Racism, Policing and Ethnic Youth Gangs[†]

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Introduction

The aim of this article is to raise a series of questions relating to young people, policing and racism. It will do so by examining issues associated with the presence of ethnic minority youth in public spaces such as the street and shopping centres. The overall intention of the article is to clarify the orientation and content of the diverse perspectives on and images of, the relationship between "crime" and "ethnic young people". This leads to a discussion of the general material reasons why conflicts between police and certain ethnic minority young people occur.

At the outset the general political context within which debates over ethnicity and crime are currently being framed is explored. The identification of different explanations for the link between particular ethnic minority groups and the criminal justice system is crucial to understanding and interpreting the role of the police in the criminalisation process generally. An examination of general media images of "ethnic youth gangs" as contrasted with recent academic studies of ethnic minority group activity follows.

The third part of the article explores the economic and social experiences of particular sections of the recently arrived migrant communities. In particular, issues such as the uneven distribution of poverty and unemployment, and the social impacts of alienation from mainstream social institutions, will be discussed. The final section examines the nature of police practices in the light of major class divisions within ethnic minority communities, and the role of the police in a period of profound economic downturn.

Crime, crime control and racism

If we believe that the crucial issue is one of "crime" and thus "crime control", then we might well conclude that public safety and law enforcement should be at the top of the political agenda. Alternatively, the demands of "social justice" may require that we ask different types of questions, and respond to apparent "criminal justice" matters with a different and wider reform agenda. The ways in which we conceptualise the problem have a tremendous bearing upon any action or policy taken to deal with it.

Table 1: Perspectives on Ethnicity and Criminal Justice

CONSERVATIVE	• assumes impartiality of system • sees crime as due to nature of particular community itself • emphasises "behaviour" of community members • focusses on issues of "underclass" and "culture of poverty" • sees crime in terms of "choice" and "responsibility" • assumes social difference based upon "pathology", "genetic inferiority" and "cultural backwardness" • stresses "equal treatment" and rule of law
LIBERAL	• defines goals of system as effectiveness and efficiency • sees crime in terms of blocked opportunities • examines relationship between "discretion" and "discrimination" • insists processes must be as fair and unbiased as possible • emphasises "tolerance" of other communities • assumes social differences based upon "cultural deprivation", "racist institutionalist barriers" and "historical legacy" • stresses "affirmative action" and special population needs
RADICAL	• focusses on wider societal processes and outcomes • sees crime in terms of basic structures of inequality, structural conditions of an underclass, and institutional racism • examines class-related processes of marginalisation • focusses on issues of insensitive and coercive policing, and criminalisation • emphasises racialisation of urban disorder and street life • assumes social differences are based upon "exploitation", inequality, "national oppression", political economy of migration • stresses anti-racist campaigns and social empowerment

The accompanying figure (Table 1) identifies and summarises three broad perspectives on the specific issue of "ethnicity and criminal justice".[1] According to a conservative perspective, the "problem" may not exist at all. that is, the system operates according to established rules and guidelines — such as the "rule of law" (everyone to be treated equally in the eyes of the law) — and the "race" or "ethnicity" of the offender is therefore irrelevant from the point of view of policing and courtroom practices. If there is something to be concerned about, it is simply that some groups in society are seen to be more criminal-oriented than others. This may be seen to be due to such factors as biological inferiority, cultural backwardness or

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1   Drawing upon the work of West, C (1987) "Race and Social Theory: Towards a Genealogical Materialist Analysis" in Davis, M, Marable, M, Pfeil, F and Sprinker, M (eds), *The Year Left 2: An American Socialist Yearbook* (1987); Williams, F, *Social Policy: A Critical Introduction* (1989); and Hudson, B, "Racism and Criminology: Concepts and Controversies" in Cook, D and Hudson, B (eds), *Racism and Criminology* (1993).

longer-term socialisation into a "culture of poverty". Obviously from this perspective the idea of institutional change is not of great importance.

According to a liberal perspective, there is indeed a problem. The focus here is on current and historical racist institutional barriers to "equal treatment". Some groups are singled out over others precisely because they have been denied the same educational and occupational opportunities as the mainstream majority. To overcome this problem, a series of reforms can be necessary. For example, it may be necessary to introduce "affirmative action" types of policies with regard to police hiring and promotion, and to address the special needs of special population groups (for example, language training programs). The call for change may incorporate reforms directed at a particular community itself, such as dealing with cultural "deprivation", emphasising "tolerance" on the part of the wider community-at-large, and ensuring that criminal justice processes be as impartial and fair as possible.

According to a radical perspective, the problem lies not with communities or specific institutional processes but with overarching power relationships and social divisions. In other words, racism is not simply a matter of procedures and discriminatory practices. It is ingrained in the institutional structures of a society based upon persistent inequality and unequal distribution of societal resources. The problem, in these terms, is the way in which the activities of particular minority groups are criminalised. This occurs through general marginalisation from the social and economic mainstream, which impacts on the form policing generally takes with respect to the marginalised. The stress here is on the manner in which "crime control" takes on a specific "racialised" character. The focus for action is on "social empowerment" of communities, anti-racist campaigns and re-distribution of wealth.

These three models of the link between ethnicity and the criminal justice system can be useful in providing insight into how particular players within the system, and their critics, view issues relating to crime, ethnicity and crime control. Fundamentally, they expose the *political dimensions* of any discussion and analysis of police-ethnic minority youth relations. Before we can talk sensibly about "improving relations", instituting "reform", or "promoting better understanding", it is essential to clarify positions, and the particular areas of compromise or principled difference that may accompany the processes of dialogue.

Identifying the conceptual basis for intervention is also important from the point of view of recognising major political differences within state agencies such as police departments, within specific ethnic communities, and among social workers, youth and community workers, academics, action groups and others who have something to contribute to the debates and discussions. The so called "ethnic" communities and their leaderships are politically heterogeneous, and major divisions exist on questions such as law and order policy and practices, often reflecting quite different class and social interests within and between communities.

It is important to separate out institutional pressures, sectional approaches and individual predispositions. Police may be under pressure from politicians wishing to gain populist voter support. A section such as a "police ethnic liaison unit" may take a particular approach. An individual may have a predisposition to reject or support reform measures. Each of these may impact upon specific types of interventions. The politics of racism and anti-racist strategies demands that we be sensitive to the possibility of working with people across different agencies, regardless of apparent ideological or institutional divides.

How we see an issue is not only a matter of underlying ideological framework. It is also influenced by immediate situational factors, such as the weight and direction of media attention on selected current affairs.

Ethnic youth gangs: Myths and realities

The term "gang" is highly emotive — yet, rarely does it have a fixed definition in terms of legal meaning or social use. It can be used to cover any group and any kind of activity engaged in by young people, or in a more specific sense, it may refer to those young people who combine together on a regular basis for the purposes of criminal activity. Imprecise definitions and perceptions based on stereotype are important backdrops to both media and police treatments of groups of ethnic young people.

Is the problem one of "ethnic youth gangs" or is the main issue the problems experienced by young people from particular minority ethnic group backgrounds? How we answer this question very much depends upon our frame of reference. Too often today, that "frame of reference" is provided by the media.

Table 2: Ethnic Youth Gangs

DIMENSIONS	MEDIA IMAGES	SOCIAL ANALYSIS
Formation	gangs, growing, fixed, formal gang rules	groups, transient, variable in size, informal structures
Activities	criminal, anti-social, use of weapons, public as targets	social, inward focus, "hanging out", incidental crime
Location	street, shopping centres, train stations	public spaces, commercial outlets, geographical territory
Basis of Membership	crime, masculine bravado	social activity, identity, peer support, aggressive masculinity
Visibility	gang name, graffiti, dress code,"ethnicity"	friendship networks, dress, name, ethnicity, collective presence
Class Background	lower class, refugees and recent migrants	working class (resources), middle class (style)
Gender Composition	male	predominantly male, "Aussie" women
Ethnic Composition	exclusive, "Asian", no differentiation	mixed backgrounds, exclusive membership
Discourse	"gangsters", "dangerous", "public threat", "secretive", "drugs"	"loyalty", "fun", "solidarity"
Basis of Conflict	cultural conflict, personal choice, bad behaviour	racism, police harassment, structural inequality

The accompanying figure (Table 2) attempts to compare media images of ethnic mi-
nority young people, and the findings of various recent social studies and analyses pertain-
ing to this issue.[2] As with most re-presentations, the media stories often do contain an
element of "truth" regarding their subject matter. However, the issue is one of selection of
"facts" and focus. The net result is one which is distorted through the conveying of par-
ticular stereotypes and one-sided images.

The over-riding message of most media reports, for example, is that "ethnic youth
gangs" are entirely negative, dangerous and threatening. Certain activities are elevated
into a central position — specifically criminal and violent actions — when in fact they are
rarely much more than incidental to the group activities, and they seldom involve serious
harm to people outside of the group milieux.

In recent years the hype and sensationalised treatment of "youth gangs" have tended to
have an increasingly *racialised* character. That is, the media have emphasised the "racial"
background of alleged gang members, and thereby fostered the perception that, for example,
"young Vietnamese" equals "gang member". This, in turn, has had an impact on police prac-
tices in certain localities.[3] As part of the media portrayal of youth activities and group forma-
tion, there is also the implication that all "Asians" are the same (for example, all Indo-Chinese
youth are Vietnamese), that gangs are fixed, and that the membership is ethnically exclusive.

More systematic social analysis of "youth gangs" has demonstrated a wide variation in group
formation, and a substantially different interpretation of youth attitudes and behaviour. While
some characteristics of the groups mirror the media representation (for example, the masculine
nature of youth gangs, their preferred "hang outs", and shared identity markers such as shoes or
clothes), the overall rationale for the group is simply one of *social connection*. It is not crime.

Various social analyses point out that the key issue, from the group members' perspec-
tive, is the lack of social space of their own. That is, due to factors such as lack of money
to consume and a dearth of "community space" in which to pursue their social activities,
many young people are visible in the public spaces of shopping centres, train stations and
malls.[4] The fact that this space is predominantly occupied by young men speaks volumes
about the different ways in which gender affects how people cope with things such as un-
employment, and the ways in which some forms of "masculinity" are being forged in the
contemporary time period. Once there the young people are subjected to constant harass-
ment from police, shopkeepers and other community members who contest their right to
use "commercial" space as "community" space.[5]

The extra "visibility" of young ethnic minority people feeds the media moral panic
over "youth gangs", as well as bolstering a racist stereotyping based upon physical ap-
pearance. It is assumed, for example, that because someone is a Vietnamese youth they

2   Aumair, M and Warren, I, "Characteristics of Juvenile Gangs in Melbourne" (1994) 13 *Youth Studies Aus-
       tralia* 2 at 40–4; Loo, E, "Riding on Platitudes and Prejudice: Media Coverage of John Newman and Viet-
       namese" (1994) *Media Information Australia* 74 at 73–6; Lyons, E, *Indo-Chinese Youth Relations with
       Victorian Police: The Power Imbalance* (1994) Honours Thesis, Criminology Department, University of
       Melbourne; and Lyons, E, *Youth Gangs in Melbourne: Youth Workers' Perspectives* (1994) (Criminology
       Department Honours Placement Report) Police Youth Advisory Unit, Melbourne.

3   See Lyons, Honours Thesis, id; and New South Wales Office of the Ombudsman *Race Relations and Our
       Police* (1994) Office of the NSW Ombudsman, Sydney.

4   White, R, *No Space Of Their Own: Young People and Social Control in Australia* (1990).

5   White, R, "Young People and the Policing of Community Space" (1993) 26 *Australian and New Zealand
       Journal of Criminology* 3 at 207–18.

must be a troublemaker, a "gangster" type looking to commit crime. Rarely are such young people considered to be "victims" or rights-holders with a legitimate stake in Australian society — the predominant image is one of deviancy and criminality.

The reality, however, is that much of the "criminality" exhibited by "youth gangs" is inward looking and linked to self-destructive behaviour such as substance abuse, drinking binges and the like. While the popular perception is that the "gangs" seek to violate the personal integrity and private property of the public in general, a closer investigation reveals the insular nature of much of their activity.[6]

In a society featuring official bi-partisan political support for the policy of "multiculturalism", and which is looking to Asia for the development of extensive new trade relationships, it is somewhat surprising how overtly racist some of the media, police and politicians' portrayals of young people actually are. To explain how and why this is the case, and why it is not necessarily incompatible with broad national cultural and trade concerns, we need to have some understanding of recent migration patterns. As we shall see, both media stereotyping and particular kinds of negative police practices are largely explainable in terms of the class position of sections of the newly arrived immigrant population.

Class, community and criminality

The migrant community in Australia is extensive and incredibly diverse. With over one hundred cultural and national groups represented, Australia is one of the most polyethnic countries in the world. The position of specific "ethnic" communities within the broad socio-economic and cultural structure of the nation has long been the source of concern by sociologists and others.[7] Such work has generally provided the following picture of the impact and experience of migration on both Australian society and the migrant communities themselves.

It is well recognised that while Australian society has been dramatically transformed in the post-World War Two period, the country's power structures have remained largely monocultural. The migrant experience with regard to educational attainment, employment chances, levels of wealth and income has varied depending upon the specific ethnic and cultural group, and from generation to generation within specific population groups. Some groups have been more disadvantaged than others at an institutional level in terms of gaining access to services, benefits and paid work. This is particularly the case with respect to people from other than English-speaking backgrounds. The experience of settlement has varied depending upon the particular time-frame within which the migration occurred (for example, the 1960s period of relative job prosperity versus periods of recession in the 1980s and 1990s).

Such observations provide a backdrop to discussions of the place and activities of migrant young people in Australia today.[8] In particular, it would appear that some recent non-English speaking migrants are in real danger of being marginalised and pushed into an "ethnic underclass".[9] Since 1976 non-European refugees and immigrants have increasingly replaced those from traditional European source countries. The new settler-arrivals

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6   See Aumair and Warren, above n2.

7   See, for example, Collins, J, *Migrant Hands in a Distant Land: Australia's Post-War Immigration* (1988); Castles, S, Kalantzis, M, Cope, B and Morrissey, M, *Mistaken Identity: Multiculturalism and the Demise of Nationalism in Australia* (1988): and Jamrozik, A, Boland, C and Urquhart, R, *Social Change and Cultural Transformation in Australia* (1995).

8   See also Guerra, C and White. R (eds), *Ethnic Minority Youth in Australia: Challenges and Myths* (1995).

9   Moss, I. *State of the Nation: A Report on People of Non-English Speaking Backgrounds* (1993) Human Rights and Equal Opportunity Commission, Canberra, Australian Government Publishing Service.

have been from areas such as South East, South and West Asia; the Middle East; Central and South America; and Africa and Oceania. They have arrived at a time witnessing profound changes in the traditional labour market, and a series of recessions over the last two decades. The result has been very high levels of unemployment in the post-1976 migrant communities, with extremely high levels of unemployment among migrants in the *refugee* categories.

The special difficulties faced by refugees needs to be highlighted. Such an analysis is warranted in the light of the fact that the images and perceptions of "ethnic youth gangs" appear to dovetail with those particular migrant young people with a refugee background.

Social indicators

As stated above, refugees have an extraordinarily high unemployment rate. This is compounded by several factors. For example, research has shown that 65.2 per cent of immigrants in the refugee category did not have a job in their country of origin. In a similar vein, refugees or immigrants from war-torn countries - such as the Lebanese, Vietnamese and Cambodians - were likely to have their schooling interrupted, and thus have very low levels of people with post-school qualifications.[10]

When jobs have been available, they have tended to be in the unskilled or semi-skilled areas. However, it has been pointed out that:

> Particular NESB [non-English speaking background] groups in the manufacturing sector are concentrated in sufficient numbers in vulnerable manufacturing industries for economic decline to severely affect the settlement prospects of those groups. The post-1976 NESB migrants most affected are the Vietnamese, Turkish, Lebanese, Polish and those from various small groups from Latin America.[11]

The extent and duration of unemployment are particularly pronounced for these same migrant communities. In May 1993 the unemployment rates for selected groups of NESB communities were: Lebanon (33.6 per cent), Turkey (33.5 per cent), Cambodia (34.7 per cent), Laos (45.5 per cent), Vietnam (30.5 per cent), Other Oceania (28.2 per cent), South America and the Caribbean (21.1 per cent). These figures in fact may be underestimates, due to the number of marginally attached and discouraged workers in the workforce.[12]

Overall, poverty and unemployment are high among the groups we have identified in this section. The position of these groups in the larger Australian context has been further undermined by cutbacks to ethnic community services and settlement agencies.[13] For present purposes it is also notable that unemployment is particularly serious given the age composition of certain communities: "52 per cent of the Vietnamese community is in the 15–34 year age group and 43 per cent of the Lebanese, compared with only 32 per cent of Australian-born".[14]

Official crime statistics

Cunneen notes the concerns which have been expressed with respect to Vietnamese young people, particularly those who were unattached minors at the time of arrival.[15] Basically, it was felt that such young people are especially vulnerable to unemployment due to lack

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10   Id.

11   Ibid, at 120.

12   Ibid, at 143.

13   Above n9.

14   Ibid, at 258.

15   Cunneen, C, *Juvenile Justice and Young People of Non-English Speaking Background: Discussion Paper* (1994) Human Rights and Equal Opportunity Commission, Sydney.

of language, skills and educational qualifications. The structural disadvantage they experience may, in turn, feed into various kinds of low level criminality.

However, study of the relationship between Vietnamese young people and juvenile crime has shown that unaccompanied Vietnamese immigrants had, in fact, a significantly lower offending rate than other young people.[16] Nevertheless, the identification of Vietnamese (and Cambodian) young people with "feral" youth who have had to cope with war and camp conditions is strong. It generally implies a level of "toughness" and "street-smarts" which is closely associated with the "gangster" image.

Certainly there now appears to be something new going on at the ground level of the criminal justice system. The images of "deviance" are steadily being matched by greater involvement of minority ethnic youth in the system. However, this cannot be explained away as somehow just a reflection of the "camp survivor" syndrome.

Previous analysis of crime rates and anti-social behaviour had demonstrated that Vietnamese young people (as a particular example) were generally under-represented in officially measured criminal activity. More recent work, however, seems to indicate a different trend. In New South Wales, for example, it has been pointed out that the number of Indo-Chinese young people entering juvenile justice detention centres has increased by over 200 per cent from 1991 to 1993.[17]

Many of these people were in custody for "drug offences". This trend needs to be placed in context, insofar as young people generally are over-represented in "drug offence" categories, and this offence category itself has tended to increase in recent years.[18] Furthermore, the bulk of "drug" cases involving young people centre on "soft" drugs such as cannabis, and low level offences such as possession of prohibited substances and possession of drug utensils.[19]

The general indicators outlined in this section point to two major trends pertaining to ethnic minority young people. The first is that increasing numbers of these young people are being *marginalised* economically and socially from the mainstream institutions of school and work. The second is that these same young people are increasingly coming to the attention of the criminal justice system. That is, they are subject to a growing *criminalisation* of their activities, as partially reflected in the statistics regarding detention rates.

Policing practices, ethnicity and social division

An examination of policing practices with respect to ethnic minority young people must consider two sets of basic questions. The first set includes, are these young people especially targeted for police attention due to their class position (that is, their marginalised status in society); and, does the style of policing involve discriminatory practices based upon racism of some kind (that is, their appearance).

The second set of questions revolve around the issues of whether or not policing is directed at crime prevention and responding to crime, or whether it is primarily oriented toward

16   Easteal, P, *Vietnamese Refugees: Crime Rates of Minors and Youths in NSW* (1989) Australian Institute of Criminology, Canberra.
17   Cain, M, *Juveniles in Detention. Special Needs Groups: Young Women, Aboriginal and Indo-Chinese Detainees* (1994) Information and Evaluation Series No 3, Department of Juvenile Justice, Sydney.
18   White, R, *Young People, Social Resources and the Underground Economy: A Community Worker Perspective* (1995) Working Papers No 14, Youth Research Centre, University of Melbourne.
19   Cunneen, C and White, R, *Juvenile Justice: An Australian Perspective* (1995).

containment of disorder associated with particular communities. Part of how we gauge our response to this lies in the specific nature of differential policing, and in particular the relationship between over-policing and under-policing on key dimensions.

Table 3: Differential Policing

	POLICE TASK ORIENTATION	
	Crime Control	**Order Maintenance**
Targets of Policing	individual offenders	particular groups, distinct backgrounds
Style of Policing	reactive	proactive, over-policed
Social Identifiers	marginalised, working class	non-consumers, ethnic "underclass"
Typical Response	force, arrest	social exclusion, intrusive, harassment
Concept of Crime	street crime especially "drugs"	visible presence, social difference
Concept of Victim	denial of victim status, especially racist violence, under-policed	denial of right to self-defence and use of public space
Operational Objective	law enforcement (rather than peacekeeping)	defence of private property, commercial activity and public order

The accompanying figure (Table 3) attempts to summarise some of the general features of *differential policing* which have been linked to particular ethnic minority groups. The experiences of ethnic minority youth are captured to some extent in the following stories:

> On 18 October 1991 a confrontation occurred at Turramurra Railway Station between a group of Asian and a group of non-Asian students. The Asian students, who were the victims, were arrested. No action was taken against the non-Asians.[20]

> I've walked in the city and have police just stop me. I was in a group of mainly Australians, big group of girls. Only three Asians there ... I walked past and saw the police so I kept walking 'cause I didn't want any trouble. One policeman, he stopped, he looked around and said come here. Just me. I grew up with authority so I have to respect authority. I approached him and he asked me for my ticket. I showed him my ticket then he asked for my ID. I go 'what for'? He goes 'if you're not going to give me your ID now, I'm going to take you back to the station and you're going to have to give it to me anyway'. All right so I show him my ID right, so I go all right I'll just help. Then they wanted to search me! This is in front of all my friends, all the Australian people, they wanted to search me and search me. I was really pissed off! I felt lower class![21]

20   NSW Ombudsman, above n3 at 3.

For the young people in our survey police effort was far more likely to be targeted at those from Asian, Aboriginal and Pacific Islander backgrounds. For these young people, police contact often amounts to public harassment. Police are zealous to the point of breaching Australia's international human rights obligations. Such treatment of young people would be considered as psychologically and physically abusive if perpetrated by any other servant of the state. ... Why should invasive, violent, racist and abusive behaviour by police be considered to be legimate or acceptable? Police should not be immune to the standards of behaviour expected of others who have high levels of contact with young people.[22]

The cops pick on Asians.

If a law was brought in, would that mean police can't get away with being racist, because they're the worst.

The police force are racist, they pick on you if you look different.[23]

The growing research on police/ethnic minority youth which has been undertaken in Australia appears to confirm that many minority young people feel that the police do not respect them. At a practical level, this is conveyed by both high levels of intervention into their affairs, often accompanied by measures such as name-checks and body searches, and by the use of racist language and patronising attitudes.

The overall approach to police/youth interaction in such circumstances appears to be premised upon suspicion, uncertainty and hostility to a *group as a whole*. The character of the contact stems from two basic causes. The first is associated with how the police deal with marginalised young people regardless of specific social background.

It has been argued, for instance, that considerable effort is currently being put into keeping young people off of the streets, and especially away from areas where their presence is not linked to commercial consumption activities.[24] *Public space* or the "street" can be defined as space which is generally "open" to the public and which incorporates roads, footpaths, beaches and parks, as well as specific buildings and structures such as plazas, malls and shopping centres. They are key sites in which young people congregate; they are simultaneously major target areas for law and order policies and, in particular, police intervention.

This is reflected in both legislative moves to grant police extra "move on" and "name check" powers (as in Victoria), and in efforts to regulate the street-level movements of young people by emphasising parental responsibility (as in New South Wales). It is also reflected in specific police campaigns, such as "Operation Sweep" in Western Australia, directed at clearing the streets (in particular business and commercial areas) of young people past a certain time. It needs to be emphasised here that young people do not have to have been doing anything wrong, to be committing a criminal offence, before police can intervene to move them on.

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21   Quoted in Lyons, *Indo Chinese Youth Relations*, above n2 at 32–3.
22   Youth Justice Coalition, Western Sydney Juvenile Justice Interest Group and Youth Action and Policy Association, *Nobody Listens: The Experience of Contact between Young People and Police* (1994) Youth Justice Coalition of New South Wales, Sydney at 1.
23   Abbantangelo, J, *Young People and Racism: A Report on a Consultation held with Young People* (1991) Ethnic Youth Issues Network, Melbourne at 12.
24   See White, R, "Street Life: Police Practices and Youth Behaviour" in White, R and Alder, C (eds), *The Police and Young People in Australia* (1994); and above n19.

The second factor has to do with the physical appearance and general visibility of some groups of young people. Language, clothes and skin colour are all used as informal cues for the police in sizing up how to deal with particular young people. Given both the marginalised position of young people such as Vietnamese and Lebanese migrants, and the media hype regarding "ethnic youth gangs", it is likely that such young people will be the subject of heightened police surveillance and intervention. The problem of *over-policing* is a major one for many of these young people. This is compounded by the ways in which private security firms and shopping centre staff attempt to regulate and exclude young people from certain publicly accessible premises.

While ethnic minority youth are generally portrayed as threatening and dangerous, and as the main villains in the public domain, the reality is of course quite different. As discussed earlier, most young people hang around together for social, rather than criminal, reasons. For many Vietnamese, Cambodian and Laotion young people (among others) there is often an additional reason as well. The fact is that many ethnic minority youth are subject to persistent, aggressive racism and constant threat of physical and verbal attack in our society.[25]

A major source of frustration for many young people is that the status of ethnic minority young people as *victims* of racist abuse and physical attack is not acknowledged fully by the state authorities. While criminal violence and anti-social behaviour is seen as part and parcel of the migrant presence on the street, there certainly is no corresponding moral panic about racist violence.[26] This in turn fuels another aspect of the contradictions faced by ethnic minority youth with respect to police practices — when victimised, they are treated to systematic *under-policing*. Far too often their complaints and fears are dismissed or just simply not taken seriously.

Furthermore, the lack of police protection can lead some young people to adopt the stance that "self-defence is no offence"[27] and thus to arm themselves against racist attacks. Concern about the carrying of "weapons", however, is often used to justify even further police intervention in the lives of these young people and the passing of laws which prohibit the possession of certain implements — and thus the potential victim is transformed into actual offender.

Conclusion

The policing of ethnic minority young people is racist across several dimensions. It is often racist at the level of the *interaction* itself (that is, via attitudes and language). It is racist *institutionally* from the point of view of the unequal social and economic distribution of societal resources, manifested by the poverty and unemployment, which constitute the basis for differential policing. The poor and dispossessed are characteristically over-policed in a class-divided society. The concentration of particular ethnic communities among the poor adds further visible markers for the police to "do their job" of containing public disorder and maintaining existing commercial and private property relations.

The reform of police-ethnic minority youth relations will be meaningful and positive only if we address change at several different levels. As indicated in the first section of

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25   Moss, I and Castan, R, *Racist Violence: Report of the National Inquiry into Racist Violence in Australia* (1991) Human Rights and Equal Opportunity Commission, Canberra, Australian Government Publishing Service.
26   See Hudson, above n1.
27   See Edwards, J, Oakley, R and Carey, S, "Street Life, Ethnicity and Social Policy" in Gaskell, G and Benewick, R (eds), *The Crowd in Contemporary Britain* (1987).

this paper, how we see "the problem" depends upon one's political perspective. However, as this essay has also demonstrated, there are certain empirical realities which are nevertheless inescapable and which demand a response of some kind. The challenge is to acknowledge the profound divisions in Australian society which are fomenting increasing conflict in our cities and local neighbourhoods, and to engage in positive campaigns to redress the situation.

In practice, this means actively confronting the issue of racism in our everyday lives. To do this means to focus on the problem of *white racism*, not just to speak to particular ethnic minority groups about "their" problems. Racist violence needs to be politicised at the local neighbourhood level, as does the oppressive nature of marginalisation on specific ethnic groups and communities in Australia. The democratisation of "community space" is an important component of any social empowerment strategy. Ultimately, racism is a structural issue which requires profound economic and social changes in the society generally.

The ways in which racism becomes entrenched in particular institutional practices (for example, targeting "ethnic youth gangs"), regardless of operational intention (for example, "cleaning up the streets"), is a big problem. With respect to policing strategies, greater attention has to be given to less interventionist types and styles of policing, especially since street policing is at the root of much of the conflict between ethnic minority youth and the police. Similarly, the police can do a lot to publicly de-mystify the media images of youthful offending and the phenomenon of "ethnic youth gangs". The point of intervention should be to defuse conflict, not exacerbate it.

It is essential to develop accessible, well resourced and independent accountability structures. Interpersonal racism must be dealt with immediately, and with appropriate sanctions. To do so requires a permanent regulatory body to monitor police behaviour and activity, with the power to take submissions from members of the community at large on both specific incidents and general operational trends. The protection of human rights is and should be non-negotiable.

The development and fostering of specific strategies designed to "promote a better understanding between police and youth of diverse cultures" must begin with a coherent and systematic understanding of the nature of the problem. The idea that police training in "cultural diversity awareness" or other similar programs is the key simply begs the larger social issues. Overseas experience indicates, for instance, that cross-cultural sensitivity training, on its own, often merely translates into more effective ways to police these same groups — rather than altering the substantive nature of their relationship with the police. Such training can help mask the racism underpinning police intervention.[28] We might legitimately ask whether it is even possible to conceive of police training and police operations which are premised upon anti-racist and social reform strategies, particularly in the current political climate in most Australian states today.

This paper has attempted to sketch out a range of ideas which illustrate the complexities of and material background to issues of racism, crime and crime control. The task ahead is to translate these understandings into viable, practicable activities and programs which will actually make a difference in the lives of both police and ethnic minority young people alike.

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28   See Barlow, D and Barlow, M, "Cultural Diversity Training in Criminal Justice: A Progressive or Conservative Reform?" (1993) 20 *Social Justice* 3–4 at 69–84.