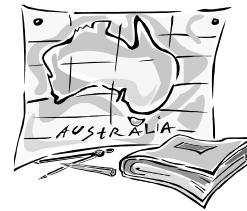


# Challenges and Changes of Public Order Policing in Australia.

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1901 Federation of Australia

6 state polices and two territory agencies  
(centralised, uniformed, bureaucratic police forces)

1981 Australian Federal Police

## Public Order Policing: some general comments

- Diverse forms of public protest
- Standing of police affected and often mirrored in public order policing
- Police mandate = enforcing the law and maintaining public order
- Contemporary POP in Western world:
  - minimising violence,
  - communication & liaison,
  - negotiated management,
  - protest permits

## Traditional Policing of Industrial Confrontation

- ❖ Police, with batons, escorting strike-breakers to the workplace → violent confrontations
- ❖ Police quelled industrial unrest
- ❖ Baton = symbol of police public order might
- ❖ (NOT the gun, very rare indeed in Australia)
- ❖ Criticism of police tactics (not involvement) that was criticised
- ❖ Policing industrial disputes in Australia:
  - i. erratic pattern of intermittent violence and oppression
  - ii. no formulated policy of repression
  - iii. police actions were swift and ruthless
  - iv. legalistic and forceful



## Failure to hold police accountable

Let's consider a few examples of police-worker confrontation:

Clunes Riot 1873

1912 Black Baton Friday, Brisbane

1948 St Patrick's day Bash, Brisbane

Death: rare (3 instances)

1919 Tommy Edwards, lumper at Freemantle wharf

1929 Norman Brown, ricocheted bullet

1928 Allan Whittaker



*There was a chap by the name of Whitakker, he was walking on the right-hand side of the waterfront. He got shot right through the back of his neck. The bullet came out through his mouth. I saw Whitakker fall and I turned round and said, "You dirty bastards, are you fair dinkum?" And I saw the constable go like that with his revolver ---- shoot off his arm, and I got shot right through my arm.*

Fellow stevedore Jim Nagel, 2 November 1928

No government inquiry, no police inquiry, no Royal Commission  
Police command, government, press = supporting ruthless actions in 1920s and 1930s

Police leadership: conservative, hard-line, anti-unionist, anti-worker, anti-Communist

Were police attempting to disperse the gatherings

or

actions designed to teach a lesson?

## Modern Trends

4 Anti-Vietnam War Protests  
July American consulates  
Moratoriums  
La Trobe University students

## 1970s onwards

- mobile TV cameras
- mere presence of journalists
- new police leadership
- greater accountability (eg, internal investigation units)



## 1990s

- > Prudent approach of foregoing arrests
- > Need for self-control and discipline when close physical contact between police and protesters
- > More tolerant approach, under-enforcement of the law
- > But significant exceptions, eg, 1993 Richmond Secondary College baton charge
- > Concept of negotiated management
- > Reneging on arrangements:
  - > 1997 Canada
  - > 1999 New Zealand
- > Police must "WIN", either by force or persuasion
- > In industrial disputes, "hasten slowly" so parties can negotiate
- > Police normally have superior force and weaponry
- > Specialist tactical response units
  - > BUT such units and technology only used on a limited basis to date



## 1998 Australian Waterfront Dispute

Rapport and protocols developed in 1990s

*We were driving through the heads of our blokes that the name of the game isn't to whack coppers ... you whack coppers you get pinched, you're not on the picket line any more. We weren't going to win picket lines by fighting coppers; what we had to do, was play it cool.*

BLF organiser, John Cummins

7 April 1998; Patrick Stevedoring sacked entire workforce (all MUA members)

Federal Government + Patrick versus Maritime Union of Australia

"War on the Wharves" ----- volatile and symbolic test case

Daily meetings of police & union organisers

Policing = peacekeeping and non-interventionist philosophy

East Swanson Dock: 18 April truce

Blockades: "community assemblies"

Chief Commissioner Comrie



Western Australia tactical response group's "tactical blunder"

21 April

State police commissioners wanted "a negotiated and non-violent" solution

No further attempts or sorties to break police lines

CRITICISMS

"law of the jungle"

Chris Corrigan, Patrick's Chairperson:

*I cannot remember a time when the rule of law has been so openly flouted for such a long period in Australia ... watched in dismay as police stood a few metres away as picketers welded steel girders into place across the road outside East Swanson dock...*

Police resisted employer & government pressures to smash pickets and community protests



Police considered potential consequences of their actions

Some interference to company business and some inconvenience to general public

BUT

"a good result" for 100 days operation (Commander Winther)

Compare policing of anti-globalisation demonstrations

Overseas ---- riot technology and weaponry

Melbourne's S11 (September 2000):

Protesters with diverse agendas, lacking leadership, fragmented strategies

TV footage of police aggression

New Industrial Relations legislation (2005) has virtually outlawed strike action

Will the non-confrontational and peacekeeping approach be tested in the future?



## Conclusion

❖ Today in Australia, police keep control of protest, mainly by persuasion and negotiation with various groups.

❖ Mechanisms of accountability of visible public order policing are much broader and more demanding of police than ever before.

❖ There are challenges ahead in maintaining the non-confrontation and non-interventionist approach.

❖ The BATON still remains the symbol of police might IF they are to use force at public disorder situations.

