

# Books

THE POLICE AND YOUNG PEOPLE IN AUSTRALIA by  
Rob White and Christine Alder (eds), Melbourne,  
Cambridge University Press, 1994, 288pp, \$29.95,  
ISBN 0 521 43426 2

---

Over the past decade there has been renewed attention to juvenile justice issues in Australia and there have been significant changes in juvenile justice practices in most states and territories. Changes in legislation, policy and practice have often occurred in the absence of research or in a direction at odds with research, and in a manner dictated by presumed short term political gain. The Western Australian reforms of 1992 are perhaps the most blatant example of a progressive reform agenda being stymied by a political response to an alleged crisis in juvenile justice, in that instance, one which was largely manufactured by a small but influential part of the media.

While many of the changes in juvenile justice practices which have occurred over this period are the consequence of legislative reform, important shifts in juvenile justice practices have also occurred in an informal and localised way. Indeed in recent years localised experimentation with modes of intervention into the lives of young people who come to the attention of criminal justice agencies has been common place. Stephen James, in his contribution to this volume, has described the rate of change in police-youth based programs as "breathtaking"! (p202) The public police have been central to some of these new initiatives, and indeed it is their crucial role as gatekeepers to the criminal justice system, and the breadth of their discretion, which have allowed such practices to develop. While careful evaluation and controlled experimentation is now underway concerning the controversial Family Group Conference, at least in some locations, other practices have developed in the absence of adequate guidelines and without careful review. The Community Aid Panels in operation in some parts of New South Wales are one such example. It is not always entirely clear what the objectives of new practices might be, and in some instances the same initiative (or a variant thereof) has been introduced in different places in the service of quite different instrumental and symbolic ends. The Family Group Conference for instance seems in danger of being represented as all things to all people. It is vital that juvenile justice practices in all their diversity continue to be monitored and evaluated. It is also vital that the factors which shape police interactions with young people, both in their more conventional policing practices, and in the development of new programs and initiatives, be better understood.

*The Police and Young People in Australia*, edited by Rob White and Christine Alder is a welcome contribution to the literature, and to the ongoing analysis of police practices with respect to young people. It is avowedly aimed at influencing the future direction of legislation and policy. It provides a wealth of information about the factors which influence the policing of young people, and collectively the essays reinforce the need to look beyond a narrow focus on law and policy, to recognise the influences of police culture, and of broader economic, social and cultural factors in shaping police-youth interactions. The focus on police-youth interactions is a crucial one which recognises

that decisions taken by police have profound implications for whether there will be further criminal justice system intervention in the lives of young people and what form that intervention might take.

Several of the chapters provide a timely reminder that concerns about young people, and particularly about their use of public space, are not new. Mark Finnane takes as his starting point an examination of the construction of "the larrikin" as a 19th century expression of concern with youth behaviour. His work, together with several other chapters and especially those of Kate Warner and of Stephen James, demonstrates the array of formal and informal practices which police have resorted to in their interactions with young people, and that these practices have been and continue to be, organised around particular understandings of race/ethnicity, sex, age, class and notions of respectability. Chris Cunneen provides a compelling analysis of the policing of Aboriginal young people, examined in the context of colonial and neo-colonial relations. He traces the shift of policing from their involvement in the regulation of Aboriginal families and the removal of children to the increasing use of criminalisation.

The manner in which particular social categories of young people experience policing is also examined by Christine Alder in her chapter concerning young women, and by Janet Chan's chapter concerning ethnic youth. Alder's chapter is helpful in moving beyond a narrow focus on the equality (or otherwise) of the treatment of girls and boys, and raises important questions about the interaction of class, race, age and demeanour in influencing police decisions concerning young women. It also acknowledges the network of informal and formal modes of control in young women's lives. Chan's work is notable for its careful and critical attention to the notion of community in contemporary policing, a focus which avoids the tendency of literature on community policing to fall into either a simplistic acceptance of the construct, or equally problematic, the cursory dismissal of community policing. In common with other chapters in the collection she concludes that more fundamental changes in policing and police culture are necessary if the relations between police and marginal ethnic youth are to be improved, including a genuine commitment to due process and the recognition that "troublesome youth" are also part of the community.

While several chapters outline the continuities between past and present features of police and youth interactions, particularly around public space, Rob White's chapter in part is aimed at identifying important changes in urban life and the urban political economy which shape such interactions. He takes as his focus the regulation and commercialisation of malls and shopping centres. Youth who are not seen as legitimate consumers are denied a place in such spaces, and in a time of high youth unemployment, and shrinking welfare dollars, policing seems focused on rendering such youth invisible. Here perhaps more acknowledgment could have been given to the involvement of private policing agencies in the regulation of such spaces.

An important focus of this collection of essays is "the social and legal construction of rights of young people and their difficulties in exercising these rights in their contact with the police" (p2). This issue is dealt with most directly by Ian O'Connor, but several other chapters also provide a clear indication that rights are largely denied to young people in their encounters with

police, and that the attempt to exercise such rights may be to a young person's detriment.

Other concerns raised in this collection of essays include the need for a critical appreciation of the manner in which statistics on the policing of youth are constructed by police, the call to recognise that young people are often the victims of crime, including violence at the hands of the police, and the need for new programs aimed at relations between police and youth to genuinely encourage consultation with and participation by young people.

*The Police and Young People in Australia* is one of several recent contributions to the literature on juvenile justice in this country, and there are several others currently in production. However, this book is distinctive in several ways. It considers gender, race/ethnicity and class seriously, as central to the analysis rather than relegated to the footnotes or a token chapter. The book moves beyond a simple catalogue of police abuses of power with respect to young people, and examines police-youth relations in the context of police culture and broader factors shaping police-youth interaction. It looks beyond legislation and policy to give due consideration to the informal nature of most encounters between police and young people. The book is of direct relevance to current debates in juvenile justice. It is an important collection which I am happy to recommend strongly. It is likely to be a useful student reference and an important resource for the future development of juvenile justice policy and practice.

JULIE STUBBS\*

PLACES WORTH KEEPING: CONSERVATIONISTS,  
POLITICS AND LAW IN AUSTRALIA by Tim Bonyhady,  
St Leonards, NSW, Allen & Unwin, 1994, 208pp, \$19.95,  
ISBN 1 86373 448 1

---

Law and legal policy books are generally turgid affairs, a little above reading the Government Gazette. Most people open them to pluck out the references they need and put them back on the shelf where they belong. If, like me you tend to give book reviews a wide berth too, before you turn the page, please understand that *Places Worth Keeping* is a fascinating read. It should be a compulsory starting point for people developing an interest in the law and politics of defending the environment. *Places Worth Keeping* will also anger you.

The book is interesting for its analysis of individual disputes, including the battle for Fraser Island and for the bats in the Mount Etna caves. But perhaps more importantly the analysis makes it clear the way environmental decisions generally are made. It confirms the advice the Environmental Defender's Office always gives to people; the law is a tool, it can influence outcomes, it can be part of a campaign but it certainly does not determine outcomes.

---

\* Senior Lecturer, Faculty of Law, University of Sydney.