigines possibly could perceive police as abusers of Aboriginal women. It was added however that:

"I don't think it is a general opinion."

Only one officer gave a direct affirmative reply to the question:

"Yes. It's just what I've gained over many years as a cop."

With few exceptions, police believed Aborigines endorsed the majority police view that Aboriginal women were not mistreated by police.

Aboriginal Perceptions

Most of the Aboriginal responses to the question, "Do police treat Aboriginal women badly" were not what the police would have anticipated. Most Aborigines believed that the way in which police were sometimes seen to "rough handle" Aboriginal females during arrest and imprisonment, constituted abuse. Aboriginal people in Roebourne demonstrated that they were particularly sensitive to the way in which police deal with women and girls today. This, no doubt, is based at least in part on events as they were perceived to have happened in the past. As one person explained:

"Sometimes in the past I have heard that the police blackmail the females to have sex with them and bribe them."

There was a strong feeling from both men and women that women and girls, drunk or not, should be treated carefully and with respect.

"Some get treated very roughly. Some women just don't like to be pushed. It's alright with the men these days."

"Women shouldn't be rough handled and thrown in goal as they do to men, you know."

"They are not supposed to get rough. They should grab them good way, arrest them good way, and put them in the cage, not toss them in; and especially women, they should help them up in that cocky cage. That step, that's high."

Women and girls felt humiliated by what they perceived to be suggestive and disrespectful language. For example:

"I have heard one police officer say, 'Hullo babe' to one young Aboriginal woman, and I wonder what has been happening."

Others said they didn't know what went on in the lock-up and they were concerned that there were no women officers there to help.

"I never seen those things happen; not with the police. But I do see a lot of womans and young girls going into gaol, and all that. I don't know what they're doing to the womans."

"Lots of mothers have asked me that we get a woman police officer, as a friend police officer, like counselling."

Another woman who alleged that police dragged a young girl "along the road like a dead kangaroo" just two weeks before the death in custody of John Pat, said there should be an Aboriginal woman officer attached to the police station to "help the girls so they get treated right."

The Police Department itself recognised that women had different needs when it appointed its first female constables in 1917. The women, who worked in plain clothes, were recruited from the service professions of nursing and social work. Their job involved "safekeeping the moral welfare of women and children particularly of girls between the ages of fifteen and twenty one years" (Lawrence 1979:25). While there might be some grounds for suggesting that the police interpretation of women's needs might have differed from those of the women themselves, the 1917 appointments created a precedent for a care-giving rather than a law enforcement role. Most Aborigines questioned in our project believed that women and girls were either handled too roughly by police or were often in a vulnerable situation where this could happen. Hence, there was wide support for the idea of a female Aboriginal lock-up attendant to operate in a care and advice giving capacity.

Aborigines were also asked whether police perceived Aboriginal women as being badly treated by Aboriginal men. All except one, who didn't know, agreed that this was the case. Some believed police were justified in coming to this conclusion:

"Well before when an Aboriginal man had an Aboriginal wife, they never used to fight. But now that they've got the grog, police have to go and pick him up because he's been flogging his wife."

It was implied by another respondent that police linked violence between Aboriginal men and women to traditional customs and that they perceived alcohol as merely aggravating an anti-female bias inherent in Aboriginal culture. A few suggested that, "it's none of their business, really."

MISTREATMENT OF WHITE WOMENAboriginal Perceptions

Aboriginal people were asked, "Do police think Aborigines treat white women badly?" The concept of black ill-treatment of white women was alien and disconcerting to some. Their responses, in effect to the unasked question, "Do Aboriginal men treat white women badly?" reflected this:

"Aborigines? Not really. Hardly ever at all."

"Never in my eyes, do they get cheeky to white women."

"No, you never see Aboriginal blokes do that."

"I've never heard of it."

Only one person said that police thought Aborigines treated white women badly.

Police Perceptions

The question appeared to shock some police, who perhaps saw Aboriginal male aggression to white women as unthinkable in the context of a small town with a colonial history. Most answers were short, with little elaboration:

"No, never. Not in any town that I've been in."

"I haven't seen it. I'm strongly against it."

Three officers believed that swearing by Aboriginal men might offend white women. Two of these implied that the women were capable of handling such situations:

"One Aboriginal man in town pinches women's bottoms (white and Aboriginal). White women don't feel threatened by Aboriginal men though they do get fed up seeing them drunk."

Another said a woman had been touched by an Aboriginal man, "so she dropped him." The officer went over and "helped the man out." The third policeman suggested, "There's no difference between the way white men abuse women [and the way blacks do]." The remaining 28 respondents believed Aboriginal men did not abuse, offend or exploit white women.

CONCLUSIONS

The following statements represent the views of most Aborigines and police interviewed:

1. Police believe Aborigines support their view that police do not mistreat Aboriginal women.
2. Aborigines believe police do mistreat Aboriginal women.
3. Aborigines believe police perceive Aboriginal men as maltreating Aboriginal women.
4. Neither Aborigines nor police believe Aboriginal men mistreat white women.

The abuse and exploitation of women is a topic which touches the sensitivities of Aborigines and police. Police and Aborigines had more difficulty attempting to gauge the views of the other party on this subject than on any other. As part of making sense of current race relations in the Pilbara, contacts between police and Aboriginal women and girls today cannot be seen in isolation from the contacts and experiences of past generations.

Police do not appear to realise that the way they treat Aboriginal women is condemned by the Aboriginal community. As long as Aborigines perceive police behaviour towards Aboriginal women to be offensive, relations between the two parties will remain strained. For this reason, anything the police can do to prevent the development of such negative perceptions would enhance the promotion of better relations between them and Aborigines.

An Aboriginal female lock-up attendant would increase the level of accountability of police for their actions and enable justice to be seen to be done. Such an idea merits considerable discussion with a view to exploring its practical implementation.

Finally, police contact with Aboriginal women is not limited to female offenders. After losing their independence and "bargaining power" during the colonial period (Bell 1983:250), Aboriginal women in Roebourne have now begun to play an increasingly active role in the running of Aboriginal organisations in the town. Administrative personnel and office bearers in the newly established and flourishing resource agency and Aboriginal Medical Service are women. An Aboriginal women's group has also been established recently. Aboriginal women in these influential positions are demonstrating a desire to address issues such as delinquency and drunkenness which directly affect their kin. Increased and improved liaison with police will be central to their tasks. There is an opportunity and a need then for these women to take the lead in improving communications with police.

CHAPTER SEVENABORIGINAL LEGAL SERVICEBackground

The first Aboriginal Legal Service was established in 1970 in Redfern, N.S.W., as a result of "alleged discriminatory behaviour by police towards Aborigines" (Ruddock, 1980:72). Autonomous, federally funded Aboriginal legal services have since been established throughout Australia. These services have attempted to assist Aborigines towards equality of treatment and opportunity in the legal system.

The major function of the A.L.S.'s has been the representation of individuals in the criminal courts. However in more recent times they have expressed interest in:

"challenging and exposing the systems that bring these people before the courts. And they are interested in introducing Aboriginal people to the power that can flow from use of civil-law processes. Until the advent of the A.L.S.'s. the door of the civil-law process was firmly closed as far as Aboriginal people were concerned. It is now ajar" (Lyons, 1983:145).

In practice, criminal court work loads and limited funding and manpower still direct the day to day activities of A.L.S. officers in the field. As a result, in most places there is little more than peripheral involvement of the A.L.S. in civil matters, or in developing a liaison/welfare/education role for the service.

The Aboriginal Legal Service of Western Australia established its first full-time office in Perth in 1973. A year later it had expanded to

include the north west and south west of the State in its operations. In 1984 the constitution of the A.L.S. was revised in an attempt to accommodate its extensive statewide operation with a largely centralised structure. There is now an annually elected 31 member executive committee which claims to be more truly representative of, and responsive to, Aboriginal people and their needs throughout the State.

The A.L.S. runs eleven country offices in W.A., two of which are in the Pilbara region. A solicitor and an Aboriginal field officer are employed in Port Hedland and a field officer in Roebourne. The vast hinterland of the Pilbara, home for Aborigines from the more remote communities is, in practical terms, largely unserved by the A.L.S. Financial constraints and difficulty in recruiting and maintaining staff are considered to be the major obstacles in providing a service to such distant areas (Lyons, 1983:156).

The A.L.S. and the Police

Ruddock reports that "the relationship between some Aboriginal legal services and the police appears to be characterised by confrontation and lack of co-operation" (1980:83). He goes on to mention reports of hostility by some police to A.L.S. employees. Indeed the W.A. Police Department's own training manual on Aboriginal/police relations states that "the Aboriginal Legal Service's main complaint against the police is one of police assaulting Aboriginal people" (Weaver, 1983:33).

On the other hand, according to recent newspaper reports, the Police Union in Western Australia has blamed the A.L.S. for "much of the

growing mistrust between Aborigines and the police" (The West Australian, 27/2/1984). In February 1984 a call by the Union for a Royal Commission into welfare agencies dealing with Aborigines singled out the Aboriginal Legal Service for particular investigation. It proposed amalgamating the A.L.S. with the Legal Aid Commission. In November 1985, at a conference of the Police Federation of Australia, delegates supported a Western Australian bid to inquire into what they alleged was a "misuse of public money by the Aboriginal Legal Service" (The West Australian 10/4/85).

Absent from the literature and media reports however are the views of Aborigines on the service they get from the A.L.S., and the perceptions of police in the field.

Our project assumes that co-operation between the police and the A.L.S., the two groups most immediately involved with Aborigines in the criminal justice system, was more likely to promote the legal welfare of Aborigines than attitudes of antagonism, competitiveness and distrust. In the sixth set of questions the perceptions of police and Aborigines were canvassed with a view to assessing the existence and potential of such co-operation.

POLICE VIEWS

Function

When asked, "What do police think is the function of the Aboriginal Legal Service?" most police said the A.L.S. was intended to ensure fair

representation for Aboriginal people and to educate Aborigines to understand the law:

"I class the A.L.S. like the police. We are assisting the community to understand the law."

"They are trying to help explain to Aborigines what they've done wrong, rectify it and speak for them in court."

"To enable Aborigines to have a fair and just hearing."

"To guide Aborigines in legal matters."

On this basis they did not challenge the need for such a service. However most officers suggested that what the A.L.S. did in practice was often inconsistent with the two stated purposes. A few went further to imply that the service was so far from its original intentions that it operated merely to:

"get money from the government."

"tell people they are not guilty."

"waste government money."

"beat the cops."

Effectiveness

The police were asked if they thought the A.L.S. did a good job, (a) in the Pilbara, and (b) in general. More than half the Roebourne police thought so: "They do a good job. They put the case forward for the people."; and, "Yes. I think they have the situation under control. They're always available."

However there was little unqualified approval for the A.L.S.. Two police officers suggested the local service was good because of the qualities of the staff:

"He's a good bloke here. He's a good representative."

"Locally they do an excellent job. () works in with the police. The Perth mob should be more like the () office."

Other officers qualified their praise for the A.L.S.:

"My experience has shown me they're doing a good job. [But] sometimes the A.L.S. continue to say 'not guilty' though it's known otherwise. They don't plead according to the accused's wishes. The solicitor hasn't really interviewed the people."

"They do a good job but they push their powers too much. They get too involved. For instance all the allegations against police always come from the Aboriginal Legal Service, forcing the Aboriginal person to stand up and say these things. It'd be alright if it was just the Aboriginal people talking for themselves. The A.L.S. always finds the little loopholes."

"With reservations yes. They bite off too much, more than they can chew."

Two of those approving the A.L.S. added provisos, namely: good service is dependent on who is doing the job; and there is too much work for one person. Those who considered the A.L.S. was unsatisfactory echoed and expanded on these views:

"They could do better. It depends on the quality of some of the solicitors that they've had. They should spend more time with the people, so there's not so much mucking around in court."

"Not a real good job. It depends on who you're dealing with. As far as helping the average Aborigines, they don't give much time."

Four respondents condemned the service outright, with comments such as: "the A.L.S. is a joke"; and "They have done a good job at creating nothing into something."

Most police from the more remote stations had had no contact with the A.L.S., and could not assess its effectiveness. One said he thought they did a good job in the Kimberleys.

A police aide gave two perspectives. On the one hand the A.L.S. had successfully pursued a claim on his behalf; on the other, it made life hard on the job - "A.L.S.: they are the worst ones. It may be a mile long, but they make it 14 miles." (That is, the A.L.S. makes mountains out of molehills.)

Criticisms

Police criticisms of the A.L.S. fall into six categories: bias against the police, manipulation, wrong priorities, inflexibility, inefficiency, and poor performance.

1. **Bias Against the Police.** A.L.S. solicitors were accused of: being "more anti-police than the Aborigines themselves"; having "a snout on the police"; and promoting "a them and us attitude." One officer said, "I've heard them say (to Aborigines), 'Have the police been picking on you again?'"

2. **Manipulation.** Particularly irritating to some police was an alleged A.L.S. practice of telling clients who openly admit they've offended, to plead 'not guilty' in court. According to the police, "The people want to say 'guilty' but the A.L.S. prolong it.....they abuse the legal system - when the accused knows he's done it, the A.L.S. say 'not guilty'." Such practices were condemned as making "extra work for everyone. It's pointless."

3. **Inappropriate Ordering of Priorities.** Another police complaint against the A.L.S. was that it paid very little attention to helping

Aborigines with respect to welfare, civil and domestic matters, and education about alcohol abuse. Instead, said the police, the A.L.S. spent too much time on court cases. As a result, although "the majority of the lawyers are good....some of their work is pathetic. How do they handle the amount of charges that go through?"

4. **Inflexibility.** Some police pointed to a need for "more feedback from the A.L.S. to say if we all bent the rules a bit we could help the alcoholics." However the A.L.S. was perceived as lacking the flexibility to do this.

5. **Inefficiency.** The A.L.S. was seen by some police as wasting government money as a result of: defending "too many trivial pursuits"; abusing "the system by representing too many people"; and sending "a new field officer to Perth to train and then two months later he'd finished the job."

6. **Poor Performance.** The success rate of the A.L.S. is low, said some police, because "in court....the defendant says he is guilty and the solicitor says he is not"; moreover, it is "a half-hearted job, not taken seriously"; and the solicitors "can't provide the client with true legal representation...[because]...they haven't seen the Aboriginal offender before and don't know the full details about the background of their client."

Approval

Despite their criticisms and reservations about the A.L.S., more than half of the police said that they thought the A.L.S. did a good

job. They acknowledged that the A.L.S. worked under difficult conditions, had the interests of Aborigines at heart, and were dedicated to their jobs. Many police had known solicitors or field officers whom they respected and with whom they could work effectively. It would seem that some of the negative feeling the police have towards the A.L.S. is based on past experiences, the personality and ability of some solicitors and reports of what the A.L.S. does elsewhere.

Perceptions of Aboriginal Views

Most police were able to indicate what they considered were Aboriginal views on the functions of the A.L.S. However six officers said they didn't know and of these, four were from inland areas remote from A.L.S. assistance.

Generally the police perceived Aboriginal offenders as assessing the function of the A.L.S. according to self-interest. For example, offenders were seen by many police to view the A.L.S. as a means "to get out of something", "to beat the coppers", "to get off whether guilty or not", and "to evade a conviction"; offenders were also seen to regard the A.L.S. "as a weapon against the police" and "as their saviour, J.C." Aboriginal non-offenders on the other hand were regarded as holding similar views to the police about the correct function of the A.L.S. - that is, that the service should provide fair legal representation and education.

As to Aboriginal opinions on the effectiveness of the A.L.S., the police were more circumspect. Half of the officers said they didn't

know; others were divided about whether there was satisfaction, dissatisfaction or a bit of both:

"They are using them (the A.L.S.) so they must be happy."

"Most of the time they don't want anything to do with the A.L.S."

"They're glad it's there, but they're not satisfied."

"Probably they are happy because the people don't know what the Aboriginal Legal Service is really capable of doing in terms of the scope of services they could offer."

Suggested Reforms

Several suggestions were made by police to improve the performance of the A.L.S., namely:

1. More emphasis should be placed on welfare work, legal education, civil and domestic matters, and less on over-representing Aborigines on minor charges.
2. Aborigines in remote locations should have greater access to the A.L.S.: "I think there should be a field officer in Newman."
3. More consideration should be given to selection and payment of solicitors: "They should pay the solicitors more and get interested and unbiased people. Some are very anti-police and it doesn't help their black clients"; and, "When they have a full time permanent lawyer, they do have a decent service."

Only one officer made the radical recommendation of urging that, "the A.L.S. should be disbanded and started again. It's useless and biased."

ABORIGINAL VIEWS

Functions

Aborigines in Roebourne were asked, "What does the A.L.S. do for

Roebourne people?" Responses emphasised its role in criminal court matters:

"Well, he goes to court for the people that've got problems."

"He represents Aboriginal people in the court."

"It's fair - to help people with a complaint."

"They explain what your charges are."

Some people considered the A.L.S. could or should be involved if police treated Aborigines "unfairly":

"Some go to the legal service - some go to the sergeant";

"Well, that's what the A.L.S. is for, but sometimes they (Aboriginal complainants) don't tell the A.L.S."

However others were sceptical of the effectiveness of such A.L.S. intervention:¹

"I've never actually seen any [complaints] carried right through. A lot of things are said and then it's forgotten."

Also, Aboriginal people in Roebourne did not see the A.L.S. as the sole or even the most important vehicle for "having a say" with the police. Three other measures were advocated: (a) education - "to learn about our rights"; (b) group solidarity - "We've got to tell the people to stand up and be strong"; and (c) increased communication - "Our leaders should go up to the sergeant and meet him....have public meetings, but not at the police station because people get frightened."

Effectiveness

Like the police, Aboriginal people in Roebourne gauged the

1. Of 48 complaints against police received by the A.L.S. throughout the state in 1985, none has yet resulted in a prosecution.

effectiveness of the A.L.S. by the ability of the field officer or solicitor:

"The new field officer is really getting things going."

"In my opinion it's doing a good job at the moment. The bosses in Perth should give them (local officers) the support, and the local community."

Most agreed that the A.L.S. in Roebourne helped Aboriginal people by representing them in court and explaining charges. Three quarters of the people questioned said they believed the A.L.S. in Roebourne "did a good job."

Perceptions of Police Views

Two thirds of Aborigines questioned said they did not know how the police viewed the A.L.S. The remaining one third were equally divided about whether police had positive or negative attitudes. Some Aborigines said:

"I don't think the police would like the legal service. An Aboriginal might be in trouble, and they might ask the A.L.S., and the police might turn around and see that Aboriginal woman legal service assistant and the police think, 'well she's going against us because she's an Aboriginal woman'."

"They (the police) think it's a nuisance, but when good comes out of it, they should be given a fair go."

Others, whose work involved them in greater contact with the police and the criminal justice system were more positive: "I think they think 'O.K.'."

Suggested Reforms

Despite general endorsement of the current A.L.S. field officer in the town, some changes to the overall direction of services were

suggested. These included more legal education and more visits by the field officer to the police lock-up and the regional gaol. The field officer's job was seen to be a hard one, which merited more community assistance:

"The legal aid person has got more trouble than anybody else. He's not only got his own problems, but he's got everybody else's problems."

"It should be a community thing, not a one man. It should be a community thing so that they have back up - someone to help them."

Several white people involved locally in Aboriginal affairs also suggested that the A.L.S. should concern itself with "education" and should "guard against over advocacy" as it "damages the reputation of the service."

CONCLUSIONS

The need for a service to ensure adequate legal representation and education for the Aboriginal community was not seriously questioned by most police officers. They did express dissatisfaction however with the type and extent of service offered by the A.L.S. and the manner in which some A.L.S. officers went about their tasks.

Aboriginal people in Roebourne were satisfied with the current level of legal advice and representation that the A.L.S. field officer was providing.

Anti-Police Image. Most police believe that the A.L.S. has an anti-police bias and that it 'manufactures' complaints against them. A

few Aborigines faintly suggested that some police might be biased against the A.L.S. rather than the reverse. Most Aborigines however did not see the A.L.S. as a primary vehicle to handle complaints against the police.

In 1985 the Parliamentary Commissioners Act (1971) was amended to give the ombudsman some investigative powers in relation to complaints against the police. Perhaps the opening up of this avenue to complainants will provide, on occasion, an alternative to the institution of legal proceedings by the A.L.S. If so, it is likely to assist the A.L.S. to shed some of its 'anti-police' image.

Further consideration should be given to means of informing police about the structure and policies of the A.L.S. and about the work the A.L.S. is actually doing. In other words, attempts should be made to ensure that any image of the A.L.S. held by police is based as much as possible on fact rather than on ignorance or hearsay.

The police have also suggested that local Aboriginal communities have needs which are not being met by the A.L.S. They believe Aborigines do not demand more of the A.L.S. because they are unaware of (a) the true functions of the A.L.S. and (b) the possibilities of an extended role for the A.L.S.

Our project found that Aborigines were aware that the A.L.S. could play a wider role but, understandably, they put greater store than police on the importance of adequate legal representation. They also accepted that the A.L.S. performance locally was subject to human limitations. The job of the field officer was seen to be lonely and stressful. And

people appeared to see calls for a wider service by the A.L.S. as amounting to additional demands on the current officer. There was some agreement between Aborigines and police about the type of extended function - such as the provision of legal education - that the A.L.S. could, ideally, provide. The more the A.L.S. is seen to act in accordance with local needs, particularly where the police are supportive, the more likely it is that the A.L.S. will be held in a positive light by police. This would provide a basis for more positive working relationships between the police and the A.L.S. and thus work in the better interests of Aboriginal legal welfare.

CHAPTER EIGHTDECRIMINALISATION OF DRUNKENNESS

Dixon, in his report on imprisonment, advocated the abolition of "the power to imprison for the offence of being found drunk in a public place", as one means of lowering the Aboriginal imprisonment rate in Western Australia (1981:273). The move has already been made in the Northern Territory and New South Wales and more recently in South Australia. Police officers in these states have the power to detain intoxicated people until they are sober or until a certain time has elapsed - 6 hours in the N.T., 8 in N.S.W., and 10 in S.A. - whichever is the shorter. In N.S.W. and S.A., some non-police personnel are authorised to take intoxicated people to places other than police lock-ups to sober up.

In the U.S.A., legislation making public drunkenness illegal has been repealed in some states:

"With decriminalization of public inebriation, the local jail no longer may serve as a repository for drunks, and the police, if they are involved at all in public drunkenness, set into motion what hopefully will be a plan of rehabilitative health management rather than a punitive criminal justice process" (Cohen, Chappell, and Wilson 1975:53).

Cohen, Chappell and Wilson believe such reforms bear positively on Indian/police relations. They point out that decriminalization eliminates a large and potential area of conflict and that it "can defuse, or at least deflect the ill-feeling that grew out of massive arrests of Indian drunks" (1975:53).

The question of whether public drunkenness should be decriminalised was approached in this project from its perceived bearing on Aboriginal/police relations. This was the subject of the seventh set of questions.

ALCOHOL AND ABORIGINAL/POLICE RELATIONS

How desirable is the decriminalisation of drunkenness seen to be in the Pilbara? Police and Aborigines agreed that conflict between them is heightened by the consumption of alcohol, for several reasons. First it increases the frequency of contact between police and Aborigines. This is partly because alcohol is an element in many minor crimes or street offences such as disorderly behaviour, the use of abusive language and loitering. Since Aborigines drink in public places more frequently than whites, they are more likely to be charged with street offences. Second, alcohol consumption affects the quality of Aboriginal/police contact. For instance, Aboriginal people indicated that they resented being taken into custody for drunkenness by police who themselves were seen to be drinking before the arrest. Resentment was also felt because as one officer explained, "Aborigines don't understand being locked up for having a good time under the tree, when whites don't get locked up for having a good time in their homes." The different drinking habits of Aborigines and whites then results in the Aboriginal perception that whites are given favoured treatment by the police.

Despite the common awareness of the problems caused by the laws on public inebriation, neither the police nor the Aboriginal people showed

much enthusiasm for decriminalizing drunkenness. Over half the police expressed outright opposition and some of their reasons for doing so were shared by the Aborigines. A minority of police and most Aborigines voiced qualified and cautious support for reforming the law.

OUTRIGHT OPPOSITION

A clear majority of the police from Roebourne and about two-thirds of the other police were opposed to decriminalizing drunkenness. Their objections can be sorted into four types of concerns. One is based on the view that the present law protects Aborigines from themselves; a change in the law would deprive Aborigines of the shelter that it provides. According to some police:

"The people are a danger to themselves, particularly on roads."

"It protects the people and the community."

"The majority don't like being drunk. They're apologetic the next day. But once they start they can't stop. They're incapable of looking after themselves."

"They (the drunks) have been grateful to have a feed for the night."

"Sometimes they come to us and ask us to put them in [gaol]...when they know that their body is sick, and they need a break."

Another concern was that if drunkenness is made legal, then the following scenario could occur: some detoxified, but un-rehabilitated, drunks would promptly return to the street, violence would increase, the police contact with Aborigines would escalate, and relations between the two groups would deteriorate. Aborigines would be disadvantaged because instead of being charged with the relatively minor offence of being drunk

and disorderly, they would most likely end up being charged with the more serious offence of assault.

"The severity of offences will increase if you decriminalise drunkenness."

"No, it would blow the lid."

"It would increase the problems. There would be no curbing of drinking behaviour."

"No. Drunkenness is disorderly activity. Probably it's the simplest way out in violent situations."

A third police viewpoint was that decriminalizing drunkenness would create more administrative and operational problems than it was worth. To some extent this concern was based on an assumption that people other than police would be required to deal with drunken people in public places.

"There would be problems trying to collect these people and take them to centres when the individuals got stropky."

"The decriminalisation would create other problems. Who is going to pick them up?"

And a fourth type of concern was that if drunkenness were made legal, there would be public unease about unsightly drunks on the streets and the mess that would be created.

"I don't think it'd help. Tourists hate seeing drunks, the littered glass, etc. Children are at risk of falling and getting cut."

"Yes and no. There's lots of people lying in the streets. The working community would complain."

"The present law gets them off the streets."

"It would make a terrible mess of the town. There'd be no restrictions."

The police who oppose decriminalising drunkenness also thought that most Aborigines would agree with them. Only Aborigines who are offenders, had long drunk records, were alcoholics, and who listened to "outsiders and academics" were perceived as likely to favour changing the law.

Among the Aboriginal people, one person objected outright to decriminalizing drunkenness, saying, "No, keep the law as it is. It will cause another problem." Another Aboriginal person thought that the general public would not be happy about changing the law because, "they're the ones who's going to be subject to violence if it does happen." A further comment, made in reaction against reform, was that a drunken person, "can do damage to his wife, children or friends."

QUALIFIED SUPPORT

Most Aboriginal people thought that decriminalizing drunkenness was worth a try. According to one person, the offence of drunkenness should be abolished because:

"It becomes a degrading thing. I mean, of course they drink every day, but then you get picked up for being drunk every day also. I mean, it just lowers a person's morale even more."

And, as one alcohol counsellor who had his own share of prison experiences as an inmate explained,

"I can tell you this, the one man getting in gaol all the time, the police might be getting tired of it. Come back, and they see this man time and time again, up and down, got to make him do something, and something to change. It would be better to find another place where they could sleep and get sober. Give them counselling, give them food. That's another good thing."

Aboriginal support for decriminalizing drunkenness however was clearly conditional upon the appropriate facilities and services being in place. Several people were particularly concerned that any changes in the law be accompanied by appropriate local detoxification and rehabilitation programmes. Others were very conscious of the dangerous potential in leaving drunks "lying on the road" and in public places. Some suggested that the concept of diverting drunks from imprisonment was not new. For example, it was reported that a former policeman:

"....used to get the drunks and drive them out of town about six miles and leave them. By the time they walked home they were sober. By the time they got back to town the pub was closed anyway."

What concerned Aboriginal people most about alcohol abuse was what it does to their culture, authority structure and family relationships. They wanted help to address the abuse at the local level, rather than to be concerned with the possible effects on imprisonment rates and Aboriginal/police relations that changes to drunkenness laws might bring. This was not to deny that effective local initiatives might need legal backing to be successful.

Most Aboriginal respondents said that they thought the police would agree that public drunkenness should not remain an offence. Implicit here was an awareness that police responsibilities and duties with drunks are onerous and unpleasant. About one-third of the Aborigines said that they didn't know how the police would respond; "That's up to the police to make up their own mind." Only one person suggested that the police would be against decriminalising public drunkenness.

Contrary to Aboriginal perceptions, and as has already been shown, over half of the police did not favour the decriminalisation of drunkenness. Nevertheless, a sizeable minority of the police said that provided adequate support services were developed, they would endorse such a move. In fact, some officers pointed out certain practical benefits in reforming laws relating to public drunkenness: "It'd be good. It would cut the work load and cut half your contact"; it would save "a lot of paperwork for us"; and it would cut down a lot of unpleasant work because, "It's demeaning for police picking up drunks. It's a Community Services job." From a moral standpoint, one officer said, "One of my gripes is that a drunk is treated as a criminal, thrown in the back of the van, finger printed, sent to court and gaoled. Drunkenness is a social offence, not a crime."

About one-quarter of the police thought that Aborigines are likely to favour repealing the law for reasons such as, "they see no advantage in being gaoled, it doesn't achieve anything"; and "an alternative was found at Strelley. That is, taking the people out into a desert camp."

Police and Aborigines alike agreed that simply changing the law would not be acceptable or workable. Effective alternatives to arrest and adequate support services were stipulated as essential. One officer insisted on "a legal right to hold them (drunks) at a centre." A number of other comments highlighted the conditional nature of police endorsement for decriminalizing drunkenness.

"There needs to be an organisation to look after the drunks."

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1. Strelley is an Aboriginal-owned pastoral property situated 60 kilometres east-south-east of Port Hedland. The group which runs this and several other pastoral stations in the region has a history of self-determination and self-management dating back to 1946. See McLeod (1984), How the West Was Lost.

"Maybe if we could take them to some place, for example, a Salvation Army sort of shelter, so that there was some place for drunk people to be taken. But the lock ups; we seem to be using them more for old people because of the cold weather."

"It would only help if rehabilitation and counselling was available."

"With support services it would be okay."

"Yes, police do agree with this, if there's a more satisfactory move to treat this problem. But we need a better back-up service. After all, the charge of drunkenness to Aborigines means nothing."

Even with the provision of support services, some police sounded notes of caution.

"It's a good idea, but only if there were very strong support structures. I mean some drunks are abusive; they get sick on you, and there are unsavoury aspects of it. So the people who would be in those services would have to be prepared for all that."

"People dealing with those drunks would have their lives in jeopardy.....They'd still have to depend on the police to back them up in these situations."

"We take the responsibility. What happens if they die in custody? I mean these are the responsibilities that we take. Who else will?"

Other police sounded a different note of caution by intimating that decriminalising drunkenness and providing support services might threaten vested interests. For example, police might lose some of their power and possibly some jobs (if half of their work load were cut). It was also pointed out that officers-in-charge would lose extra income from the meal allowance claimed for prisoners in police lock-ups, most of whom, in towns like Roebourne, are Aborigines on alcohol-related charges.

CONCLUSIONS

A majority of police expressed opposition to decriminalizing drunkenness and believe that their concerns are shared by most Aborigines. Most Aborigines indicated a willingness to offer qualified support for repealing the law on public inebriation and thought that most police would agree that positive results could be gained by doing so. Perhaps they are right. It could be that many of the police are not opposed to decriminalizing drunkenness in principle; it's just that they remain to be convinced that it will operate effectively in practice.

A variety of different models exists throughout the world to deal with drunkenness as a social disease rather than as a criminal state. From their comments, it can be inferred that if drunkenness were decriminalised, the police in the Pilbara would prefer a model that requires them to pick up the drunks and use the lock-up as the drying-out place. The only real change under this model would be that the drunks would not be charged and there would be fewer prisoner meals. It would not involve increased expenditure and it would cover most of the types of concerns expressed by the police who said they were opposed to reforming the law.

It is more difficult to identify the model which the Aboriginal people would find acceptable. What can be said however is that it would be one that would allow for a maximum of local Aboriginal design and control and would address directly the issues of alcohol abuse through detoxification and rehabilitation programmes.



CHAPTER NINEQUALITIES THAT COMMAND RESPECT: SELECTION AND SOCIALISATION

Positive relations between groups of people are enhanced if each group has qualities that the other respects or admires. The eighth set of questions in this project aimed to identify the kinds of police that Aborigines respect, and to look at practical ways of developing 'admirable' qualities in police working with Aborigines. Police perceptions of respected Aborigines were canvassed, as were Aboriginal views of what these police perceptions might be.

QUALITIES IN POLICEMEN THAT ABORIGINES RESPECT

Despite the forces operating since colonial times which ensured that Aboriginal/police relations were grounded in conflict, there have always been policemen who developed good working relationships with Aboriginal people.

What Aborigines Think

More than half the Aboriginal people interviewed said they had met "good policemen." In describing characteristics of officers who gained their respect, Roebourne Aborigines emphasized the following:

*** Knowledge of and respect for Aboriginal culture and language or a willingness to learn about these things:**

"Kevin (). He understood and respected the culture. He understood the language."

"[The one that] shows interest in the language and habits of Aborigines and is willing to listen and learn."

*** Respect for fellow human beings:**

"Police who look at you and talk to you. Straight. Same as you and me."

"They (i.e. police) should treat people as humans."

*** Respect for the job (of policing):**

"Showing a respectful way for his job and fellow human beings."

*** Helpfulness:**

"It was a long time ago. When I was a bit young, all the young kids used to hang around town; if there was trouble, the policeman would take them home, rather than lock them up. Everytime, if you saw Aboriginal people in trouble, he'd pull up and help them out."

*** Friendliness and an approachable manner:**

"[A good policeman] explains things and always comes in cheerfully and then greets you and says hello. Not those ones that come barging in with a sour face or something like that, and they've got no smile on their face."

*** Fairness and no double standards:**

"If you were training the police, you'd tell them to be fair, listen to both sides."

"The police here now are O.K. The ones before, I saw them buy cartons and drink them on the hill, then come down and start arresting."

One person said he liked police officers who showed they were ordinary people:

"Ones that you can see him. There was one. And we knew his family. He showed they can be friends."

A group of Aboriginal prisoners described "good" police as those who provide kangaroo meat and "let us cook outside and lock up at 9.00 (p.m.)."

What Police Think Aborigines Think

Police were asked to describe the qualities they thought Aboriginal people would respect in effective police officers. Police believed almost to a man, that Aborigines prized fairness above all in police officers. Aborigines were also said to respect communication skills, a positive manner, and police taking a friendly interest in the people.

In answer to the question, "What characteristics and qualities do Aborigines admire in police officers?" individual police placed different meanings on the concept of 'fairness', namely - consistency, lack of bias, and honesty and restraint:

*** Consistency:**

"Consistency with authority and how it's presented."

*** Lack of bias:**

"Police should have an open mind. See the situation on both sides and find out exactly what the problem is before going in."

"Fairness when using their own discretion....Playing it straight down the line."

*** Honesty and restraint:**

"Fair officers - not overzealous in their work."

"A helpful one who does his job properly without picking on people or lying."

"Fairness, honesty....Puts across no bull. For example when police officers say they know something about an alleged crime that will get a person to make a particular statement just to get a conviction."

"Don't hit them with a technicality type offence when you know it's just basically being drunk."

Police also described communication skills such as talking, listening and being able to joke, as part of Aboriginal perceptions of a respected policeman:

"[Respected police are] quietly spoken, talkers and listeners; definitely good listeners."

"[Police should] explain and take time to go over things."

"Aborigines like it when police recognise them and talk to them first."

"I laugh and joke with them and don't need to use force when arresting them - I just lead them into the van."

One policeman said that communication or "letting communities know what's going on" was important because "Aborigines remember people being taken away and never coming back, so you have to take your time to explain your business."

Some police emphasized the manner in which they should address Aborigines"

"Be co-operative, helpful and courteous."

"Sit down and listen and talk on the floor, not standing up, looking down."

"Be strong, straight-talking, but not aggressive."

"It's not downgrading to speak to people in a simpler language."

Others suggested Aborigines liked police to "make friends", "take an interest in what they (Aborigines) are doing", and "treat people as individuals"; Aborigines were said to dislike "wimps" or "boffins". Only one officer suggested Aborigines respected police who have an understanding of the culture.

What Police Think

In describing qualities police themselves considered were important for effective work with Aborigines, most officers gave similar responses to those above. A few expanded on their earlier responses. Three officers believed a "knowledge of culture and law" was important and that "it helps to know some of the language." Added emphasis was given to developing communication:

"We need to travel to these places, including for meetings."

"It's a matter of both sides responding to each other or it won't work."

Comment

Aboriginal and police perceptions of admired qualities in police had many points in common, although views differed about the relative importance of particular preferred qualities. While police placed much emphasis on 'fairness' which was variously defined, only one Aboriginal respondent made overt reference to this quality. Aborigines for the most part implied that they were keen to see the human face of police officers. They suggested 'respect' was a mutual condition and depended in part on an officer's ability to demonstrate individual qualities not inherent in "the uniform".

Many police appear to have developed formulae for dealing with Aboriginal people. These formulae tend to be in the tradition of benevolent authority. Aboriginal people on the other hand seemed less concerned with the principles of police actions, that is, always being

consistent, always doing what one says, than with being able to know individual officers, and thus being able to predict and understand their actions, and form a working relationship. A few officers, generally older and more experienced, shared this view. Further comment is made in the section 'Models of Success' on page 122.

QUALITIES IN ABORIGINES THAT POLICE RESPECT

What Aborigines Think Police Think

What type of qualities in Aborigines do the police respect? The Aborigines tended to answer this in terms of life styles. They said that the police were very judgemental of their way of life:

"The old police understand the way Aborigines live. The young police officer as he goes to arrest somebody for a warrant, he looks at the person's home, and says, 'this bloke lives in a no-good environment, I've got to keep an eye on him' and keeps picking on him. When he sees the surroundings that Aborigines are living in, it makes him act like he's the boss for the whole town."

"They always blame black fellas, why we aren't up to the European standard. The police ask questions like 'why are Aborigines drunken bums, lazy bums?' I know that police officer's job is hard, but they have to understand the Aboriginal people too."

All but one of the Roebourne people believed police would have more respect for them if they lived differently. It was suggested that police would "like to see us living a bit cleaner, quieter, but not that flash. They'd be saying steady down on drinking." Others supported the view that the police would like Aborigines to remain sober: "Police would like to see people chuck the grog"; "The police would like it if Aboriginal

people could handle their grog." Another said, "I think they want Aboriginal people to live their way of life."

What Police Think

In describing the qualities which they admired in Aborigines, many police tended to present a colonial profile, which describes Aborigines as:

- * **Workers:** "trackers, stockmen, miners."
- * **Respectful:** "[those who are] of good conduct and who listen to you."
- * **Clean:** "I respect anyone who takes the time and effort to look after themselves, to look clean."
- * **Able to speak English:** "The ones that are more oriented to our culture - they can talk and be co-operative."
- * **Honest:** "They readily admit they've done something wrong and they expect their just desserts."

The other profile was more along the lines of the 'noble savage' where admired Aborigines are:

- * **Full-bloods:** "the full bloods are easier going than the quarter castes."
- * **Affectionate:** "The full bloods are affectionate and feeling when sober"
- * **Happy:** "the Aborigine is generally a happy person, similar to the Bali people."
- * **Tradition-oriented:** "people who have traditions, like artifacts."

Not all police stereotyped Aborigines in this way. Some indicated knowledge of and respect for what they saw as "rich" Aboriginal culture, "community values", "sharing", and "family ties". Another said, "I take them on their own merits. A job doesn't make them good."

Parenthetically, the Aborigines indicated an awareness that some police wanted them to conform to the colonial type, as was exemplified by the suggestion that the police would like them to be "cleaner, quieter, but not that flash."

SELECTION OF POLICE

Police and Aborigines were asked how the qualities they admired in respected members of the other group could be further encouraged and developed. In the case of police, selection and socialisation were the major areas addressed.

Criteria for Selection: Current Procedures.

In the early days of the W.A. police forces¹ pay and conditions were poor and difficulties were frequently experienced in finding sufficient 'suitable' men for induction into the force. The cadet scheme, introduced in the 1930's, was an attempt to alleviate this continuing problem.

Improved conditions, and the high rates of unemployment since the late 1960's have enabled the police to be more selective with their recruit intakes. Of 2028 applications in the year ending 30 June 1985 approximately 280 were inducted into the force. Today, the W.A. Police

1. A united West Australian police force, under one commander, came into being in 1861.

Force maintains that it competes satisfactorily in the job market for new recruits.

In addition to meeting certain physical and academic requirements, applicants for the W.A. Police Force are assessed by a panel of senior officers. Questions asked of today's recruits are designed to detect, amongst other things, racism and prejudice. Racism alone is not sufficient cause for rejection from the force. Each area of questioning is evaluated with a points system. Failure results from a low aggregate of points.

A successful applicant who has demonstrated overtly racist attitudes at his interview starts his career with a clean slate. No record is kept of the selection board's assessment. There is a strong possibility of his being posted to a country area with a predominantly Aboriginal population. In such cases, unless he serves under an office-in-charge well suited and specially selected to work with Aborigines, his attitudes and inexperience could adversely affect Aboriginal/police relations.

In 1983, after the death of John Pat in Roebourne, the Government of W.A. convened an Aboriginal/police relations summit meeting. At this conference, Assistant Commissioner of Police Jack Dalton gave a commitment to the better selection of police officers in charge of stations in country towns with large Aboriginal populations. Subsequently, the Minister for Police said that the police force had improved its procedures for selecting police officers in charge of

"sensitive" areas.² Policemen considered suitable to head a country station where the Aboriginal population is high are defined as being those who can "communicate effectively with Aborigines", who can "control their men so undue force is not used" during arrests, and who will "not cause any adverse comment" about the Department.³

Police Views

In our research, most police, when questioned, acknowledged that there are some officers who are unsuited to working with Aborigines:

"There's a few around."

"Most coppers hate blackfellas."

"They shouldn't be a police officer."

Some police believed the Police Department was not screening applicants adequately for posts in towns with high Aboriginal populations.

"There should be more attention paid to selection."

"The department should try and send the right men in."

"Presently, the department is not doing enough [about] the screening of police officers who are sent to areas of high contact with Aborigines."

The responses implied that selection at recruit intake level was secondary to the careful selection of officers, particularly senior officers, to serve in towns with a significant Aboriginal population.

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2. Speech to Aboriginal police aides in South Hedland, reported in the The West Australian 28/11/85.
 3. Personal communication, Police Headquarters, staff office 8/1/85.

The importance of senior officers in these circumstances is not underestimated by police.⁴ Because of the hierarchical nature of the Police Force, senior officers were acknowledged as the trendsetters in Aboriginal/police relations in any particular station. They could discourage good relations: ("Some police don't want to make friends with Aborigines. They are senior to me; they tell us not to talk."); or act to discipline or change the attitude of a racist police officer: ("It is really up to the sergeant in charge of the station to act on that"). Several police referred to particular officers-in-charge (O.I.C.'s) with whom they had worked who had been the major influence on the way they approached their work with Aborigines.

In addition to improved screening procedures, more than half of the police suggested that unsuitable officers already in place be re-trained or transferred.

"For the older police officers who have negative attitudes, we should provide some sort of rehabilitation in the form of education. As a last resort, transfer them."

"For the haters of Aborigines and those that can't isolate themselves from their feelings, transfer them."

"Transfer them to a white town. Some of them are racially prejudiced....There's no use with arrogant racists. It's the department's fault."

One officer cautioned, "Don't put these police in desk jobs - we've already got them full of them. You can get rid of them with one phone call."

4. See p.122, 'Models of Success'.

Aboriginal Views

There was only one Aboriginal comment on selection, namely that police who are unsuited to working with Aborigines should be transferred: "If we get the police who don't want to learn about Aborigines, we need to send them back down to Perth."

SOCIALISATION OF POLICE

The socialisation of police with regard to Aboriginal issues encompasses formal pre-and in-service training courses and informal on-the-job learning experiences. The formal training programme started in late 1975. Anthropologists, Department of Aboriginal Affairs staff and police gave lectures on various topics, including 'Aboriginal law', 'social change and urban issues', and 'Aborigines and the role of the police.' By 1985 the number of lectures on these topics to recruits had dropped from ten to four.

By this time the Police Department had begun to respond to an urgent recommendation from the Government sponsored Aboriginal/police relations summit meeting in 1984 to revamp and better co-ordinate its training for police in Aboriginal affairs. The W.A. Institute of Technology was invited to prepare a 10 hour course for recruits. The course, which recently got underway is intended to provide trainees with:

- * knowledge of Aboriginal behaviour, values, social conditions and world views;
- * knowledge of special provisions relating to Aboriginal law and Australian law;

- * knowledge of the structure and function of services and resources for Aboriginal groups and communities;
- * skills for communicating with and interacting with Aboriginal people.⁵

In our project, police and Aborigines were asked for their views on whether police needed 'socialising' in Aboriginal issues and if so how this would be done.

Police Views

Almost half the police interviewed agreed that "more or better" training in Aboriginal affairs would have helped them in their current job. An equal number said such training would not have helped them work more effectively with Aborigines. Of these some considered this was because they had the "right attitudes" before enrolling in the force; they suggested that training would be good "for those that don't come in with right attitudes."

"I was working with Aborigines all along. I think the others need more help because they've got prejudices. But by and large, with experience, they mellow."

"Not personally, because I'm fairly sympathetic without being a do-gooder. It depends on your personal outlook. I was brought up in () and went to school with Aborigines. Police officers who've had no contact with Aborigines do need training."

Other officers believed that on-the-job experience was more effective than pre-service training:

"In Port Hedland we had many different groups - miners, ethnic groups - and this is good grounding for work with Aborigines. I'm sure training does play a part, though experience is better."

5. Rationale for Police Training Programme, Aboriginal Studies Component, Centre for Aboriginal Studies, W.A.I.T.

"Personal experience is the only way. The individual has to have an open mind."

The expertise of the Police Department to run such courses was called into question - "They have not enough knowledge to train in Aboriginal relations" - as was the ability of Aboriginal lecturers to present unbiased material in a way that did not simply confirm prejudices:

"[There's] no need for Aboriginal studies in pre-service. I attended an in-service course last year - cost two thousand dollars. Two Aborigines talked to us and accused us of brutality - 'you coppers assault us'. It was a seminar of 'pick on the pig'. The whole class was annoyed. The two Aborigines were too militant, just police bashers. We learn best about Aborigines on the job."

"At one in-service we went to, () spoke. It was very militant, it was about land rights and the only thing that I learnt was, don't call the Aboriginal women 'gins' because it is insulting."

Other police questioned the concept of 'training'. Their comments implied that they did not always equate it with 'learning'. However, while half were averse to "being trained", two thirds of the police believed it would be in their interests to 'learn' more about the history of race relations in the area.

"Yes, we should be learning about the cultural ways of life. Learn about the conflicts, the ways of living."

"We need to know more about their culture, race relations going back in history and up to date."

Opinion was divided about the most effective means of doing this. Only one officer suggested that police should learn about the history of race relations at the Police Academy in Perth. A few officers considered that the police aides could play a greater part in teaching local history. Some thought that their peers were the best source of such

information. However, it was implied that learning anything by this method should not be left entirely to chance:

"You get it from working with other experienced officers. I don't think that any officer should be sent in where there's no officer with knowledge of culture."

A more common suggestion was that local resources should be tapped. For instance:

"Talk to the older people, black and white."

"Seminars up here, not in Perth."

"Not at the academy; trips (to bush meetings)⁶ are the best things."

"Training at Pundulmurra⁷ for a week or so."

"The elders should do the talking because Perth (i.e. Police Headquarters) doesn't know."

Another popular suggestion was for local history manuals to be produced and made available to all local officers. Specific proposals included:

"A brief history that you can read: honest and balanced, kept up to date."

"[The Officer in charge of the Police Aboriginal Liaison Unit] could get all the information, and make up pamphlets to use in your local area."

"This information should be told, from the history right back to present day time, as long as the positive changes are also included. There probably should be some sort of manual at each station."

One officer countered his enthusiasm for this type of proposal by adding, "Then again, if you've got an aggressive O.I.C. there's no chance for anything like that happening."

6. Bush meetings are held periodically at bush locations in the north west and are intended to provide a forum for Aboriginal groups to meet and exchange information.

7. See footnote, p.134.

The one third of respondents who saw no benefit in learning more about the history of race relations in their particular area gave a variety of reasons for their views:

- * Understanding history won't help the situation - "It's only grog."
- * It would be too difficult for police to learn these things.
- * Police don't need to learn about other groups, like Yugoslavs, so why Aborigines?
- * Police would probably be asked to do this in their own time, and there is "already so much to learn."
- * You can't change attitudes.

Only half of the police at Roebourne said that they'd acquired some knowledge of local history; sources mentioned were library books, the media, the police aides, local people, or "an interesting police journal." The police at Roebourne have had limited opportunities to gain a detailed understanding of the background to Aboriginal/police relations in the area though one officer reported that he knows, "about the different stages, drinking rights, working on the stations, the wages and contact between Aborigines and Europeans."

Police from stations other than Roebourne also indicated that their opportunities to learn about the history of race relations in the area were extremely limited. A few officers said that they are gradually learning bits of the history of race relations in their areas by talking to the police aides, their colleagues, the old people, and "a Father who used to work at Jigalong in the early days." Only one officer referred to reading books on the subject.

Police were divided on the question of whether Aboriginal people knew much about the history of race relations. Some believed, "They (the Aborigines) are only concerned with the present" and "the younger people would only know bits and pieces." Others suggested that Aborigines did in fact know a lot because "their grapevine is much better" and "the stories get passed down." A fairly common comment however was that:

"The knowledge the Aborigines have will be biased."

"They wouldn't understand the white view, the police view."

"Yes, they would know a lot about it, but from a totally Aboriginal perspective."

"I don't think they'd see the other views."

"I would imagine they would only know their own group's side."

Aboriginal Responses

The Aboriginal people suggested that the police would be better equipped to work with Aborigines if they were given better training in Aboriginal affairs. They did not think the police knew a great deal about the local history of race relations:

"I don't think they know anything."

"The police only know what's in the papers."

"No, they don't because they don't care about blacks."

"They don't learn much in the big city, they only know about the white fellas."

"These police don't know much about that. You know, from old times way when Welfare and all that used to take the kids to Perth, and all that give them all the white fella way."

Of two Aborigines who believed the police did know something, one implied that such knowledge did not positively affect police behaviour: "Yes [they do know] but they think they've only got a job to do."

Most Aborigines felt that the police lacked knowledge of the local background to Aboriginal/police relations because of inadequate training:

"They get trained to be a policeman, not to work with Aborigines."

"I don't think police get proper training because they don't know any Aboriginal way of life. They probably heard about things, but they don't know the real life."

"I think there should be an orientation course before they are sent to a highly populated Aboriginal area."

"No, we've got a new one from () and he's big headed and we need to trim him down a little. They think from that end, that Aborigines are all the same."

Of their own knowledge about the history of race relations, most Aborigines agreed that they knew something, although some young people said they didn't know much because, "We usually get these stories from the older people, but there's not much left. They've all finished."

Like the police, two thirds of Roebourne Aborigines questioned said Aboriginal/police relations would improve if police were more knowledgeable about the history of race relations in the area, from the early days of white settlement up to the present.

"It's very important for police to understand, that's the way it used to be, especially up in the Kimberleys. They used to put chain around their leg."

"He's got to stand and learn from the other policeman that's been here. The new one is not to just jump straight in and say, 'Oh, just another black'. The one that's been here a long time has got to say to the new one, 'Well, don't get rough to them, don't get cheeky to them; that they will talk to you, and they'll get used to you, and you'll get used to them. Treat them the same. If you start making trouble here, you'll have the whole tribe against you'."

Comment

It is questionable, as some police indicated, whether 'humaneness' and a sense of fair play as such can be taught as part of a pre-service, academy-based training programme. Perhaps it is more within the role of the specially selected O.I.C.'s mentioned above to attempt to instil such values in their men. In preparing the ground for such on-the-job training however, the academy can provide a background to the current state of Aboriginal/police relations and allow opportunities for police recruits to air and discuss their opinions on Aboriginal issues. Care needs to be taken that such sessions do not become counter productive and merely confirm existing prejudices for both police and Aboriginal participants.

The appropriate scheduling of material relating to the history of Aboriginal/police relations, particularly in relation to specific regions and to Aboriginal traditions and customs needs careful consideration. The South Australian police, as a result of feedback from the monitoring of their Aboriginal affairs recruit training unit, elected to withdraw from the Pitjantatjara culture and language course being offered by the S.A. Institute of Technology. Recruits expressed greater interest in 'contemporary' issues in the urban context. In Western Australia, new police officers can usually expect to serve their first two years at a metropolitan station. 'History' and 'culture' are for the most part seen in an anthropological context, connected with so-called 'tribal' Aborigines, groups which are usually remote from a recruit's past or immediate future experience. Care needs to be taken with both method and

timing when such material is presented. On the one hand 'contemporary' issues cannot be discussed and explained without a background or a context. On the other hand, a group of recruits, close knit and at the start of their careers, is likely to be defensive about both their own ability to cope 'on the job' and past police actions towards Aborigines. Thus, while a certain amount of background information on Aboriginal/police relations should be given to police recruits, it is important that they understand the aim of the exercise: greater understanding rather than the allocation of guilt or blame.

Models of Success: Two Cases

O.I.C.'s of two police stations canvassed in our project provide different examples of positive interactions with Aboriginal people. Aboriginal people at Jigalong and Roebourne gave clear indications that police officers who had gained their respect did so by virtue of their behaviour and attitudes. A police uniform as a symbol of authority could well engender fear, but respect was given to "the man behind the uniform." Though dissimilar in manner and style, these two O.I.C.'s base their approach to working with Aborigines around the concept of 'respect'. The models are not presented as examples of perfection but rather as exemplifying selected aspects of positive police interaction with Aborigines.

Case One. The O.I.C. at Roebourne believes the law and all its trappings (such as policemen and lock-ups) should be respected - a not unusual attitude for a policeman. What Aboriginal people did find unusual however, was the way in which the officer earned respect for

something he believed in. While he asked for respect for 'the law', what he got was respect for himself.

As a new arrival to the town, the officer observed that Aboriginal people didn't visit the lock-up, "except the drunks", whom he would ask to leave, because "a lock-up has to be a respected place, where the rules are stuck to." "Swearing and yelling" were not allowed.

To create an environment worthy of 'respect' and family visits, the officer got "down there on his hands, and he was scrubbing [the lock-up] himself! Scrubbing the wall, scrubbing the floor, burning the [old] mattresses." As the Aboriginal grapevine went into action the officer's obvious "respect for the job" and for fellow human beings earned him the regard of Aboriginal people:

"He must be really good!"

"The new sergeant does care, because I was there when he talked to () about getting clothes for people in the lock-up."

"Take the sergeant at the lock-up. Every bloke picked up for drunk will say he's good because of the things he has got set up there."

"The good police is sergeant."

Case Two. At Newman the O.I.C. has established a team of men who are proud of their good standing with the nearby Jigalong Aboriginal community. New officers are made aware that they will be answerable for any misuse of power with Aborigines. They learn their approach to working with Aborigines from a man whose knowledge and understanding of Aboriginal issues is unusually extensive, whose views are based on broad perspectives, and who believes in a fair deal:

"I know about Noonkanbah⁸ and Skull Creek through my own contacts with people who were there at the time. I know these stories through Aborigines and police."

"When a new officer-in-charge comes to the area, it has to start with good discussions with the groups, so that the Aborigines and O.I.C. can sort out their expectations of each other."

The O.I.C. believes all officers at the station share his attitudes towards Aboriginal people. He says that at Newman:

"We do try to create a good relationship, sometimes with humour, person to person. There is a real effort in Newman for the police officers to be considered as normal human beings with personalities."

His men visit Aboriginal people - "two of us visit Jigalong fortnightly" - and talk to them, so Aborigines will gain "a better perspective of the person behind the uniform." He says, "You can create friendship with Aborigines if you try and talk first", but added that effective police working with Aborigines need to be good "listeners". In contrast to police who emphasised solely the ability to "sit down and talk to" Aborigines, this officer regards communication as a two way process. Like the O.I.C. at Roebourne, he sees no fair play in double standards. The work of his own officers was not seen in isolation from that of other departments:

"In X (northern town), we had a real welfare role. We also had a good relationship with the D.C.S. They were older people and they didn't regard their job as 9 to 5."

He believes police officers should have proven ability to communicate with Aborigines before being posted to places with a high Aboriginal population.

8. Reference to a State Government action to enable a mining company to drill for oil on an Aboriginal sacred site at Noonkanbah, an Aboriginal-owned pastoral station.

Both officers have different approaches to their work based on different personalities and different outlooks. Both however by their actions, show respect for their fellows and thus lay the foundations for positive working relations between themselves, other policemen and Aboriginal people.

ADMIRER QUALITIES AND ABORIGINAL LIFE CHANCES

Responses to questions about admired qualities in Aborigines reflected attitudes to Aboriginal life styles rather than, as was the case with qualities respected in the police, with professional behaviour. As such the following discussion serves to provide police with a context for their attitudes and beliefs and is not intended by the authors of this report to suggest particular lifestyles to Aboriginal people.

Police Views

Police suggested a variety of ways in which admired qualities could be developed in Aborigines. The most popular option was education, which was seen to have two distinct purposes: to help Aborigines 'assimilate' to acceptable white lifestyles on the one hand and to "encourage people to keep their culture" on the other. The former, which was the majority police view, implies education in white values; the latter, the minority view, implies the "teaching of language and culture in school", because, it was said, "they're lost people without that." Other options included:

- * **More employment and fewer welfare payments:** "The work is there, but they're given so much now no-one is interested in working."

- * **The establishment of alcohol rehabilitation programmes:** "The Alcohol and Drug Authority should spend more money."
- * **Moves to stations or the bush:** "We should encourage the station life more for the people"; and, "If they can't assimilate they should go off and live how they want in the bush so they don't affect other people's lifestyles."
- * **Better housing and conditions:** "The Government has to make better conditions for the people, especially with housing; they discriminate against Aborigines with the S.H.C.⁹ You should see the houses they're building for government employees. They get much better houses than Aborigines."
- * **Counselling:** "They should be continually counselled about their wrong doings. Different behaviour is required in a family house than in a public house."
- * **More positive role models:** "We should get more people like Syd Jackson¹⁰ up here to encourage them."

One officer declined to offer a suggestion, saying, "I'd be in politics if I could answer this."

Aboriginal Views

Aborigines were asked if they wanted to live the lifestyle they believed police would prefer them to live. Most answers were equivocal:

"It would make the job easier for the police, and it would make it better for the people."

"I would be much cleaner."

"I would like to live their way, but...."

"I would like some of their ways but not all. How can we when we have lived like that all our lives?"

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- 9. State Housing Commission, now 'Homeswest'.
 - 10. Prominent Aboriginal ex-footballer, currently working in the Department of Aboriginal Affairs, Canberra.

Comment

That police see formal education as a key to solving perceived Aboriginal problems is a positive response. Unfortunately, the type of intervention favoured by most police, an education in white values and skills, has already been tried and found wanting. Native Affairs, Education Departments and missionaries have attempted to put the policy of assimilation into practice through the school courses they designed for Aboriginal students. Much of the curriculum has outlived the policy so that, for example, courses in deportment and grooming have been run in remote communities such as Jigalong in the 1980's. Such courses have been spectacularly unsuccessful and the thinking underpinning them (that one culture is superior to the other) deeply resented by many Aboriginal people.

On the other hand, those police who advocated education in (non-western) culture and languages would be encouraged by the growing number of Aboriginal community schools in Western Australia where an attempt is made to teach white skills while reinforcing traditional values. The full impact of such schools, the first of which began at Strelley in 1976, will not be felt for some time. However, they have strong support among an increasing number of Aboriginal people.

CONCLUSIONS

Most police answers pointed towards the central importance of selecting appropriate officers, particularly those in charge, to serve in areas where there is a significant Aboriginal population.

The Police Department, in its selection of appropriate officers, needs to ensure that factors such as an officer's standing with the local Aboriginal people and track record with Aboriginal communities, are given high priority. Questions of seniority should not take precedence. Until this happens, consistently and as a matter of policy, the Department will not be perceived by its own officers or by Aborigines as making a serious effort to address Aboriginal/police relations issues in a genuine and concerted manner.

In addition to reform in selection procedures, police education and training were areas which received considerable police and Aboriginal support. Police recruits should be made aware of how their futures might be affected by the way in which they approach their work with Aborigines. They need to be made alert to the signs of communication breakdown and know when to change tack in their encounters with Aborigines or when to ask for help. The course in Aboriginal affairs currently being run for recruits at the Police Academy should be consistently monitored, and a follow up study undertaken after five years to assess whether it benefited those graduates who go on to work in an area with high Aboriginal contact.

Our research has shown that experienced police in the field are less likely to be defensive than recruits. Many officers were curious about the history of race relations in their particular area, and most believed that added knowledge would benefit them in their work with Aborigines. Hence, regional or local in-service courses and workshops are recommended to ensure that:

- * Further information on Aboriginal issues is delivered to the groups most ready to receive it and to whom it is most relevant.

- * Input is based on local history and is therefore perceived as relevant.
- * Aboriginal participation (seen as positive by both Aborigines and police) is maximised.
- * The effect of police antipathy to 'training' in the arm-chair theorising mode, is minimised.

Some police favoured the development of manuals or booklets as a means of becoming more knowledgeable about the local history of Aboriginal/police and community relations. As part of a multi-disciplinary approach to the preparation of such manuals, police, Aborigines and other community groups should be involved. Police input could be channelled through the Police Aboriginal Liaison Unit, with co-ordination through a body such as the Special Cabinet Committee on Aboriginal/Police and Community Relations. The Commissioner's policy with regard to improving Aboriginal/police relations should be acknowledged in the foreword and the booklet made available to Aboriginal groups and organisations as well as police.

Several police expressed an interest in working in the Police Aboriginal Liaison Unit. With a current staff of two, the unit needs to be expanded to enable it to:

- * train and utilise police whose special interest is in Aboriginal/police relations
- * carry out research
- * collect and distribute information on Aboriginal/police relations
- * monitor the suitability and effectiveness of police in the field in relation to Aborigines.

At present the Police Aboriginal Liaison Unit functions largely to run the Police Aides Scheme.

Some Aborigines suggested police undertake an "in-service course" at an Aboriginal community. They considered this would be an appropriate way for police to learn about Aboriginal culture and traditions. Most police also considered that visits to Aboriginal communities provided an important means by which they could learn these things. Some police complained about what they saw as lack of priority being given to 'public relations' work with Aboriginal people. The too infrequent visits to communities was given as an example.

It is suggested that police, in consultation with Aboriginal communities in the area, further explore the idea of regular and extended visits to such communities. Rather than being seen merely as a public relations exercise, such visits should be a means of learning about and understanding the beliefs and customs which govern Aboriginal responses in situations where Aborigines are involved with police.

CHAPTER TENABORIGINAL-POLICE LIAISON AND COMMUNICATION

The House of Representatives Standing Committee on Aboriginal Affairs and the Department of Aboriginal Affairs support the view that, "The establishment of an Aboriginal-police liaison system offers the greatest potential for improving Aboriginal-police relations" (Ruddock 1980:75). An opposing view, held by several Aboriginal legal services throughout Australia, is that improvements in Aboriginal/police relations will not occur if Aborigines negotiate directly with police (Ruddock 1980:75). They argue that improvements are best effected by persistent use of legal channels such as representation for Aborigines in court, visits by legal officers to Aborigines held for questioning in police stations, and complaining to the Commissioner of Police when allegations of improper police behaviour arise.

Of these two views, the first receives most support in the literature and at the state government level. That is, effective liaison between police and Aborigines is regarded by most writers and officials as an essential feature of developing and improving good relations. However, several cautionary observations have been made. For instance, Tatz points out that consultation within the framework of a white bureaucracy may be ineffective; reliance on Aboriginal advisers may be tokenism; and exclusive use of councils, committees and agendas may further foist white bureaucratic concepts upon Aborigines (1972: 102-104). Cohen, Chappell and Wilson warn that merely opening the lines

of communication may present a "facade of improvement while bona fide changes fail to occur. Thus the communication must have a purpose; the forums should have real power to institute desired programs" (1975:71). A similar danger is referred to by Foley: "Some existing police liaison committees have been criticized as merely cosmetic exercises in public relations" (1984:187). Other reservations about structured liaison schemes were voiced by Mansell:

"Quite often the delegates become over familiar with each other, matters and issues take on a personal characteristic making it difficult for both sides to remain objective, and often higher ups within the police force (who have not been privy to the meetings) have the final say over any recommendations arising from these discussions which undermines the whole purpose for these liaison arrangements" (1984:116).

Interview questions in our project were based on the assumption that relations between police and Aborigines are likely to improve if both groups believe that established communication channels are effective. In the ninth set of questions both groups were asked what channels of communication existed in their local area, whether they thought there was mutual satisfaction with these channels, and what improvements, if any, they considered to be necessary.

CHANNELS FOR ESTABLISHING A WORKING RELATIONSHIP

The police serving the Roebourne and Jigalong communities were able to name an extensive range of ways and situations in which they communicated with Aborigines. Included in the list are:

"Using the police aides as interpreters, as mediators....they go about with us on patrol."

"Talking to the elders one to one."

"The officer-in-charge goes to meetings, talks to the people - the purpose is for him to gather information and pass it down the line."

"While we're on patrol, people come and chat."

"Extra patrols, stopping and saying hello."

"Talking to people in the lock-up."

"Continual contact on the street."

"Newman police go out and visit and go to meetings....Every fortnight we go out there to provide vehicle licences....there are lots of enquiries out there. The community adviser and the councillors come in and talk to us."

"Attending bush meetings."

"Locally it's through sport and work."

Generally, the police at Roebourne seemed satisfied with the level and type of liaison and communication they have with Aborigines and they perceived Aborigines as also being satisfied. By contrast, over half of the police serving the Jigalong community expressed dissatisfaction and they were less certain than their Roebourne colleagues that Aborigines were satisfied with existing communication channels. These police suggested that improving the situation would involve:

- more time for public relations work with Aborigines
- more frequent visits to schools to talk to the children
- a programme presented by the Police Department "to help community awareness"
- "having an Aboriginal person telling their side"
- "more aides doing aide work"
- more involvement by the police in community events involving Aborigines
- a Police Boys Club ("the Aborigines love their sport")
- fortnightly station runs (for Hedland police)
- more time and manpower to allow police officers to walk around ("It helps when you say 'hello' and become known so if you are in future in a conflict you can be recognised").

By comparison with the police, the Roebourne Aborigines said that police and Aboriginal people don't talk much. Only limited communication was said to occur with the police and that was when officers were discharging their duties such as in an arrest situation. One comment was:

"They (police and Aborigines) don't talk much to each other on patrol or in lock-up. It all depends on whether the Aborigine is a worker or not how much police talk."

Another comment was that, "police only talk to police aides." Also, whilst one person claimed that communication had improved since the John Pat trial - "you see police actually conversing with Aboriginal people which was something you never saw in the past" - a more representative statement was:

"The policeman always has got his own little environment; but he should be able to get out of that little one. No, not even an invitation to meet has come from them."

CHANNELS FOR ESTABLISHING INTERGROUP UNDERSTANDING

The difference in Aboriginal and police perceptions about the adequacy of communication channels was placed in broader perspective by answers to other questions. For instance, among the police, about half stated that there are mechanisms operating to increase the Aborigines' awareness and understanding of the role of the police. In addition to the communication channels listed above they mentioned the work of the A.L.S. and police visits to Pundulmurra and Hedland Colleges² as providing Aborigines with 'education' about the work of the police. The

2. Pundulmurra College, situated in South Hedland provides post secondary training for Aboriginal people. Hedland College, also in South Hedland, provides T.A.F.E and tertiary education courses for Aboriginal and non-Aboriginal people.

other half of the police expressed dissatisfaction with the level and type of communication taking place to increase the Aborigines' awareness and understanding of their role. Their feelings are indicated in these comments:

"They (the Aborigines) probably have a limited view. The Police Department is not doing anything locally about this. It's important."³

"There is no Department policy on it, but I think that this is vitally important. We don't have the public relations side of contact with Aborigines, only in conflict, charges, and then the courts."

"Unfortunately our main contact is in an arresting situation."

"None. The only contact Aborigines have with the police is when they (Aborigines) offend.":

"Very little. Only by the police aides talking to us."

"Don't know that it happens. Aides should do it; but don't."

"None. They wouldn't tell anyone, but maybe the police aides."

For their part, the Aborigines stated that not much was being done to help police understand Aboriginal law. A few said that the police aides either do or are supposed to do that sort of thing. Also, one person named two Aboriginal community members who did speak to the police about Aboriginal culture. Most people however said that a lot more action was needed and that it was necessary to build a relationship of understanding with individual policemen before these sorts of topics could be entered into. Two people were uncertain about whether police should be taught about Aboriginal culture because they considered it to be the prerogative of the old people to make these decisions: "I'm not

3. Similar types of sentiments were expressed by an officer at one outlying station who said that the Police Department sends circulars about things that are going to happen but sends no background on why or follow-up on progress.

sure. It's up to the old people." It was suggested that, "police aides should go in and help train police by talking. Going to meetings and being introduced to the people would help." Most Aborigines thought that the police would also like to learn more about Aboriginal law, and one alcohol worker said:

"There's not much talking, but I talked about it the last time. The police were very pleased to hear my talking. The two sergeants came out to Ngurrawaana. I'm quite pleased with that. It was very good for help in case there's anything wrong."

CONCLUSIONS

Half of the police and particularly those from Roebourne, are satisfied with the communication channels between them and Aborigines and they think the Aborigines are also satisfied. The other half have misgivings about the present state of liaison and have suggested a variety of measures to bring about improvements. Very few of the existing communication channels mentioned by the police are formal or official structures - only the Police Aides Scheme, the A.L.S., and school visits fit this category. Most of the avenues they describe are informal, unofficial structures that have more to do with individual communication than with institutionalised liaison involving regular consultation.

Unlike the police, the Aborigines feel there is very little opportunity for their people to talk with the police. They rarely talk when they are downtown on the street; they rarely talk if in an arrest situation or at the lock-up; they see a need for more communication with the police and they consider the police feel a similar need.

Neither the Aboriginal people nor the police directly advocated the establishment of a more formalised structure for intergroup discussions and conversations. To some extent this is not surprising given the negative impressions they hold of some of these structures. For instance, as has been shown elsewhere, the police are not satisfied with the liaison work performed by the A.L.S. and the Aboriginal people consider the Police Aides Scheme to be ineffective as an agent of intergroup communication.

It would seem then, that rather than setting up another formal Aboriginal/police liaison committee in the Pilbara, more advantage should be taken of the communication channels that already exist. That is, more 'on the job' contact could be made. The potential for increased informal communication also exists through the regular meetings held by organisations such as the Ngurin Resource Agency, if police are invited and are able to attend.⁴

4. One formal structure, involving Aboriginal/police liaison, that was not directly referred to was the Department for Community Services. Perhaps this is because in the Pilbara, Roebourne stands out as a town where, at present, there is an acknowledged state of reasonable cooperation between the police and the D.C.S.

Relations between police and D.C.S. officers generally, have often been marked by conflict over the years. The Laverton Royal Commission (1976) refers to "a conspicuous lack of co-operation (between welfare and police) where it was highly desirable that such co-operation should have existed" (Clarkson 1976:8). Nine years later at the W.A. Government convened Aboriginal/police relations summit meeting, lack of co-operation and sharing of information was again a sore point. The secretary of the W.A. Police Union was quoted in the same month as saying that his members thought state and federal welfare agencies were, for the most part, "doing a poor job among W.A.'s Aborigines" (Daily News, 14/6/84).

Although the Roebourne situation is encouraging, the subject of police/welfare relations could well form an important component in future research into Aboriginal/police relations.

CHAPTER ELEVENPOLICE AIDES SCHEME

The Aboriginal Police Aides Scheme in Western Australia was established in the Kimberley region in 1975. When first implemented the basic principles of the scheme were (Weaver 1983:34-36):

1. "Aboriginal Police Aides should be appointed but only in areas where strong tribal influence prevailed."
2. "Aboriginal Police Aides should be appointed by the Police Department, who should also be responsible for their wages."
3. "Aboriginal Police Aides should be given limited powers of arrest and detention in respect of their own people."
4. "They should be issued with a suitable uniform."
5. Entry requirements should include an interest in work, reliability, stability, an ability to communicate with both Aboriginal and non-Aboriginal people and a desire to further their knowledge. No specific educational requirements are sought but a fairly good command of the English language is expected.
6. Training should involve several weeks familiarisation with the work of the Police Force and further training be left with the officer-in-charge of the local station.
7. The general aims of the Aboriginal Police Aides Scheme should be:
 - (a) to provide training in basic law enforcement activities for people of Aboriginal descent;
 - (b) to encourage self-reliance and experience in communication and act as interpreters;
 - (c) to show the importance of civil d'etente;
 - (d) to illustrate the need for racial harmony;
 - (e) to assist Aborigines in police custody and under interrogation, to ensure that they fully understand the nature of the charges laid;
 - (f) to assist Aborigines to approach police stations for advice;
 - (g) to carry out other duties as directed by the officer in charge of the police station, in connection with the objectives of this scheme."

The tenth set of questions in our project involved two areas. First, is the Police Aides Scheme, as it currently operates, perceived to be satisfactory? Second, what specific changes, if any, are seen to be necessary?

In Foley's opinion, "The involvement of police aides in the Northern Territory and Western Australia appears to be working well" (1984:188). Critics¹ argue that throughout the history of Australia, the use of native police and trackers by white authorities has been seen by Aborigines as setting Aboriginal against Aboriginal, as interfering with the system of kinship obligations and as forcing some Aborigines to become mercenaries to betray their own people.² Some white people working in the field of Aboriginal affairs in the Pilbara concurred with these criticisms. They said that the present day police aides are put in positions of power they traditionally aren't entitled to, look up to the police officers as their role models, become "second class cops", become isolated and ostracised from their own people, and build walls rather than bridges between the police and the Aboriginal community.

How do the police, the police aides themselves, and the Aborigines see the situation?

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1. See for example, Biskup (1973), Evans et al.(1975), Gill (1977), and Reynolds (1981).
 2. A dramatic example of such betrayal is illustrated in the role played by Aboriginal police trackers in the capture of Pigeon in 1897. Pigeon, himself a former tracker, was a leader of an Aboriginal resistance movement in the Kimberleys.

POLICE OFFICERS VIEWS

In the opinion of most police, the Aboriginal community is sufficiently satisfied with the Police Aides Scheme to want it retained, the police aides are generally happy with their jobs, and the officers themselves consider that the aides carry out a useful and necessary role.

The role and function of the police aides was described by the police as being twofold. First, to provide a means of liaison and communication between Aborigines and police. To some extent the police envisaged this as facilitating legal education for Aborigines and cultural education for the police. Second, to assist with police work; this was seen to involve identifying people, tracking, general officer duties on patrol, and paperwork at the station.

The police themselves didn't see any tension or inconsistency between the two functions of liaison and police work but they said the Aboriginal people do. The officers said that the Aborigines see the liaison function as helping their own people but that they see the police work done by the aides as helping the police. Nevertheless the Aboriginal people respect the aides and "as long as there are suitable locals" they would want to retain the system. One officer went so far as to say that, "99% of the locals respect the Aboriginal police aides." Others said that, "They are held in high esteem" and, "The community respects them." Further police comments were that, "The only people that have been disagreeable about police aides have been the ones who've wanted the job" and, some Aboriginal people would want of the aides, "more liaison, not policemen."

According to most police, the aides themselves are proud of the uniform, believe in their job, value the recognition and respect attached to the role, are involved and dedicated, enjoy their work, have a sense of achievement, and overall, are relatively happy. On the negative side, a few police thought that some aides are just waiting to retire, are dissatisfied over being used for general police duties for which they weren't originally employed, are disappointed that they can't do the things they thought they would be able to do (for example, improving liaison), and feel inferior because they don't enjoy the same conditions as the officers.

In the words of the police, aides do a good job under adverse conditions.

"They have copped a mouthful of abuse. I've heard people say to them, sober and drunk, 'You're only black when you want to be.' In locking up your own mates that you went to school with, it's pretty hard."

"I think it'd be a sod of a job, squealing on your own."

"Generally they are quite happy. There are problems when tribal law comes into it. We then tend to relieve the police aide from the situation."

"A few ignorant police say, 'the only good aide is a dead aide'. Police aides are double outcastes - outcast by their own people, and outcast by inferior status and conditions. We mix with them as social equals, drink together and have barbecues together. There is a lot of loyalty. They say, 'it's good enough for us to do the same work, but we are not good enough to get the same pay and conditions.' This is detrimental to them because it makes them feel inferior."

"Police aides have a more difficult job than us....They have to understand the points of view of both sides and to assist both the police and the community."

Despite being faced by these trying circumstances, the aides were considered by most officers to be carrying out their two functions of

'liaison' and 'police work' satisfactorily and that in doing so they were performing a useful and necessary role. According to these officers:

"They do a good job. They do everything that a police officer does."

"Here the blokes are good."

"They do general police duties. They're not educated, but they're very capable. With opportunities, () could run the () station."

"I think they are doing more than they are employed to do."

"They can make life easier."

"I think it (i.e. the Police Aides Scheme) works pretty well."

"() can explain things really deeply to the people, and I've followed him."

"They're good trackers. () is worth his weight in gold."

Not all police were positive in their assessment of the police aides. A few officers felt strongly that the practical implementation of the scheme left a lot to be desired and that major reforms to the scheme needed to be made. Their view was that:

"Some aides are hopeless; they don't really care."

"The police aides don't do much. They just accompany the police for a large amount of time."

"A few police aides are slack; they won't get out."

"I've heard they only tell you what they want you to know....so maybe they aren't doing the job."

Those police who believe the Police Aide Scheme to be basically sound made a number of suggestions about how it could be improved. For instance, different individual officers advocated that police aides should:

1. be required to achieve higher standards of literacy and education to enable them to carry out a wider range of duties;

2. undergo a longer and more formal training, something like the academy course for police officers, and including a course in law;
3. get together more often (perhaps monthly),³ exchange ideas and learn from each other;
4. have the same conditions as police officers - for example, do a 44 hour week and have the same housing conditions and subsidized rent;
5. not be forced to transfer to a town beyond their area of local knowledge⁴;
6. be inducted into the police force in greater numbers, partly by the recruitment of Aboriginal women;
7. be released from office work more often to enable them to do more liaison work and station runs;
8. be given the opportunity to become police officers;
9. have full authority over whites including the power of arrest;
10. be "made to inform on all Aborigines, whether they are relations or not";
11. not be used "to do a welfare job as part of a team with people from D.C.S. and the Church";
12. "live in Aboriginal communities, go from house to house and fish out the serious offenders."

Of these suggestions, two were the subject of some disagreement.

First, a few police thought that since police aides did full police work, the system should be abolished completely and all aides recruited as full police officers with the same conditions of service, duties and responsibilities. The majority however opposed abolishing the Police Aides Scheme, but endorsed the idea of giving aides the opportunity and

3. At present, police aides have an annual, two week in-service course.
4. Some officers were concerned that if police aides were to be given the same status as police officers they would also be liable to statewide transfers.

choice to become officers. The second suggestion at issue was whether Aboriginal women should be recruited as police aides.

POLICE AIDES VIEWS

By way of background information it is notable that 6 of the 7 police aides interviewed were employed at the time of their initial appointment. They had been employed in a range of occupations including truck driving, hospital orderly and miner. Most of them had been doing semi-skilled jobs. To become a police aide meant an improved position. Also, the fact that it was a stable job and knowing that they would not have to be transferred were attractive features of the work. All of the police aides were approached by police to apply for their present position. By contrast, Aboriginal liaison jobs in other government and non-government agencies are publicly advertised, in line with official policy. The same applies to the metropolitan Police Aides Scheme that has been established recently.

It would seem that the police are correct in their perception that the aides are generally happy with their job, because:

- two-thirds of the police aides said they are glad rather than sorry that they became an aide - only one was sorry, and one was noncommittal;
- most wanted to remain aides rather than become police officers;
- only one indicated any intention of resigning, and another expressed a desire to become a police officer;
- none thought the job to be particularly hard (or easy);

- they said that the Aboriginal community in general and the Aboriginal leaders in particular were supportive of their work - they thought they were opposed only by the troublemakers, especially the young ones (that is, those who don't like being arrested by fellow Aborigines);⁵
- most of them clearly said that being an aide hadn't affected their involvement with the Aboriginal people in the community;
- and, they said that many police and some of their own people understood the special difficulties attached to the job of being a police aide, particularly the difficulties stemming from traditional avoidance relationships.

Against the backdrop of this positive picture, a number of disturbing comments were made. One aide said that he was "fed up with the whole system" and that "unless things really change" he would resign next year. Another said that aides have "no real chance of doing the right job." A further claim was that throughout the state, "five police aides resigned last year and four more are thinking about it now."⁶ In addition, five areas of general discontent or difficulty were identified by the police aides: their conditions of service, the role of liaison, their relationship to police officers, young offenders, and traditional Aboriginal law.

Conditions of Service. The police aides expressed the view that whilst previously the police had managed without them, they would "have a hard time" doing so now, especially when it comes to identifying people.

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5. Though elsewhere (see p.148) the police aides indicated that when they are caught in a clash between traditional Aboriginal law and white law, the elders are not always pleased with the stance that they take.
 6. There are 37 police aides in the country scheme (Police Department Annual Report, 1985).

The police aides consider themselves to be an important part of the workings of their station and would like more recognition of that fact. More specifically, they would like to receive a police officer's wages for doing a police officer's job⁷, and be given GEHA⁸ housing. One current condition of service they wished to be left unchanged was that of not being required to transfer to a place away from their local area.

Liaison. On the one hand police aides felt satisfied that daily contact between them and the local Aboriginal community was being made by actions such as saying "hello", and by stopping and having a yarn with other Aboriginal people. When told that many Aboriginal people said there was not enough liaison work done by police aides some aides reacted angrily to criticism of the scheme. One man's view was that the Aboriginal community "was not doing a good job either", particularly with respect to trying to control youth by taking them bush. Others pointed out the difficulty of communicating with "drunks in the ditches".

On the other hand, a common complaint among the police aides was that they were prevented from carrying out adequate liaison work with people in remote communities. They considered that opportunities for such work were blocked by too much paperwork at the station, personnel shortages, and low availability of vehicles. They pointed out that more visits to isolated areas would allow them to meet the people and explain their job. It was felt that this would build up ties with the community, enhance cooperation when the people came to town, and give them more

7. One aide complained, "I only get \$24,000 after ten years. A four year out police officer is on \$27,000 here.

8. Government Employees Housing Authority

confidence to seek help from the police aides. One police aide who had been to a remote community for five days with an Aboriginal public servant said that this had helped him greatly in his work.

In making the complaints outlined above, the police aides were voicing similar concerns about the operation of the scheme to those expressed by the police. Their responses implied that they felt remote and alienated from the Aboriginal community, despite their assertions to the contrary.

Relationship to Police Officers. Generally the police aides considered they enjoyed positive relations with the police officers with whom they worked. One called himself the police officer's "offsider", another his "teacher", adding that he was there to teach the police about the place, bush skills and history, including the effects of 'free rights' on Aboriginal people. All of the police aides thought that at least some of the police officers were understanding towards the difficulties of the police aides' job; some understood the difficulties of avoidance relationships and stepped in for the police aide, and "some police will listen."

Some aides referred to being "taken advantage of by police officers" and to having to work with young, inexperienced and at times racist officers. As the scheme has been established for ten years, the police aides expect that their role will be understood by police officers. However instances were mentioned where police aides felt they were being misused. One aide maintained that the Police Department should conduct regular inspections to ensure that police aides were not imposed on to carry out work beyond their formal duties.

Young Offenders. There seems to be an underlying belief among police aides that they are working in isolation trying to help their community. They would like others in the Aboriginal community to be helpful rather than critical. For instance, the problem of unsupervised young people in hotels and elsewhere was mentioned. Comments included, "You pick them up and take them home. In about an hour and a half they're back again"; and, "We can only do so much. If the parents don't care, well who gives a stuff?" A police aide who had been in the job for a number of years said that the Aboriginal community had changed. The younger people's attitude towards authority had degenerated. When this view was shared with other police aides they agreed that "young people don't respect any law now." Also mentioned was the difficulty of dealing with young offenders who say, "Why arrest me? You're the same colour as me", thus appealing to a common bond which goes beyond the uniform.

Traditional Law. Increased assistance for police aides from the Aboriginal community was also seen to be necessary when occasional clashes arise between traditional Aboriginal law and white law.

Some police aides said that they maintain their links with the traditional law and take aspects of this side of their life very seriously. When the two laws clash it can be a hurtful and frustrating experience for the police aide trying to live by one law and having to enforce the other law. It also means that whilst police aides consider the Aboriginal elders to be generally supportive of their work, there are times when that support is withdrawn and replaced by puzzlement and confusion.

The conflicting demands on police aides are highlighted when aides are asked to assist Aboriginal lawmen by providing information or detaining an individual for reasons which are valid under traditional law but which are not sanctioned by white law. One police aide was frustrated when he was asked by a senior lawman to detain a youth because,

"They (youths) are over 18. What can we do? What about if the A.L.S. found out? It's like making people do what they don't want to. We are the meat in the sandwich. But if you don't do the old law things, the old people say we are not doing our job for the Aboriginal people."

The extent to which police aides support traditional lawmen in this manner was said to depend partly on the views of the officer-in-charge of the station. As one aide explained, "Sometimes we can tell the leaders where the runaways are, hold them or tell them to go home. We used to do that before."

Other Problems. The police aides mentioned a number of other difficulties they experience from time to time in carrying out their job including: having to deal with women; not having the power to arrest white people; not having enough contact with Aboriginal culture⁹; having to resolve domestic disputes and troubles with 'townies' and young offenders; and having to sort out the problems caused by unemployment, alcohol, the use of state houses by extended families, young folk stealing from old folk, and Aboriginal people not understanding white law.

9. Concern about inadequate contact with Aboriginal community life and culture was poignantly illustrated in the remark of one police aide who said, "I couldn't go to a funeral of a man who grew me up."

ABORIGINAL VIEWS

The Aboriginal people thought that the police aides were, in the main, happy with their job and that the police were happy with the scheme as it currently operates. Also, the Aboriginal people made some positive remarks about the Police Aides Scheme. For example, the police aides were commended for answering questions from Aboriginal people, giving warnings first before arresting a drunken person, translating for arrested people, and giving the white police a better view of what goes on.

Overall though, the bulk of the comments from the Aboriginal community were critical of the Police Aides Scheme. One type of criticism was that police aides were not seen to be doing anything much to help Aboriginal people.

"As soon as they finish work they just go to their home and sit there."

"Nothing much really. Just following the white policeman, the boss. I don't actually see them myself going by themselves to do a home visit."

"I thought the police aides were there to help Aborigines, but nothing."

"They drive the car, then park, then walk down the street."

A second cause for complaint was that when police aides were seen to do something it was mainly arresting fellow Aborigines.

"They arrest anybody in their own homes."

"All I've seen them, is driving around picking up drunks."

"They should be doing their job a bit differently. They're really there to help the Aborigines. I don't see them helping Aborigines, they just pick up Aborigines and take them to the lock-up."

"Just because they are cops they think they can get away with things and arrest anyone they can, and I've seen how they act because I have been in a lot of trouble with them."

According to the Aboriginal community, instead of driving around in cars and remaining distant from their people, "Police aides should be more involved with the community", they should make more informal contact and break down barriers between Aborigines and the police.

"I'd like to see it in an outside way. People walk down into the town and do their job. Not riding around in a flipping vehicle. Walk up to court with an individual, go and visit down the hospital to see who got busted last night..... And you keep rotating the police aides so that he can have a chance to work with other police officers."

"They should walk down from the station, not drive around all the time. See somebody coming down the street, say 'hello, how are you going?' With a white policeman, it might be a new policeman, introduce him properly to the people. Get used to the joint, make friends. Aboriginal people always think when a new police officer come to town, 'Well, I wonder what he's going to be like. Might be a bad one, might be a good one'. They don't get nervous about waiting to know a new policeman, they sit back and wait for him."

"Yeah, I'd like to see them on bike or on foot when they're going around the village."

"To walk around the park [by themselves, not with the police] and go and tell the people not to drink."

"Want to see them helping the Aborigines, talking to them, not just locking them up."

Another suggested alternative was for police aides to act "as interpreters at court, liaising at incidents" and to act as educators and counsellors. This could involve visiting schools, facilitating meetings between police and the Aboriginal community, talking to young people about the law, and "going around to other people like welfare and health and letting them know what's going on with the people."

CONCLUSIONS

Whilst the police and the aides themselves are satisfied generally with the Police Aides Scheme, the Aboriginal community is not. The aides are perceived as becoming more loyal to the white police than to their own people, as working more for the police than for the Aboriginal community, and as exercising a predominantly coercive or custodial role in arresting Aboriginal offenders. To some extent the police are aware of these concerns, though the level of Aboriginal dissatisfaction with the Police Aides Scheme appears to be much higher than most police realise.

Despite the Aboriginal community's disquiet about certain features of the Police Aides Scheme, there was no suggestion of completely dismantling the system and radically restructuring it. Like the police and the police aides themselves, the Aboriginal people made suggestions for reform within the scheme rather than for abolishing it or replacing it with an entirely new one. Whether this was because they have a fatalistic view of the permanence of bureaucratic structures or whether they view it as being better than nothing is not clear. However, the amount of criticism levelled at the scheme by Aboriginal people suggests that unless adequate improvements are perceived to take place, their acceptance of the Police Aides Scheme could easily be abandoned entirely. At present though, the Aboriginal people, police and police aides seem unaware of alternative structures and thus are not in a position to see real options to the current scheme.

A number of specific suggestions can be formulated from Aboriginal and police responses to the set of questions on police aides:

- * While police aides are doing police officer work, or providing an expert service that non-Aboriginal police officers are unable to provide themselves, they should be given similar conditions of service as police officers, particularly with respect to housing, hours of duty, and salary. The police seemed to be in favour of such a move and it would reduce a major source of dissatisfaction among police aides.
- * Police aides should be provided with the necessary encouragement and enabling conditions to become police officers in cases where individuals desire to do so. However the right of police aides to remain aides should be respected and no pressure should be placed on them to become police officers.
- * The pre-service training programme for police aides should be more extensive.
- * In order to be seen to be carrying out a more caring and a less coercive role, police aides should do more liaison work and less 'police work' with Aboriginal people.
- * There should be more clarification of the different levels and nature of police aides duties so that their relationship with the police officers can be better understood by both parties.

- * The Police Aides Scheme should be linked more formally with local Aboriginal organisations and the local branches of other appropriate government agencies with the aides functioning as facilitators. This could break down the sense of isolation from the Aboriginal community that police aides experience and enable more mutual understanding of the problems of policing in a bi-legal and bi-cultural setting.

CHAPTER TWELVEABORIGINAL POLICE

There are very few Aborigines in the police forces around Australia. Within the literature, support from a diverse range of groups can be found for moves to change that situation. The South Australian Police Department believes that the employment of more Aborigines will provide "a catalyst for changing attitudes of both police officers and the general community," and provide greater "reciprocal access between Aborigines and the Police Department" (Sampson 1985:16). Foley makes a similar claim by pointing out that the recruitment of Aborigines into the police force "could improve police understanding of Aboriginal values, attitudes and circumstances" (1984:187). The House of Representatives Standing Committee on Aboriginal Affairs agrees with these views. It warns that the lack of adequate representation of Aboriginal people in the mainstream police force inhibits "an understanding by police of the Aboriginal people, their culture and their position in the community" (Ruddock 1980:78).

Not all writers believe that the recruitment of Aborigines into the police force would have the intended beneficial effects outlined above. For instance, Mansell puts forward the view that:

"Aboriginal police officers could easily find themselves in the middle of conflict between Aborigines and the dominant culture group and be expected to 'uphold the law' and thereby alienate themselves from their own people. Additionally, unless political procedures are amended, what difference does it make if it is a black or a white police officer who enforces unjust laws and procedures against Aborigines" (1984:116).

A report on law and order in Canada puts these differing opinions in perspective by concluding that, "The assumption that the indigenization of policing is beneficial.....requires further research. Much of the literature in this area is contradictory" (Havemann et al. 1985:165).

Responses to the eleventh set of questions, dealing with Aboriginal police, indicated that: (a) most police and Aboriginal people endorse the idea of recruiting Aborigines into the police force; (b) the police believe that the Aborigines favour the idea and vice versa; (c) support for the idea of recruiting Aborigines into the force is contingent upon certain conditions being met; (d) a small number of police and Aboriginal people either hold serious reservations about, or are opposed to, the idea.

ACTUAL ENDORSEMENT

Most police officers stated that they believed the benefits of recruiting Aborigines into the police force would outweigh any negative effects. The suggested advantages of such a scheme were that it would: help protect the police against charges of unfair treatment of Aborigines; make police more understanding of Aboriginal people; provide young Aboriginal people with positive role models; and enable more meaningful communication to take place between police and Aborigines. Typical comments about Aboriginal recruitment by the police were that recruiting Aboriginal people into the force should be encouraged because:

"They couldn't say that you are picking on them, because there'd be another person the same colour doing it."

"Blacks can see it's not just a white forum, and that they, the younger people, can look up at a black police officer, giving them the opportunity to think that they can be a police officer too."

"It would be an educational process for police officers as well."

"To help in the maintenance of law and order. I think they would like to have more, and then Aboriginal police officers could come out to communities for a week or more and handle local problems rather than just be seen around here."

"In America, two out of three cops are black, and this has made a world of difference."

"It would have to help. The Aboriginal people would have someone they could relate to. You would have to be careful who was chosen. White people need to accept blacks in the force."

"It would be better, because they would have more feeling for the people, and they know their own people. They know they can't be racist. But I don't believe that police are more prejudiced."

The advantages that the officers cited for having Aboriginal police are similar to those that they cited for having police aides. It would appear that the officers don't distinguish between police aide and Aboriginal police work. This might mean that the police do not understand the original role set down for police aides. It might also explain why the police aides felt that they are required to operate in a way that effectively allows the police force to have black police without paying for them.

Only three officers commented on the recruitment of Aboriginal women into the police force - one was opposed and two were in favour of it. The majority of Aboriginal people however were enthusiastic about having Aboriginal women in the police force. Their sentiments were:

"I think it should be something that the Aboriginal community should push for because of male officers arresting females. I think it's not really right."

"Yes, that's a good idea. I'm sure that girls get shamed with a man coming all the time into the lock-up."

"It's very important. It would mean more help, women to do the women's work."

"I reckon some women should be involved in the police aides, so they can talk to the women all the time. You see, some Aboriginal women get really scared, talking to a white policeman."

Apart from these comments on women, the Aboriginal people did not elaborate on the reasons for supporting the recruitment of Aborigines into the police force, with the exception of one who said, "Why not, him going ahead, he can be an example to the community." Interestingly, the Aboriginal people, like the police, did not appear to distinguish between the role of police aides and Aboriginal police.

PERCEIVED ENDORSEMENT

Generally, the police thought the Aboriginal community would favour the entry of their own people into the police force because:

"They know them, and they trust them more. They're not like us, three year wonders who come in and go out. I mean they've been here, they are there for all time."

"Yes. It would bring benefits to both. Aborigines don't come across the community service side of policing. We must stop segregating blacks and whites."

"Yes. The Aborigines understand both laws and their own community. They could administer their own, and be supportive."

Only a few officers dissented from these sentiments. Their views are noted in the 'Opposition' section below.

Do the Aboriginal people think the police would favour seeing more Aborigines becoming policemen and policewomen? A few Aboriginal respondents said they didn't know what the police thought, most simply answered "yes".

CONDITIONAL ENDORSEMENT

Police support for increased entry of Aborigines into the police force was subject to certain conditions being met. Aboriginal police were perceived as being able to improve things, "as long as they're locally based". The police also advised that Aboriginal people should not be accepted into the police force unless they have the same educational qualifications, personal standards and professional capabilities as white applicants. In saying 'yes' to the recruitment of Aborigines into the police force, the officers added:

"They wouldn't do any better than police aides. If they have the ability and the qualifications, that's okay."

"Yes, though it depends who it is. Aboriginal aides are harder on offenders, particularly offences against women and children, than white police. [That is] some Aborigines would prefer to deal with white police than Aboriginal police."

"...but we have to make sure that these Aboriginal police officers maintain the law in their personal life too. They can't have double standards. What happens if they go out and get drunk in the pub and the next day they have to go and arrest a friend for the same thing that they've done."

Judging from their comments on police aides, it is apparent that the Aboriginal people also are concerned that members of their community in the police force should maintain high personal standards. And with respect to double standards they have pointed out that some of the police involved in the John Pat case were seen to be drinking before the arrests

were made. Another point of agreement between the two groups relates to entry requirements. As one Aboriginal person explained, increased entry of Aborigines into the police force should not occur unless, "They've got to have that educational ability first. You just couldn't start with someone that can't read or write."

OPPOSITION

One Aboriginal said, "I don't think much black fellas could do the policeman's job." His reasoning was that, "Some Aborigines would rather not be in the police force because they don't like seeing their own family pushed about."

Some of the police expressed similar reservations about the wisdom of recruiting Aborigines into the police force. There was a danger that "Aboriginal people may think that they are traitors"; and "they will still be seen as a policeman." Another officer said that it's, "too hard for an Aboriginal person to go to a situation because of the closeness of their community"; and if they were sent to a different community, "that person would become an outsider then, because they're out of their area. I wouldn't like to arrest my own family, and that's what it's like to Aborigines, one big family."

CONCLUSIONS

The material presented in this chapter tends to confirm a finding of the previous chapter, namely that Aboriginal police are seen, by

Aborigines and police, to be almost synonymous with police aides. The Aboriginal people expressed dissatisfaction with the Police Aides Scheme for the same basic reason as the police approved of it, which is that the aides function as officers. Presumably, the police would not oppose the running of a special transition programme to phase the aides into the force as officers. The Aboriginal community however, whilst favouring the introduction of more Aboriginal police into the force, would not want this to be done at the expense of phasing out the Police Aides Scheme - provided that the scheme were reformed to operate as originally intended.

Although most police and Aboriginal people endorsed the idea of increased entry of Aborigines into the police force, they emphasized the need for the recruits to have the same qualifications and abilities as white police. A small number of police and Aborigines however were pessimistic about the idea working even when this credential requirement was met.

In addition to the dangers referred to by the police and Aboriginal people interviewed, several other considerations would need to be taken into account before advocating the recruitment of more Aborigines into the force. One point is that initially the new recruits would be appointed at constable level and would be serving under a white superior. To be successful in this situation Aboriginal police may need special qualities of the type referred to by Cohen, Chappell and Wilson in their discussion of Indian police in the U.S.A. To serve 'many masters' it was suggested that police from ethnic minority groups :

"must have no hang-ups or axes to grind....[must have] made peace with himself and know what he's doing.....must have a commitment to handling the role, and know that he'll get flak from both sides. And it helps to have a sense of humour, too" (1975:48).

Another point worthy of consideration is that if Aborigines are put into the force with an eye-dropper, that is one by one over a period of time, then their isolation as members of an ethnic minority group would be compounded. To reduce the possibility of individual recruits feeling alienated in such a situation, a significant intake of Aborigines in any one year would need to occur.

Many police and members of the Aboriginal community would like to see more Aboriginal police officers in the force. These same people are aware of some of the problems involved in such a move. To ensure that these problems, and other difficulties outlined by writers such as Cohen, Chappell and Wilson (1975) and Havemann et al. (1985) are overcome, there is clearly a need for any move to recruit Aborigines into the police force to be thoroughly researched.

CHAPTER THIRTEENLAW AND ORDER IN ABORIGINAL COMMUNITIES

Since 1788 white governments in Australia have proclaimed a variety of official policies with respect to Aborigines. Allowing for state variations, these policies, and the period of their application, broadly speaking are: pacification (1788-1900); protection (1900-1945); assimilation (1945-1972); and self management (1972 -). The only policy that Aboriginal people initiated, campaigned for, and took independent action to implement was self-management. The other three policies were imposed on Aboriginal people by the various governments of the day.

From the Aboriginal viewpoint, self management is often seen as a means for restoring traditional authority and keeping young people within their community. From the viewpoint of improving Aboriginal/police relations, it is a means for enabling Aboriginal people to participate in the administration of law and order in their own communities, thus reducing the need for police to exercise control and in turn reducing the potential number of occasions for Aborigines and police to conflict.

With these considerations in mind, the twelfth set of questions in this project attempted to identify police and Aboriginal perspectives on the nature and extent of concern about law and order in the local Aboriginal communities, and the role of the police and Aborigines in dealing with these concerns.

THE NATURE AND EXTENT OF CONCERN ABOUT LAW AND ORDERPolice Perspectives

The police said that most Aborigines and certainly the elders are concerned about the state of law and order within their own community. It has already been mentioned that the police understand that the greatest victims of Aboriginal violence are Aboriginal people themselves. The major issues that the police perceived Aboriginal people to be worried about are, in order of priority: alcohol and crime; the breakdown of tribal tradition, laws and discipline including the "disintegration of the family unit"; the disruption of community life by youth (for example, abusing vehicles) and the loss of control over youth; and members getting into trouble outside the community and "giving it a bad name."

What did the police themselves see as the major areas of concern in connection with law and order in the Aboriginal community? The Roebourne police answers were unanimous: "Alcohol is virtually the only one. The rest is a result. All the assaults are alcohol related."; "Alcohol is the biggest problem. Not youth at the moment."; "Alcohol abuse."; "Alcohol and youth, and the lack of parental control."; "Alcohol is the only problem."; "Alcohol."; "Drink."; "The alcohol problem."

The police serving the Jigalong community also stressed the central significance of alcohol but they drew attention to additional areas of concern such as: lack of parental control over youth; driving unroadworthy cars and driving without a licence and when drunk; the

decline of traditional authority; youths with chips on their shoulders rejecting both laws (Aboriginal and white); and the inability of police to liaise with groups and individuals.

The Roebourne police and those serving the Jigalong community see alcohol as the main cause of problems in Aboriginal communities, though Roebourne police see alcohol as more all encompassing than do those serving the Jigalong community. To some extent this represents the different contexts within which the two sets of police operate. Roebourne police are faced with almost constant exposure to drunks in a small town. This, combined with the fact that most officers have spent less than a year in the town, means that the type of contact they have with Aborigines is different from that of the police serving the Jigalong community.

Aboriginal Perspectives

While the police expressed concern about the state of law and order in Aboriginal communities, the Aboriginal people themselves were less concerned about being law abiding than with the effects of law breaking upon the offenders. That is, their concern was for the state of the law breakers rather than for the state of law and order. This is evident in the following comments

"I'm worried about my friends and relatives getting chucked in the gaol all the time fighting, drinking and stealing all the time."

"I worry about all of them; youths, alcoholics...."

"We're really worried about the sick alcoholics."

"I'm worried about my father because he keeps going in and out of the lock-up. He's been in there too many times; probably lost count. He's an ill man, he takes fits."

"I'm worried about the drunks who spend all their money. They are told by police to leave the hotel. They go outside then come back in and are breaking the law."

"Worried about young kids. Who are they going to follow when they grow up properly? Follow other footsteps."

"Young people and old alcoholics. The young ones seem to be getting worser than the old alcoholics."

"Well, women need to be talked to about all those things, but how can you when their pride and dignity has been taken away from them?"

Clearly then, whether it is worry for everyone or for a particular relative, Aboriginal people in Roebourne are concerned about the law and order issues in their community. Unlike the police, they do not place priorities on the list of specific concerns. Behind all the problems identified by the police, the Aborigines see and worry about the breakdown of their identity, dignity, way of life and people - this for them is the problem. For the police, the problem is maintaining the state of law and order.

THE ROLE OF ABORIGINAL PEOPLE IN LAW AND ORDER ISSUES

Police Perspectives

In the opinion of the police, Aborigines should do a number of things to improve law and order in their own community. First, they should take more responsibility for their own children including, "doing things like making lunch" instead of relying on welfare. Second, they could examine other Aboriginal communities that have had some success in

dealing with law and order. Particular communities mentioned by individual police officers were - La Grange, Lombadina, One Arm Point, Balgo, Beagle Bay, Strelley, Pannaka, Yandeyarra, Warralong, Kiwikurra, Cherida Station, Turkey Creek, and Cheeditha Village. Third, Aborigines should take control of their own alcohol problems by setting up a programme of education and counselling; "They need to educate themselves about liquor." Fourth, the elders should continue a programme of cultural maintenance to preserve their authority and traditional Aboriginal culture.

Two points of clarification need to be made with respect to some of the four suggestions outlined above. First, the list of Aboriginal communities claimed by the police to have had some success in dealing with law and order is comprised of a mixture of ex-missions, Aboriginal-owned pastoral stations, outstations and autonomous communities. Not only do these communities have different backgrounds but they also have different success rates with respect to maintaining a state of law and order. Many in fact have a recognised 'alcohol problem'. Secondly, in making some of these suggestions the police have tended to enunciate state-wide type solutions. Very little mention was made of the particular practical arrangements necessary to make these general policies feasible at the local level.

The police serving the Jigalong people were divided on the issue of offences in Aboriginal communities being dealt with under traditional laws. Those in favour of it said: "The control is very good. But there is no control over people leaving"; "They do it pretty well....They have a strong council"; and there should be support for "traditional ways

because they are a lot stricter." The opposing view however was that, "You can't allow Aborigines to take the law into their own hands. I mean, they're not trained. Education, that's the answer. Education to live in houses and to accept white man and their law"; and "We don't buy into that.....not tribal law. I suppose it depends on the severity of the offence. Minor stuff, yes, of course they can take their own things. In fact, tribal punishment probably stays with the offender longer than a night or two in gaol."

According to the police, Aborigines also place high priority upon addressing the alcohol problem. The Jigalong community was not perceived as having many ideas on how this could be done. However, at Roebourne, some police said, there are three schools of thought among Aborigines about how to control drunkenness: returning to traditional ways; returning to station life; and becoming Christians. The situation was less clear cut from the Aboriginal viewpoint.

Aboriginal Perspectives

When asked to suggest ways of making Roebourne a happier, more peaceful place, the Aboriginal people made comments with respect to their own role and the role of the police. For their own part, they proposed accepting more responsibility for the education and control of young people and alcohol abusers.

"We as a community have to educate, like reading and like learning how the law court is going. Half of them couldn't care less because they've got nothing to care about, they can't even write their names."

"I would like people to be more helpful getting the drunks to take their grog home or to another place."

"Keep the young kids off drink. They reckon old people should teach them, and you know, spend more time with them, and help the young kids out."

One person mentioned Yandeyarra¹ as being a good place. Several others suggested that the Onslow² community might provide a model of how they could improve relations with the police. Part of the Onslow model involved strong leadership. One man there was said to exert a great influence: "He's sat on committees; he'd make a point of going to court every day, and that was a general interest of his. By doing it that way the locals respected him and they showed it."

Like the police, the Aboriginal people expressed their proposals for improving law and order in their communities in vague and general terms and according to their immediate knowledge of and relationship to places visited. There was insufficient comment on the practical details involved to infer that there was local interest in developing and adopting such proposals and models at the local level.

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1. Yandeyarra is an Aboriginal-owned pastoral station 140 kilometres south-east of Roebourne.
 2. Onslow is a small coastal township 240 kilometres south-west of Roebourne.

THE ROLE OF THE POLICE

Police Perspectives

Whilst the Roebourne police advocated that the Aboriginal people could be doing a lot more to reduce the problems of law and order in their own communities, they said that they, as police, should not have greater involvement. They felt that they have enough contact working "8 hours a day, 11 days a fortnight. We do enough in our job now, and there is little social life here in Roebourne to mix."

In relation to the Jigalong community, police were divided over whether they should have more involvement with the Aboriginal people there. Some felt the police should stay out of the way and let the Council run things their own way. Thus -

"It's adequate. We don't need to be there. It would take responsibility away from their own."

"Involvement should be that we are not in tribal situations until it becomes serious. They should have the power to control their own community behaviour."

"Police do enough. Jigalong should take more care of their own things, and when they need us they call us."

The opposing view was that whilst the working contact is sufficient, the police should make more social contact with the Jigalong people. Also -

"Police should be allowed to be advisers in tribal law. Their punishment is too violent. European law has to be brought in."

"Police should be called in when Aboriginal people can't handle it. Liaison visits would encourage that, and, of course, education."

"It would help to have non-conflict contact."

"We should have regular contact, say 'hello', and sit down with people."

Aboriginal Perspectives

Only one Aboriginal person commented on the level of police involvement. In her view there are too many police for a town like Roebourne and the police do not stay long enough to become a genuine part of the community. "They're only here for three years. Three years or whatever. That's nothing." It is also worth mentioning that many Aboriginal people spoke of jobs for young people, and recreation centres where the kids could go "without the police disturbing them."

CONCLUSIONS

On a variety of issues concerning law and order in Aboriginal communities, the police and Aboriginal people were in agreement at one level but adopted different stances at another. Both parties agreed that there is a problem, but whereas for the the police the problem is the state of law and order, for the Aborigines the problem is the state of the people affected by the breakdown of law and order. Both parties agreed that alcohol is of major significance, but whereas for the police alcohol is the cause of law and order problems, for the Aborigines alcohol is more the symptom or effect of social disruption. Both parties advocated more self management, but whereas for the police this is envisaged as Aborigines returning to a "tribal" way of life far away from

European towns, for Aboriginal people self management is envisaged as operating within whatever context they are currently living.

Police and Aboriginal proposals for improving the maintenance of law and order are similar in the sense that they enunciate broad policies that have state-wide application. Neither party identified the local contextual factors affecting the implementation of their general recommendations; consequently it is difficult to feel confident about endorsing them.

Several observations can be made about the role of the two laws (Aboriginal and white) in the maintenance of law and order in Aboriginal communities. Firstly, the Aboriginal evidence emphasizes the need for accommodation of the (white) law to complement traditional law as practised by Aboriginal lawmen. Tougher sanctions administered solely through the white legal system and called for by some police, would serve to further emasculate Aboriginal law and to undermine, rather than support, Aboriginal attempts to address the problems of law and order facing their communities. On the other hand, greater self management with regard to law and order does not mean that police should refuse to deal with some offences in independent Aboriginal communities.³ It means that Aboriginal people have the right to decide whether and when police should become involved. It also means that if trouble arises in a community and the Aboriginal people ask the police to step in, then their requests should be taken seriously by the police.

3. For example, theft between Aborigines.

Secondly, some police and Aborigines regretted the decline in use of traditional sanctions against Aboriginal offenders. However a community which, for a multiplicity of reasons, no longer lives by traditional codes, cannot resurrect sanctions, particularly for non-traditional offences, and hope to impose and effectively enforce them. Neither does the (white) law officially tolerate legal pluralism. The problem that this causes can be seen in the deep concern Aborigines have about drinking. The white law is seen as failing to address the alcohol problem, and as emasculating traditional law whose sanctions might otherwise have been used against offenders in this regard. The dilemma was explained by one man thus:

"Alright, they tell you this in court: why don't you punish them? (i.e. the drunks). And you can't. I come along here, I see somebody drunk, and if I pick him up, put him in my motor vehicle, I want to take him away. But the police law, you can't do that. We want to go and help our people. We're going over there to help him, and take him away. But we get charged for doing that sort of thing. This is why I think wadjballa's (whitefella's) way is way of death sentence."

In another example, a senior lawman from a Pilbara Aboriginal community told of the death of an eighteen year old youth who was drunk and involved in a car accident. The man concerned had failed earlier in his attempt to remove the youth from a nearby town, the scene of his drinking and his accident, because, as the police had said, "He's over 18. He's a free man to do what he likes." Said the informant, "Alright, I know that law. But he (the police) don't understand my law. He has got a soft law. My law is rough but strong. His law won't keep the people."

The Roebourne Aboriginal community believes it can assist Aborigines to obtain greater protection in the (white) law, but it is concerned that it is unable to address the situations which lead to Aboriginal involvement with the law. It appears the community can hope for better relations with the law enforcers but not for fewer contacts. Maintenance of good working relationships would thus seem to be essential in this context.

There is a brighter side on these issues. The people of Roebourne are developing self-help groups which are active in addressing the problems they see as afflicting their people. Collectively, the Aboriginal people behind these groups know much of their history and traditions, and speak the language. They are people who can provide a link between their traditional experience and the reality of day to day life in Roebourne. Such a group of people would be well placed to develop alternatives to imprisonment for Aboriginal offenders based on community participation in deciding sanctions. These sanctions could be both rehabilitative for the offender and beneficial to the community.

There is also the prospect of overseas models offering a guide for action. One such model is the Te Atatu Maori community court described by Brown (1985) and Hazlehurst (1985). In this Maori-run adjunct to the Henderson District Court in West Auckland, offenders are given the option of a second-chance - "the opportunity to show remorse and make restitution" (Hazlehurst 1985:109) - rather than face conviction in the district court. Five or six members of the local Maori committee make up the court. With their local knowledge of the offender they are able to

decide on the most appropriate community service order and to see that it is carried out. Unsuccessful cases go back to the district court.

Brown emphasizes the importance of setting the scene before the community court sits. In its use of ritual, the Maori court replaces the alien values of the white court with the traditional values it is hoped the offender will identify with and want to uphold:

"The meeting itself was dealt with on formal lines with mihis, speeches of welcome, which invariably welcome not only those present but also the spirits of the ancestors of the participants and reference to tribal affiliations, particularly with reference to any common identification. The chairperson then offered prayers.

The purpose of the ritual is to set the tone or an umbrella of aroha which simply translated means love but embodies a much wider concept of loving concern and also the purpose of rangimarie, which is peaceful reconciliation.

In addition the prayers acknowledge first the spirituality which is the essence of Maoriness. They also acknowledge the existence of a higher being and an expression of humility by all concerned acknowledging the group's recognition of its own limitations.

Although the above recital may appear somewhat banal or perhaps more fitting for an anthropological or sociological commentary it seems to stress that this psychological environment is the major condition precedent before these schemes may operate" (Brown 1985:88).

Brown also points out the dividing line between the jurisdiction of the district court which decides guilt, and that of the Maori community court which decides sentencing.

In relation to the community court model, points for Aboriginal people to note are that:

- * the parameters of the white law are clear cut
- * there is no non-Maori involvement in sentencing

- * the area where traditional values operate is clearly defined
- * the court's mode of operation is designed and controlled by local Maoris

The implementation of such a scheme would not require major legislative changes.

By emphasizing traditional values rather than customs, the scheme avoids the dilemma of trying to fit traditional sanctions (e.g. spearing in the leg) to non-traditional offences (e.g. alcohol-related assault). It allows the punishment not only to fit the crime but to benefit the community, which in turn shares the responsibility for rehabilitating the offender.

For Roebourne people such a scheme could enable the dynamic conjunction of traditional values and authority with contemporary power structures and projections for the future. It is recommended that the Te Atatu model be explored further by Roebourne Aborigines.

CHAPTER FOURTEENSUMMARY

This project set out to find the 'definitions of the situation' held by police and Aborigines in parts of the Pilbara with regard to relations that exist between these two groups. The people interviewed were asked for their views on a wide range of topics. On very few issues was there real agreement between the members of both groups or within the membership of either group. The most common pattern of answers within each group involved a majority viewpoint (held by 60-70% of the members) and a minority viewpoint. Variations to this pattern occurred in a few cases when the minority viewpoint expanded to represent almost 50% of the answers or contracted to embody the views of only a small number of individuals. One issue on which most police and Aborigines agreed is that relations between them are not as positive as they could or should be.

PERCEIVED NATURE AND SERIOUSNESS OF NEGATIVE RELATIONS

At the end of chapter two it was observed that police and Aborigines acknowledge that at times relations between them are violent. It was also observed that the nature and seriousness of negative relations between them would be brought more sharply into focus in subsequent chapters. This in fact proved to be the case.

With respect to the nature of negative relations, many instances

of physical, verbal and social violence were reported by Aborigines and police. Aborigines described incidents of physical assault and threats by police that have allegedly taken place in arrest and interrogation situations. Moreover they gave some details of verbal abuse, provocation and intimidation that they said also occurred in these situations. Where these instances of physical and verbal behaviour by police were seen to be discriminatory, or seen to constitute an abuse of power, or were directed at women and juveniles - then the Aboriginal people's feelings of being violated and humiliated were intensified.

No instances of social violence against Aborigines were cited in chapter two. However, answers to later questions suggested that Aborigines did feel a sense of being snubbed by police who refused to talk to them and by police aides who were seen to side with police against their own people.

Throughout the report, instances of alleged violence against police were also mentioned. The police said or intimated that at times they were confronted with physical aggression from intoxicated Aborigines, false accusations 'manufactured' by the A.L.S., and verbal attacks from Aborigines who were prejudiced against the 'uniform'.

Whilst there is little reason to doubt that these types of incidents do occur, it is difficult to determine how widespread and frequent their occurrence is and how seriously they inhibit the development of positive relations between Aborigines and police. In fact, one set of police and Aboriginal responses suggests that there is little violence or ill feeling between the two groups. For instance,

some police made comments along the lines of: we haven't personally experienced violence with Aborigines; the main victims of Aboriginal violence are fellow Aborigines ; we don't abuse our power or break the rules when interrogating suspects; Aborigines cause us no more trouble than any other ethnic group; we don't mistreat Aboriginal women and Aboriginal men don't mistreat white women; we don't discriminate against Aborigines and they don't feel picked on by us; they accept that we have a necessary job to do and they approve of the way we do it even when this may involve the use of force; Aborigines have ample power to defend their interests; we respect their traditional culture and go out of our way to help them, and they appreciate this; and everyone is happy with the Police Aides Scheme and the adequacy of communication channels. In a similar, though not identical vein, some Aboriginal people gave the impression that all was well by saying in effect: we don't interpret police behaviour as sufficiently violent to take offence; currently the police are good and act fairly with us; we don't mistreat white women; we've had very positive dealings with some police for whom we have high respect; we help police, they help us and there is mutual appreciation of the assistance provided; and we have very few statements of general hostility to make against police.

Another set of police and Aboriginal responses however presents a disturbingly different picture. It suggests that Aboriginal/police relations are characterised by more violence than occurs between police and other groups, that there are scores to settle, that the Police Aides Scheme is not working, and that both groups have a long list of complaints to make against each other. For instance, some of the complaints police made against Aborigines were that too many of them:

- * abused alcohol and became drunk and disorderly;
- * lost their sense of responsibility and control over their children and allowed them to become aggressive troublemakers;
- * refused either to assimilate into white culture in towns or to return to their traditional way of life in the bush and as a result became hopeless, lazy, listless, bored and unemployed;
- * developed 'chips on their shoulders';
- * expected police to go beyond the call of duty in helping them but offered little cooperation or thanks in return;
- * verbally abused police and used bad language in front of women;
- * mistreated Aboriginal women;
- * flouted the law by driving unroadworthy cars when drunk and without a licence;
- * abused the welfare system;

Some of the complaints Aborigines made against the police were that, at least in the past, too many of them:

- * used excessive force when arresting Aborigines;
- * discriminated against Aborigines when enforcing the law;
- * abused their power when interrogating Aborigines, particularly juveniles;
- * mistreated Aboriginal women by the use of suggestive and disrespectful language and by rough handling in arrest situations;
- * treated Aborigines with rudeness and provocation;
- * were prejudiced against those Aborigines who are alcoholics and past offenders;
- * condemned and held Aborigines responsible for their lifestyle in towns;
- * mistreated Aboriginal juveniles;
- * didn't give anything of themselves or show Aborigines 'the man behind the uniform';
- * didn't talk /communicate with Aborigines;

- * were inadequately trained to work with Aborigines and were ignorant of the history of Aboriginal/police relations in the area;
- * were unappreciative when helped by Aborigines;
- * enforced laws that infringe on traditional Aboriginal law.

From the information collected in this project it is possible then to construct two opposing accounts of Aboriginal/police relations in the Pilbara - one claiming that there is not a lot to worry about and the other contending that a serious problem does exist. Our research was not in a position to determine which account best represents reality because it was concerned with perceived relations rather than actual relations. More respondents endorsed the second than the first account however and for this reason it can be suggested that currently relations between police and Aborigines in the Pilbara are in a state of uneasy truce. That is, whilst no serious outbreaks of open hostility have occurred since the death of John Pat, the potential for serious violence exists as a result of perceived conflicts of interest, opinion and personalities.

PERCEIVED DETERMINANTS OF NEGATIVE RELATIONS

Given that both groups accept a need for further improvements in the situation, it is significant that the police did not blame themselves in large part for the relatively negative relations that exist between them and Aborigines. In fact, the police seemed oblivious to some of the criticisms levelled at them and considered they were regarded positively by Aborigines. They acknowledged that a few members of their group were racist, provocative, abusers of power, unsuited to working with

Aborigines, and should never have been posted to the Pilbara: but - they also said that generally most officers are perceived by Aborigines to be unprejudiced, respectful, appreciative, non-discriminatory, responsible in their use of power and interrogation procedures, and above reproach in their treatment of women. However, it was acknowledged that, "It only takes one bad person amongst you to make things very bad." Apart from the behaviour of Aborigines themselves, the real causes of the bad relations they have with Aborigines, said the police, are: alcohol, the media, the A.L.S., interfering politicians, white do-gooders, 'blow-ins', academics, and the welfare system.

The Aboriginal people seemed more aware of the criticisms levelled at them than were the police; though, like the officers, they did not blame themselves for the negative relations that existed between the two groups. Nor were they entirely critical of the police. They said that the police are trying to make amends since the death of John Pat and are currently doing a good job in Roebourne. They expressed concern with respect to alcohol abuse, juvenile offenders, unemployment and their life style in towns and saw how these factors were related to conflicts with police. However unlike the police, they saw those things as symptoms of deeper problems rather than as causes of problems that create conflict with the police.

PERCEIVED REMEDIES FOR NEGATIVE RELATIONS

The police made a number of explicit and implicit suggestions about how to improve relations between them and Aborigines. Most of the

explicit suggestions were made either tentatively, half-heartedly or by small numbers of police. Clearly the police did not feel strongly about most of these suggestions, or thought that they would have only a marginal effect. Included in this category were their proposals with respect to decriminalizing drunkenness, improving the Police Aides Scheme, recruiting more Aborigines into the police force, upgrading academy-based, formalised, pre-and in-service training, and introducing safeguards into interrogation procedures.

One set of explicit suggestions that many police considered to be of more than cosmetic value was that concerning the A.L.S. For the police, the A.L.S. was a major source of conflict between them and Aborigines and the removal of its perceived adversarial role with the police was regarded to be of considerable significance.

Also of importance to police were their recommendations to (a) tighten up the selection procedures so that only officers suited to work with Aborigines were placed in the Pilbara; (b) develop ways of learning more about Aboriginal culture and the history of race relations in the local context; and (c) upgrade the public image of police in the Aboriginal community. With regard to the latter, a two pronged approach was envisaged: at a central level, the Police Department was seen to have a necessary public relations role to perform; and at the local level, the officers wanted consideration to be given to ways in which they could carry out their work with Aborigines in a less coercive capacity.

Despite the absence of direct questions on the subject, alcohol abuse by Aborigines emerged, in the eyes of the police, as the single

most significant factor affecting relations between the two groups. For the police if the "alcohol problem" were removed, then violence with Aborigines (and between Aborigines) would largely be removed. However, despite their strong feelings on the matter, the police showed little evidence of having formulated a set of specific and realistic recommendations on how to address the "alcohol problem."

Similarly, whilst some police expressed strong feelings about what they perceived to be the adverse influence of the media, politicians, government handouts and white do-gooders - they did not present any serious or systematic course of action for reducing that influence. However, as a direct result of this project, media interest was generated in the positive development of Aboriginal/police relations in the area. A recent two page feature article in a local weekend newspaper and a television documentary depicted the other side of conflict, and in so doing acknowledged some of the advances since the John Pat affair.¹

Two general and alternative proposals for reducing conflict with Aborigines were implicit in a variety of comments made by the police. Although not presented in explicit detail it appeared that these alternative solutions were held quite strongly. One alternative was for Aborigines to return to the bush and to their "tribal way of life". Logically this solution would work because it entails an exodus of Aborigines from towns; it entails a case of 'out of sight, out of mind'. The police justification for it is that it would allow a programme of cultural maintenance to be carried out successfully, free from interference by white people and free from the effects of alcohol.

1. The Western Mail, 22-23, February, 1986.
Willesee, 8 April, 1986.

The second alternative policy that the police implied would significantly improve Aboriginal/police relations was that of 'assimilation'. That is, if Aborigines chose to remain in towns and within the sphere of police jurisdiction, then most problems would be solved if they abandoned their 'Aboriginal culture' and identity and became 'white'. This would mean - abolishing any special legal and social services that they currently receive from agencies such as the A.L.S., D.A.A., D.C.S. and the Police Aides Scheme - and being treated exactly the same as white people within the criminal justice system.

Clearly these views are in line with community stereotypes of Aborigines. Police and Aborigines need to meet outside the arrest situation, acknowledged by most police as their only contact with Aborigines, so members of both groups can be seen as individuals and the tendency to stereotype can be challenged.

From what Aboriginal people said, the single most important policy that white authorities can adopt and implement in order to improve Aboriginal/police relations, is to ensure that only police suited to working with Aborigines are posted to the Pilbara. This emphasis on the individual officer, rather than on the system, is paralleled by the police belief that the A.L.S. is as good as its officer in the field. Aborigines have clear ideas about qualities in policemen that they respect. They also believe that good policemen exist. If only this type of officer were appointed to the north west, said the Aborigines, then their apprehensions about police discrimination, abuse of power, mistreatment of women, and unwillingness to communicate would be allayed and relations between the two groups would improve.

The only other recommendation that Aboriginal people made strongly was that Aboriginal women should be appointed to the police force and as attendants in police lock-ups and as a third party when females are being interrogated. They made suggestions, but seemingly lukewarm ones, about ways to improve the A.L.S., police training, the Police Aides Scheme, and law and order in their own communities. Similarly they endorsed the decriminalizing of drunkenness but not in a confident or enthusiastic fashion.

EVALUATION OF THE METHODOLOGY

Case Study

Due to the case study nature of the project, the findings presented in this report may not be applicable outside Roebourne. This is not to say that they are necessarily without other application. It does mean however that if they are used, for example for making sense of situations in other places, then their relevance needs to be established rather than assumed.

Symbolic Interactionism

The questions were designed not only to elicit each group's views on a range of topics but also to see if the parties could identify how the other thinks. The aim was to find the areas where misconceptions are prevalent and to encourage Aborigines and police to see the situation from the other's point of view, thus promoting moves away from prejudice,

discrimination, stereotyping and ignorance. Similar questions, differently expressed, were asked of each group. The interviewer further adapted the questions when she worked with Aboriginal people.

Members of both groups were asked questions they obviously had not considered before. Some made deductions, others guessed; some answers were examples of wishful thinking; some said they didn't know. Certain questions had more "don't know" answers than others. Questions about group perceptions of the Police Aides Scheme were prominent here. "Maybe" was common among Aboriginal answers; "I hope not" belonged to the police. Some questions were poorly answered - for example, police questions relating to the qualities Aborigines admire in them and Aboriginal questions regarding police perceptions of their treatment of white women. These responses may have reflected the interviewees attitudes rather than their perceptions of the other group's views. Nevertheless, the researchers were surprised by the relatively high number of opinions volunteered in response to these particular questions even if the perceptions accredited to the other group turned out in some cases to be quite erroneous.

Action Research

A central objective of this project was to make a contribution towards the improvement of Aboriginal/police and community relations in the Pilbara. It was envisaged that such a contribution could be achieved in three ways:

1. by identifying conflicts in Aboriginal and police definitions of the situation that require resolution;

2. by formulating suggestions to defuse violence, based on Aboriginal and police definitions of the situation;
3. by the research process itself having beneficial side-effects.

Conflicts of perception. In chapter one, a distinction was made between conflicts of perception and conflicts of interest, the first requiring resolution through education or communication and the second requiring resolution through negotiation. Few conflicts of interest were explicitly referred to by police and Aboriginal people. Most of the conflicts apparent in the comments of the respondents were conflicts of perception or definition of the situation. For instance, generally speaking:

- * Police claimed they receive little or no help and cooperation from Aborigines - Aborigines said they help police often and in numerous ways.
- * Police said Aborigines don't feel victimised - Aborigines maintained that they are 'picked on' by police.
- * Police declared they don't mistreat Aboriginal women - Aborigines claimed they do.
- * Police perceived liaison and communication channels between them and Aborigines to be operating fairly well - Aborigines complained that police didn't communicate with them enough.
- * Police thought Aborigines placed prime value upon 'fairness' in officers - Aborigines emphasised the overriding importance of the human face of policemen or "the man behind the uniform".
- * Police perceived alcohol abuse to be the cause of offending behaviour among Aborigines - for Aborigines alcohol abuse is symptomatic of more overriding determinants of their behaviour.
- * Police were not in favour of decriminalising drunkenness - Aborigines thought they would be.

In addition to these conflicting perceptions between Aborigines and police, it was found that there are conflicting definitions of the

situation within the membership of each group. To some extent this was apparent in the two opposing accounts, outlined earlier, of how much violence and ill feeling occurs between Aborigines and police.

Part of the process of improving intergroup relations involves developing mutual understanding of the other group's point of view, removing misconceptions and trying to reconcile conflicting definitions of the situation so that a working agreement can be established. One way of doing this would have been to present police with Aboriginal responses and vice versa. Since similar questions were asked of police and Aborigines, an exchange of answers would allow each group to check the validity of its perceptions of the other group's definition of the situation. It would also allow the researcher to assess the prospect of common ground being negotiated on the basis of which proposals that are acceptable to police and Aboriginal people could be formulated. A final step in such an action research model would entail implementing agreed upon proposals to see if they are effective. There wasn't time in our research to engage in all of these steps but the project has laid the foundations for them to be carried out as future developments.

Action research as Process. In addition to her role as an interviewer, the research assistant was able at times to form a bridge between police and Aborigines and thereby make a direct contribution to the improvement of working relationships between them. For instance, at the end of formal interviews with police she was sometimes asked questions by officers, such as:

"What do Jigalong people think of land rights?"

"I don't think Aboriginal men like talking with Aboriginal women. Is that a cultural thing?"

"Are Aboriginal people happy living in the 'village' (at Roebourne)?"

"Who are the elders in the 'village'?"

"What are Aboriginal people saying about the police here?"

"What's this [research project] all about? Have there been complaints?"

In discussing these questions the research assistant was given an opportunity to present an Aboriginal perspective to police and thereby increase their sensitivity and understanding of the other group's point of view.

Similarly Aboriginal people asked questions such as, "What's the new sergeant like?" On these occasions the research assistant was able to tell the people that the new sergeant has an open door policy and to encourage them to make contact and improve communication with the local constabulary. She was also able to reassure Aborigines that police are human. By attending meetings, such as at the magistrates court, the research assistant could be seen by Aborigines to be talking with the sergeant and thus provide a morale booster by showing that positive contact is possible.

During the course of the project, and particularly after police and Aborigines participated in a filming session in the latter days of the fieldwork period,² some of the areas of concern such as the relationship between police and juveniles became apparent to the

2. The film of the project is to be included in a video on Aboriginal/police relations, available for general loan, but likely to be of particular interest to police trainees and Aboriginal groups.

participants. It is understood that steps have already been taken to try to remedy this particular situation.

Other Comments. The locations for this research project were chosen because of a direct and recent history of conflict in Aboriginal/police relations (Roebourne) and a stated concern about the potential for such conflict developing (Jigalong).³ In the event, relations between Jigalong people and local police during the time available for fieldwork were currently neither contentious nor a high priority.⁴ With more time both in the preparation and fieldwork period, the Jigalong participation could have proceeded. However, there was never any question of the research team imposing the demands of its schedule on a remote community such as Jigalong and in a formal sense this aspect of fieldwork was abandoned. This does not mean that Jigalong people have no concern, or cause for concern, about law and order issues. On the contrary, the interviews and discussions indicated a grave concern for their people, particularly youths, who travelled to other places and came into conflict with the law. For this reason and because police often spoke of Aborigines in general terms, the police responses in relation to Jigalong Aborigines were incorporated in the report, and form an important part of it.

3. Communication from Jigalong Council to Minister for Police, 9th September, 1984.

4. During the fieldwork period there were, for example, several deaths in the community, negotiations with a mining company, media reports of a big arms cache at Jigalong (subsequently proven to be unfounded) and a public outcry over the community's acceptance of a released prisoner on parole.

The project should be viewed as a pilot study. With more time some of the questions could have been improved upon, more avenues explored, more people interviewed, and so on. However, in line with the assumptions underpinning action research, the research team took the view that it was important to get in and do it. That opinion has not changed. It is hoped that this report will be discussed by the interested parties in Roebourne with a view to extending the links which have started to develop between police and Aborigines in that town.

A need is evident for further research into Aboriginal/police relations under the co-ordination of the Special Cabinet Committee on Aboriginal/Police and Community Relations. The research team favours smaller scale local studies focussing on specific issues, in particular places, as they arise. Future projects will hopefully involve police and the Police Aboriginal Liaison Unit as well as Aborigines, as researchers.

SUGGESTED REFORMS

In listing below the major suggestions arising from the report, the researchers were mindful of the track record of many report-writers over the years, whose recommendations too often gave rise to costly and destructive experiments on Aboriginal people and communities, by governments and other agencies.⁵ Similarly, the researchers acknowledge that Aboriginal and police views are often divergent, and

5. See for example Sydall et al. (1975) on Docker River and McLeod (1984) on Warburton.

that to 'impose' solutions on one group can lead to a conflict of interest, the results of which have been discussed in chapter 5.

In this project, when the data pointed to a particular course of action a conclusion to that effect was made. For the most part however, these 'conclusions' were more in the nature of suggestions worth exploring rather than definitive recommendations to be implemented. The following list should be viewed in this light. It should also be remembered that nearly all suggested reforms have at this stage, local, rather than universal, application.

Chapter Three

1. The extent of a policeman's 'off-duty' role and the concept of 'giving chances' need to be clarified and resolved through discussions between police and Aborigines.
2. Police need to understand more about Aboriginal rules of etiquette. Police need to adhere consistently to their own (western) etiquette when dealing with Aboriginal people.

Chapter Four

3. Given that police have misjudged the extent to which Aborigines feel victimised by police, measures need to be taken to ensure that police are aware of their behaviour towards Aborigines, that it is not discriminatory, and that it is not perceived as such.

4. Aborigines need to develop an effective forum in which to air and seek redress for grievances about alleged unfair treatment at the hands of the police.

Chapter Five

5. Police interviews of juveniles should always take place in the presence of a (non-police) third party.
6. Police should take affirmative action to promote good public relations with Aboriginal youth.

Chapter Six

7. A female Aboriginal lock-up attendant should be appointed. Discussions should be held between police and Aborigines to explore the scheme's practical implementation.

Chapter Seven

8. Steps should be taken by the A.L.S. to address its anti-police image.
9. The A.L.S. should design its services to meet locally stated legal and quasi-legal needs.

Chapter Nine

10. Higher priority needs to be placed by the Police Department on the

- selection of appropriate officers, and in particular officers-in-charge, for service in areas with a significant Aboriginal population.
11. The pre-service police training course in Aboriginal affairs should be consistently monitored and a follow-up study undertaken after five years.
 12. Police officers should become further informed about Aboriginal culture and the history of Aboriginal/police and community relations through locally-based in-service courses and workshops.
 13. Resource and information manuals for police in the field should be prepared by a multi-disciplinary team including the Police Aboriginal Liaison Unit, the Special Cabinet Committee on Aboriginal/Police and Community Relations, Aboriginal people and other interested parties.
 14. The Police Aboriginal Liaison Unit should be expanded to allow it to:
 - * train and utilise police whose special interest is in Aboriginal/police relations;
 - * carry out research;
 - * collect and distribute information on Aboriginal/police relations;
 - * monitor the suitability and effectiveness of police in the field in their relations with Aborigines.
 15. Police should consult with Aboriginal community members about the feasibility of visits by police to those communities, so police can be better informed about the beliefs and customs which govern

Aboriginal responses in situations where Aborigines are involved with police.

Chapter Ten

16. Police and Aborigines should utilise available structures, such as meetings at the Ngurin Resource Agency, to develop and consolidate communication and liaison channels.

Chapter Eleven

17. While police aides are doing police officer work, or providing an expert service that non-Aboriginal police officers are unable to provide themselves, they should be given similar conditions of service as police officers, particularly with respect to housing, hours of duty, and salary.
18. Police aides should be provided with the necessary encouragement and enabling conditions to become police officers. However the right of police aides to remain aides should be respected and no pressure should be placed on them to become police officers.
19. The pre-service training programme for police aides should be more extensive.
20. Police aides should do more liaison work and less 'police work' with Aboriginal people.

21. There should be more clarification of the different levels and nature of police aides' duties so that relationships between police officers and police aides can be better understood by both parties.
22. The Police Aides Scheme should be linked more formally with local Aboriginal organisations and local branches of other appropriate government agencies with the aides functioning as facilitators.

Chapter Twelve

23. Further research needs to be undertaken prior to any affirmative action to increase the number of Aboriginal police in the W.A. Police Force.

Chapter Thirteen

24. Where local Aboriginal organisations need to address their community's law and order problems, police should assist, support, and be seen to support their efforts.
25. Aboriginal people should explore the model for community participation and accountability in the administration of justice provided by the Te Atatu community court.

Chapter Fourteen

26. Aboriginal people and police should discuss the contents and findings of this report to:

- (a) become better acquainted with the other group's point of view;
- (b) negotiate common ground;
- (c) set in train or implement agreed proposals.

27. There is a need for further action research into Aboriginal/police relations.

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APPENDIX: INTERVIEW QUESTIONS FOR POLICE

PERCEPTIONS OF THE NATURE OF NEGATIVE RELATIONS BETWEEN POLICE AND ABORIGINES AND THE NEED TO IMPROVE THESE RELATIONS

- [A] Relations between police and Aborigines are likely to be regarded as negative or bad in situations that involve:
- (a) physical violence - such as fights and the use of force
 - (b) verbal violence - such as name-calling, abusive language and ridicule
 - (c) social violence - such as non-verbal slights, 'put downs', ostracism, and offensive gestures.
1. Can you think of any type of bad situation that doesn't fit these categories?
 2. In Roebourne/Jigalong do these types of negative situations occur more often between police and Aborigines than between police and other groups?
 3. Can you give examples of each of these types of violence in police relationships with Aborigines in Roebourne/Jigalong?
 4. Why do these situations happen more often with Aborigines than with other groups ?
 5. How concerned are the police in Roebourne/Jigalong to support and participate in moves to end or prevent these types of violence with Aborigines?
 6. How concerned do you think Aborigines in Roebourne/Jigalong are to see an end to, or prevent, these types of violence with the police?

PERCEPTIONS OF THE DETERMINANTS OF NEGATIVE RELATIONS BETWEEN POLICE AND ABORIGINES

- [B] Positive relations between police and Aborigines might break down if the members of one group think the other group is prejudiced against them; that is, if one group feels 'falsely accused' or labelled with an unfair negative reputation by the other group.
7. What is the Aboriginal view of police in Roebourne/Jigalong?
(Give details)

8. Is the Aboriginal view of police in Roebourne/Jigalong fair or unfair? Give reasons.

[C] Positive relations between police and Aborigines might break down if one group feels victimised, picked on or discriminated against by the other group.

9. Do Aborigines in Roebourne/Jigalong single out the police from other white people and victimise them or treat them badly? Give examples.

10. What reasons might Aborigines in Roebourne/Jigalong give for picking on or discriminating against the police?

11. Do Aborigines in Roebourne/Jigalong think the police pick on them or discriminate against them? Give reasons.

[D] Positive relations between police and Aborigines might break down if one group feels used up and taken for granted by the other group.

12. Are Aborigines in Roebourne/Jigalong ungrateful for what the police do for them and expect to be 'waited on' by the police? Give examples/reasons.

13. Do Aborigines in Roebourne/Jigalong feel that what they do for the police is unappreciated and that they are just used up and taken for granted by the police? Give examples/reasons.

[E] Positive relations between police and Aborigines might break down if the members of one group think that the other group regards their culture as inferior, looks down on them, and regards their way of life with contempt.

14. What traditional ways do Roebourne/Jigalong Aborigines still follow?

15. Do Aborigines in Roebourne/Jigalong like living the way they do? Give reasons for your answer.

16. Do Aborigines in Roebourne/Jigalong regard white culture as inferior to theirs and regard your way of life with contempt? Give reasons for your answer.

17. Do Aborigines in Roebourne/Jigalong think the police regard Aboriginal culture as inferior and their way of life with contempt? Give reasons for your answer.

[F] Positive relations between police and Aborigines might break down if one group thinks that its women are offended, abused or exploited by the other group.

18. Do Aboriginal men in Roebourne/Jigalong offend, abuse or exploit white women? If so, give examples.

19. Do Aborigines in Roebourne/Jigalong believe police offend, abuse or exploit Aboriginal women? If so, what do they say?

- [G] Positive relations between police and Aborigines might break down if one group thinks the other abuses its power in situations where there is a conflict of interest.
20. When in conflict with police what power do you think Aborigines in Roebourne/Jigalong have to defend their interests? Give details and examples.
 21. Do Aborigines in Roebourne/Jigalong have too much power? Give reasons and examples.
 22. Do Aborigines in Roebourne/Jigalong think the police exercise enough, too little or too much power? Explain.
 23. Do the police in Roebourne/Jigalong abuse their power sometimes when in conflict with Aborigines? Give details.
 24. Are current police procedures for interrogating (a) Aborigines in general and (b) Aboriginal juveniles, a source of accusations of police abuse of power? If so, how can the situation be remedied?
 25. What do police think is the function of the Aboriginal Legal Service?
 26. What do Aborigines in Roebourne/Jigalong think is the function of the Aboriginal Legal Service?
 27. Do the police think the Aboriginal Legal Service does a good job in both the Pilbara (particularly Roebourne/Jigalong) and throughout W.A. generally? Give reasons.
 28. Are Aborigines in Roebourne/Jigalong satisfied with the way the Aboriginal Legal Service works? Give reasons and examples.

PERCEPTIONS OF EFFECTIVE MEANS TO IMPROVE RELATIONS BETWEEN POLICE AND ABORIGINES

- [H] Relations between police and Aborigines are likely to improve if members of both groups have knowledge, qualities and skills that are admired and respected by the other group.
29. What characteristics and qualities do Roebourne/Jigalong police admire in Aborigines; that is, what type of Aborigines do police respect?
 30. If Aborigines lack these characteristics and qualities what should be done about it?
 31. What characteristics and qualities do Aborigines in Roebourne/Jigalong admire in a policeman/woman; that is, what type of policeman/woman do Aborigines respect?
 32. If policemen/women lack these characteristics and qualities what should be done about it?

33. What do you consider to be the characteristics and qualities of an effective policeman/woman working with Aborigines in Roebourne/Jigalong?

[I] Relations between police and Aborigines are likely to improve if the possibility for conflict is reduced.

34. Do the police consider the decriminalisation of drunkenness would reduce the possibilities for conflict with police?

35. Do Aborigines consider the decriminalisation of drunkenness would reduce the possibilities for conflict with police?

36. Do you support the idea of decriminalising drunkenness. If not, and no to question 34, why not?

[J] Relations between the police and Aborigines are likely to improve if both groups understand how the present day situation is based on the history of Aboriginal/police and community relations in the local area.

37. Have you had the opportunity to learn much about the history of Roebourne/Jigalong, especially with regard to Aboriginal/police and community relations? If so, where and how?

38. Do Aborigines know a lot about the history of Roebourne/Jigalong especially with regard to Aboriginal/police and community relations? If not, what important aspects do you think they don't know?

39. In the interests of reducing conflicts between Aborigines and police, should police in Roebourne/Jigalong learn more about the history of race relations in the area? If yes, what would be the best way to do this?

[K] Relations between police and Aborigines are likely to improve if both groups are satisfied with the effectiveness of communication channels.

40. By what means do police and Aborigines in Roebourne/Jigalong liaise and communicate with each other?

41. What means are used in Roebourne/Jigalong to increase the Aboriginal people's awareness and understanding of the role of the police?

42. (a) Are the police satisfied with these liaison and communication schemes/procedures?

(b) If dissatisfied, what improvements would the police recommend?

43. (a) Do you think Aborigines here are satisfied with the liaison and communication schemes and procedures?

(b) If dissatisfied, what improvements would the Aborigines recommend?

- [L] Relations between police and Aborigines are likely to improve if both groups are satisfied with the Aboriginal Police Aides Scheme in the community.
44. What do police in Roebourne/Jigalong think the role and function of a police aide is supposed to be?
45. What do the police aides attached to this station actually do?
46. Do the police think that police aides should do a different job from the one they are actually doing here? Give reasons/examples.
47. Do the police in Roebourne/Jigalong think the Police Aides Scheme should be:
- (a) maintained as it is
 - (b) maintained with changes
 - (c) abolished completely
 - (d) abolished and replaced with some other liaison structure?
- Give reasons and details.
48. What do police aides think about their job? Would they like to see changes?
49. What role do Aborigines in Roebourne/Jigalong think the police aides should perform?
50. Do Aborigines see the police aides here performing this role?
51. Do Aborigines in Roebourne/Jigalong think the Police Aides Scheme should be:
- (a) maintained as it is
 - (b) maintained with changes
 - (c) abolished completely
 - (d) abolished and replaced with some other liaison structure?
- Give reasons and details.
- [M] Relations between police and Aborigines are likely to improve if police are adequately prepared for working with Aborigines.
52. Would more or different training have helped you in your job here? Explain.
53. What particular event, incident, person (including senior officers), or part of your training was most helpful to you in determining the way you interact with Aboriginal people? Give details.
- [N] Relations between police and Aborigines are likely to improve if Aboriginal people participate in the administration of law and order in their own community.
54. Do the police believe Aborigines in Roebourne/Jigalong are concerned about the state of law and order within their own community (among their own people)? What aspect particularly concerns them?

55. What do the police see as the major areas of concern in connection with law and order matters in the Aboriginal community in Roebourne? Given reasons for your answer.
56. What would the police in Roebourne/Jigalong like to see Aborigines do towards improving law and order in their own community (among their own people)?
57. What do Aborigines in Roebourne think would improve law and order in their own community (among their own people)?
58. In the interests of law and order should the police have greater involvement with the Roebourne/Jigalong Aboriginal community? Explain.
59. Do you know of any Aboriginal community which has had some success in dealing with law and order and where examples might be useful in Roebourne/Jigalong. Explain.
60. Do the police in Roebourne/Jigalong think the recruitment of Aboriginal men and women into the police force would:
 - (a) promote better Aboriginal/police relations
 - (b) help in the maintenance of law and order situations involving Aborigines with the police?Give reasons.
61. Would Aborigines in Roebourne/Jigalong like to see more Aboriginal men and women in the police force? If so, why?