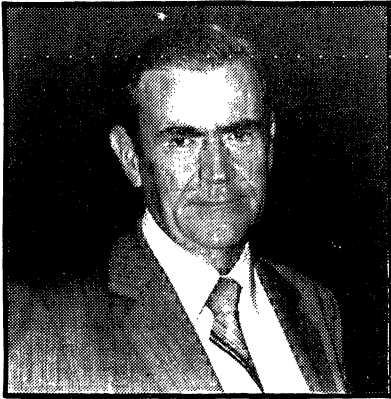# POLICING A DEMOCRATIC SOCIETY — CO-OPERATIVE OR COERCIVE?

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THE OBJECTIVE OF A POLICE FORCE

There is a need to define a fundamental philosophical purpose for a police force in terms of ultimate realities and general principles and this should be expressed as a single corporate objective. The corporate objective for a police force in a democratic society is: *achieving an acceptable level of tranquillity in the community*.

This brief objective is more formally stated in this way: To guarantee, as far as possible with the resources available, the security and serenity of people resident in or visiting New South Wales by protecting their life and property from criminal intent, uncontrolled behaviour or the lack of judgement of others and from natural and man-made hazards.

To achieve this corporate objective a number of strategies are required:

1. Protection of life and property.
2. Prevention of Crime.
3. Detection of crime and apprehension of offenders.
4. Prosecution of offenders.
5. Maintenance of public safety where this is threatened by accident, foolhardiness, crowds, or disaster.
6. Control traffic.
7. Establish and maintain close co-operation with the clerical and administrative supporting services within the Police Department and with other Government Departments and organisations working in related fields.
8. Pursue a continuing programme of development for all police.
9. Maintain an action based research programme directed toward the identification of improved force objectives, strategies and tactics and to provide source material for law and administrative reform.
10. Provide a central registry search and communication service for missing persons and those who have been the victims of tragedy and disaster.
11. Where required, exercise non-police regulatory and service functions of government where the policeman is the only appropriate responsible officer available.

All of these strategies need to be effectively followed to achieve the single corporate aim of maintaining an acceptable level of tranquillity in our society.

We need to use the vast body of knowledge and experience available to us to devise suitable tactics to pursue the strategies which will assit us to achieve our corporate objective. It is in the area of tactics that we consider a veritable constellation of techniques. Included in the notion of tactics are issues such as preventive patrolling, unit beat policing, disaster and rescue, neighbourhood watch programmes, juvenile aid bureaux, random breath testing, visible traffic patrolling, liaising with other departments and organisations, recording crime, extraneous duties such as motor registry work and so on and on.

HISTORICAL DEVELOPMENT OF THE ROLE FOR POLICE AS SPECIALISTS IN LAW ENFORCEMENT

Alderson[1] identified four police epochs (1) the Anglo-Saxon tribal collective system which suited the mainly simple agrarian scattered settlements of their time. Responsibility to the King for social order fell to tithings of ten families and to hundreds, which were ten tithings. There was an obligation on all subjects to maintain law and order and join the hue and cry in the event of a crime. (2) In the 13th century came the City Watch which was associated with the growing prosperity of England. The Constable became the enforcing agent of his community. (3) The epoch of the Justice of the Peace followed and proved to be the most durable of police arrangements and (4) in the 19th century came the emergence of the type of professional police forces which were the forerunners of the organisations of today.

For many centuries the responsibility for social control belonged to the citizen and this obligation was reflected in the Common Law. In the 19th century there began an acceleration in the industrialisation and urbanisation processes and sociologists such as Durkheim identified the division of labour phenomenon. While this phenomenon is essential to social development it has created some problems which should be discussed briefly. People evolved from being able to turn their hands to many tasks to being specialists in particular occupations. As the process of specialisation developed the citizen shed some of the roles which were expected of him in earlier days. Many people have all too readily abdicated from what would once have been considered their social responsibilities, adopting the attitude that there are experts to cope with most problems.

In the area of social control the citizen gradually withdrew. Crime and disorder increased. While there was wide-

spread distrust of the proposal to develop organised police forces with a professional constabulary, crises of public order forced the issue. The middle classes saw a need for organised protection of person and property and the political elite wanted some security against the collective antagonistic behaviour of the lower classes.

With the growth of industrialised civilization we have had people specialising in particular occupational roles. At the same time professional police forces were evolving and it was inevitable that the citizen would lose his sense of responsibility for the maintenance of law and order and be content to leave it to the trained professional.

URBANISATION

The development of huge cities with all their technological wonders has been an essential associate of the growth of industrialised societies. This consequence has brought detrimental effects which have been regarded with some resignation as the inevitable price of progress. Civilisation has not kept pace with this growth of the cities, for social harmony has become somewhat discordant where urbanisation has intensified. Urbanisation and civilisation could be compatible if we adopt the advice of C. Wright Mills[2] to social scientists: He wanted them to help people to become self-educating and consequently, reasonable and free. Huge urban populations tned to become mass societies and Mills felt that people in a mass society are gripped with personal problems with which they have neither the skill nor the wit to deal. The knowledgeable person in a genuine public is considered by Mills to be one who translates problems into issues. In his words, "People in masses have troubles but they are not usually aware of their true meaning or source; men in public confront issues and they usually come to be aware of their public terms." Urban society will become truly civilised when the education system can generate a desire in individuals to be self-cultivating, free and rational. Peeople will then recognise some of the problems associated with the urbanisation and be more prepared to assume their true role in such areas as social control.

Ted Robert Gurr[3] examined the consequences of urbanisation in criminological terms and found that since the 1930s the rates for index crimes have risen alarmingly and are continuing to rise. Biles[4] confirms this with some variation of the rates for various crimes. There is an undoubted relationship between urbanisation and higher crime rates. The Federal Bureau of Investigation Uniform Crime Reports clearly indicate that rural crime rates are about one quarter of that of large cities. The larger the city the higher is the crime rate. Wolfgang[5] offered several reasons for this urban conduciveness to criminality: anonymity, high population density, spatial mobility, ethnic and class heterogeneity and reduced family influence. Because the large cities spawn enormous social problems compounded of poverty, deprivation and prejudice they have become the locale for urban violence of terrifying proportions. These social conflagrations are beyond the resources of traditional police forces to handle. Police forces will have to learn to cope adequately with these situations so they may have to be prepared to abandon some of their traditions. But police in a democracy must learn to cope if we are to live under the rule of law. When the armed forces move in democracy evaporates.

THE ROLE OF THE POLICE

There are two generally accepted types of analysis of the police role in a democratic society. One form of analysis is to examine the law enforcement, the peacekeeping and the provision of service aspects of policing.

Law Enforcement — those areas of the law which proscribe actions involving harm to persons or property are the most significant to police and the enforcement of these laws and the detection and prosecution of offenders carry the highest priority in the collective police mind.

An effective police force must have the capacity to deal with armed and vicious criminality and must be equipped with suitable weapons to protect the lives of members of the community. The critical step of arming police must be accompanied with adequate training in weapon handling techniques and an abundant understanding of the legal and organisational strictures on weapon use. Police must be reminded of the counter-productive nature of the consequences of the use of firearms in any but the most critical situation.

KEEPING THE PEACE

There is a distinction between the law enforcer role wherein the police officer has a reactive and socially coercive function and the role of peace-keeping. An alternative label sometimes used is order maintenance but that seems to have overtones for perpetuating an existing order and thus cast police in the unwanted role of suppressors of the politically disenchanted. In their role of peace-keeping police are involved in incidents of domestic violence, complaints of hoodlum activity, vandalism, a multitude of noise complaints, prowlers, reports of shots fired, bomb threats and hoaxes and traffic complaints such as driveway obstruction.

PROVIDERS OF SERVICE

In a multitude of ways police provide a service to their community. While traffic accidents make the heaviest demand on police resources, police pass many messages relating to death or illness, search for missing persons, deal with abandoned vehicles, intoxicated persons, animals, fires in support of fire officers, mental patients, those who are suicidal and countless telephone calls seeking information. Those police who are more authoritarian or are committed to dealing with crime and criminals are sometimes irritated by these service type functions but the thoughtful police officer realises that to deal productively with the community in non-crisis situations establishes a relationship which becomes valuable when crises arise.

The second form of role analysis for Police is that posited by Chief Constable John Alderson[6] and others. This analysis suggests that policing can be reactive, preventive or pro-active. Reactive policing, involving a preparedness to respond to calls, whether they be of a law enforcement, peace-keeping or service nature, is described as fire brigade policing and measures its success in response times and the ability to meet the demands made on the system. Alderson suggests that if carried too far reactive policing can lead to a style more akin to that of an occupying army rather than to democratic community-based policing.

Preventive policing requires omnipresence and high visibility. It has been referred to as watchman's style policing or "scarecrow" policing. It involves crime prevention campaigns and relies heavily on having sufficient personnel.

Pro-active policing contains the elements of reactive and preventive policing but goes beyond both. Alderson indicates that whereas reactive and preventive policing policies tend to put the system on the defensive, pro-active policing reaches out to penetrate the community in a number of ways. Alderson saw this happening through such schemes as a schools police education programme, a victims of crime support scheme and adult education classes on police issues.

COERCION OR CO-OPERATION

Coercive measures have dominated the social control process down the centuries. These measures involved more laws, heavier punishment and more police.

Hundreds of pieces of legislation pour from Australian Parliaments each year on various issues. One quick response to social malaise is to provide more law and heavier penalties. Apart from odd pieces of new legislation required to cover technological innovations such as computers, there is an abundance of law to cover all forms of unsuitable conduct. Legislators have insufficient time to reconsider and perhaps prune some of the obsolescent and unsuitable or generally unpoliceable enactments from the forests of laws. More law is certainly not a complete answer to the problem of social control. Ingersoll[7] suggested that down through history, all nations seem to have had supreme confidence in the deterrent power of threatened or inflicted pain. They have regarded punishment as the shortest road to reformation. Imprisonment, torture and death constitute a trinity under whose protection society might feel secure. The ingenuity of man was exhausted in the construction of instruments which would surely rend the most sensitive nerve. But no matter how severe and painful the punishment was, crime increased. Increasing punishment will not necessarily aid social control.

If more law and heavier penalties are not the answer, nor is the notion that effective social control can be achieved by providing more and more police. If a community is not generally amenable and co-operative then an occupation army would not subdue its inclination to deviate. The democratic economic structure will not support totalitarian police forces.

We therefore need to take positive steps to reconstruct our processes of social control to allow for a very comprehensive involvement of the people in the task. But we should not amend our processes so much that the community becomes involved in a disordered way. Tranquillity and serenity are alien to communities where mobs seek violent retribution, where individuals use the public institutions for private vengeance.

Clifford[8] pointed out that it is an axiom of any democratic criminal justice system that it functions efficiently only in so far as it is capable of involving the public it serves. He suggested that appointing full-time people as judges, magistrates, police, probation or prison officers does not replace public interest or relieve the public of responsibility. Members of the public who provide information to the police are utterly indispensable to successful policing but the collective Australian intellect takes an adolescent view of this as 'dobbing in' or some such. A more mature national viewpoint must be encouraged.

If we can develop community thinking just a little about this problem they should come to realise the benefits which would flow from an increased involvement in social control. Thoughtful reflection brings surprise at the sheer effrontery of the hoodlum and the criminal in a society which generally rejects them, astonishment at the level of fear, inconvenience and danger the community accepts without positive reaction. We build houses like mini-fortresses, equip cars with burglar alarms, stay off the streets at night, pick up the children at schools and activities and regard all this as an inevitable consequence of progress. How much of this kind of progress can we tolerate?

There will not be any dramatic change in public attitudes or public social control activities but there will be perceptible attitudinal differences if police in democratic societies are prepared to lay their cards on the table and tell the people that they cannot function effectively without their help.

There has been more concern in the past to dazzle the public with organisational lustre, to metaphorically pat the public head and infer that God is in His heaven and all is well with the world. Criminologists who have worked to more clearly reveal the 'dark figure' of unreported crime have made a considerable dent in the self-satisfaction of those who measure police effectiveness by drawing up a balance sheet which compares clear-up rates with reported crime figures. We have only a relatively dim idea of the volume of crime in our land. Greater public interaction with police means more crime reported. We must conceive of a measure of effectiveness which takes into account the fact that intelligent community policing will probably upset the formerly carefully prepared balance sheet because of this increased reporting.

Police must be prepared to respond adequately to any increased public participation. A programme which generates public interest and involvement will soon collapse if that public is met with rudeness, ineptness, indolence or disinterest.

One factor which will ultimately force the Australian citizen into a greater involvement in social control processes is the emtreme sensitivity of the hip pocket nerve. As police budgets skyrocket the chorus of more and more police becomes less orchestrated in the public sector. It is a labour intensive industry which in New South Wales has an annual budget in excess of 260 million dollars. It is suggested that around 80 per cent of that budget is salaries. There is considerable discussion of ratios of police to population and comparisons are made between States, with overseas police forces, between towns and cities but it seems to have dubious value. Populations vary immensely in their propensity for crime, for community co-operation and cohesiveness and in a whole host of other ways. Sydney's "E" Police District embraces the northern suburbs and the Gosford-Central Coast area. It has a greater population than does "C" District, the eastern suburbs of Sydney, but needs less police. A more accurate ratio of police needed to population can only be assessed after a sociological analysis of the various populations and their idiosyncrasies.

There has been insufficient academic interest in this country in sociological or criminological phenomena which are associated with community dysfunction. There have probably been more studies carried out in prisons than in association with police. We police must overcome our inhibitions about working with researchers. The New South Wales Police Force is developing with Doctor G. McGrath, of the University of New England, the notion of an Institute of Police Studies. It is hoped that approval might be given for academics to be seconded from or given leave from their institutions for periods of empirical research in co-operation with police. Doctor McGrath has been working with police instructors and suburban police, studying domestic crises intervention with a view to providing improved education for police on the techniques and issues involved. He had previously studied the socialisation processes of police inductees. The long term aim of an Institute would be to provide educational subjects to complement police training curricula which would be of a quality which may ultimately receive recognition for credit towards UG3 tertiary qualification.

SOCIAL SAFETY COUNCILS[9]

A proposition which may engender an increase in interaction between the public and the police is the formation of social safety councils. Throughout the State of New South Wales a system of road safety councils flourished for some years and then languished, possibly for lack of funds or from overcentralised control. I had experience of these councils in two New South Wales country towns. Regular meetings were advertised and members of the public were invited to attend

to discuss issues related to road safety and vehicular safety in their localities. Many constructive suggestions were made and passed on to the Department of Motor Transport from these meetings. Many illconsidered propositions were also put forward at these meetings but these were almost always turned down after discussion by the group of sensible, concerned people who were familiar with the area and its needs. The involvment of police at these meetings was imperative as they provided useful consultative advice and frequently pointed out legal administrative and practical reasons why particular propositions should or should not be adopted or representations made to the relevant departments and the local member of parliament. This was an example of active participation by concerned individuals in a particular section of the social control process, that related to traffic. A similar system could be developed under the aegis of the local councils to develop a social safety council for each of the police divisions or districts in the various States. Representation on the council coulc come from the local government authority, business people, sporting organisations, service clubs, ratepayers' organisations, church groups and the like, together with the inspector of police, his senior uniformed sergeant, detective sergeant, traffic sergeant and licensing sergeant. If the council met quarterly and the meeting was publicised and open to the public it would provide an opportunity for citizens to put ideas and propositions in the area of social control and discuss local social issues which might benefit from police assistance and involvement. Complaints about the police should still be forwarded to the office of the Ombudsman, the police commissioner or the relevant official channel, for to use this meeting for this purpose would create disharmony, but it would be a useful arena to discuss police strategy and objectives and get citizen reaction to them. It would provide an avenue for people who were reluctant to approach the police themselves to furnish information to the police. This council would have a consultative role but if they were frustrated by the particular police involved they could take their complaints to the district superintendent or to the police commissioner. The council would not reduce the autonomy of police in their area but provide a forum for consultations with mandatory police participation. If council members were dissatisfied with a decision of the police and ultimately of the police commissioner they could always make an approach through the local member of parliament to bring their suggestion or proposition to the attention of the minister.

It would be valuable to have these councils function under the aegis of Local Government. Local Government bodies are often beset with complex problems and these vary considerably across the nation. Councils with minority groups, unemployment and other social problems would benefit from the collective wisdom of a Social Safety Council.

CONCLUSION

We have come to feel less responsibility for each other, particularly in urban society. There is loneliness in crowded cities. There is anxiety in Modern societies rooted in an assessment of being ineffacious in one's affairs. There is an increasing awareness that those having failing health or less physical strength, less political or economic power are more vulnerable. The corollary of the situation of vulnerability is fear.

To reduce the level of uncertainty and fear there is a need to develop a stronger sense of community, more family cohesiveness, a wider awareness of our dependence upon each other because of the complexities of modern urban life. It is mutually beneficial to be our brother's keepers. Sociologists have long recognised the social and cultural heterogeneity of urban life but recent events are underlining the necessity to more than casually acknowledge this fact, for we must actively concern ourselves with the socially catastrophic consequences of unordered intensified urbanisation. City dwellers must develop a deep and purposeful sense of responsibility for each other.

We police must realise that pro-active social control is an interdisciplinary problem. It will require a smooth integration of all available resources acting in unselfish concert to reduce the level of fear in the community concerning crime. Citizens will have more serenity when they feel that we have reduced their probability of becoming a victim. Democratic policing is irrevocably linked to co-operative policing. Coercive elements are necessary in the process to subdue those who choose to function outside the law and against the community.

Daniel Webster said, "Nothing will ruin the country if the people themselves will undertake its safety and nothing can save it if they leave it in any hands but their own." It is essential to the achievement of a satisfactory measure of social control in this society that each person should be aware that they have a responsibility to participate in the process. In a democratic society the people may rely upon the police but the police are not effective without the support of all people who value social peace.

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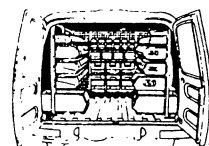9. AVERY, J.K., POLICE — Force or Service? Butterworths, Sydney, 1981.