Aboriginal Communities and the Police's Taskforce Themis

Case studies in remote Aboriginal community policing in the Northern Territory

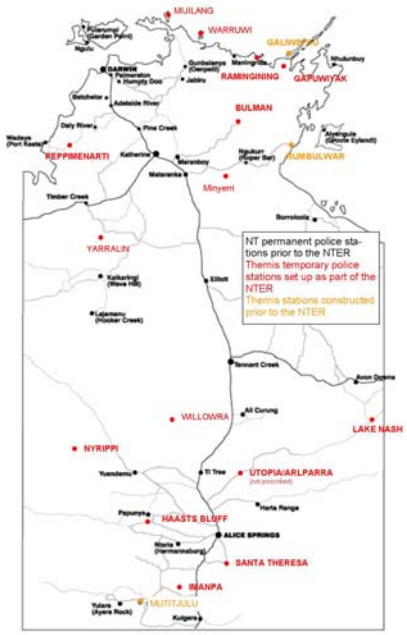
NAAJA North Australian Aboriginal Justice Agency

CAALAS central australian aboriginal legal aid service inc

Taskforce Themis

Objectives:

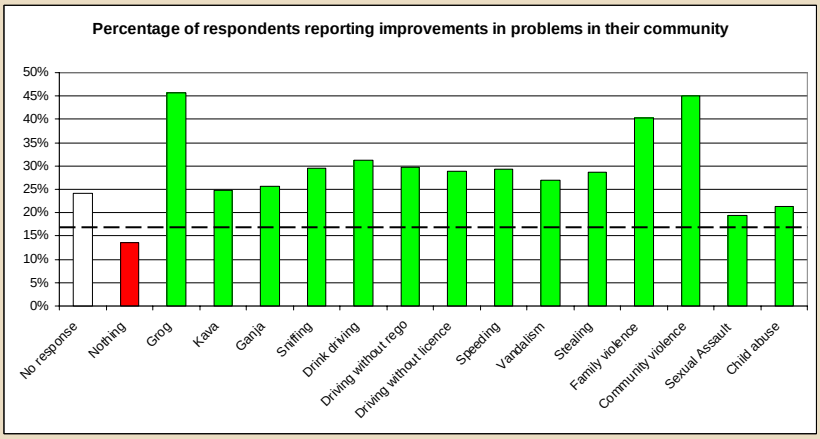
- Establish peace and good order in the Prescribed Communities
- Intervene with targeted and controlled responses, in collaborative partnerships, to identified priorities, including:
  - Child abuse
  - Personal and domestic violence
  - Alcohol and other substance abuse
  - Pornography
- Through structured community engagement, provide opportunities for the citizens to influence policing priorities in their particular community.



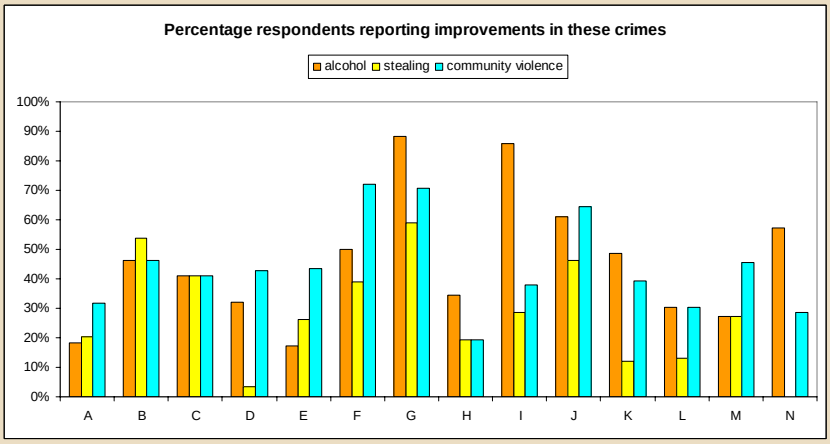
Research Background

- Funded by Attorney General's Department
- Carried out by NAAJA and CAALAS
- Involved 331 surveys and 70 interviews
- Data from NT police and NT Department of Justice.
- 1-34% of adults surveyed (est.) average of 6%
- Gender balance 45%/55% M/F

Have things gotten better?



Breakdown by community



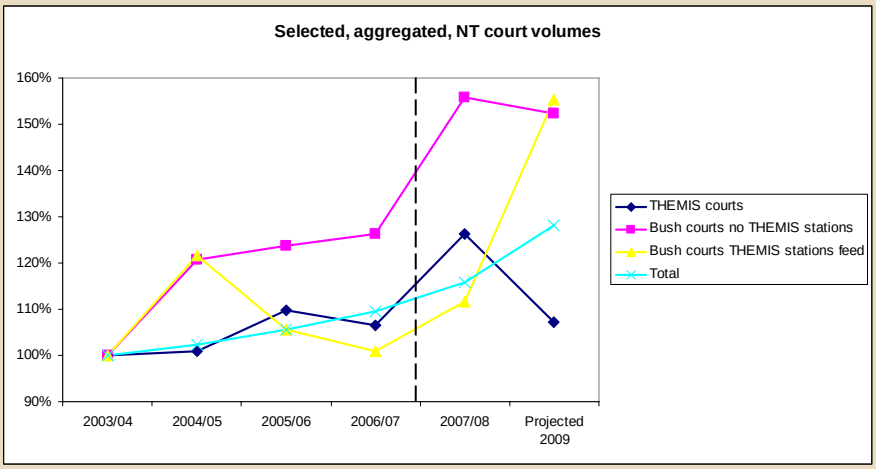
Why the differences?

- No common police practices in all communities reporting large improvements.
- Did share 'involvement' and 'active policing'.

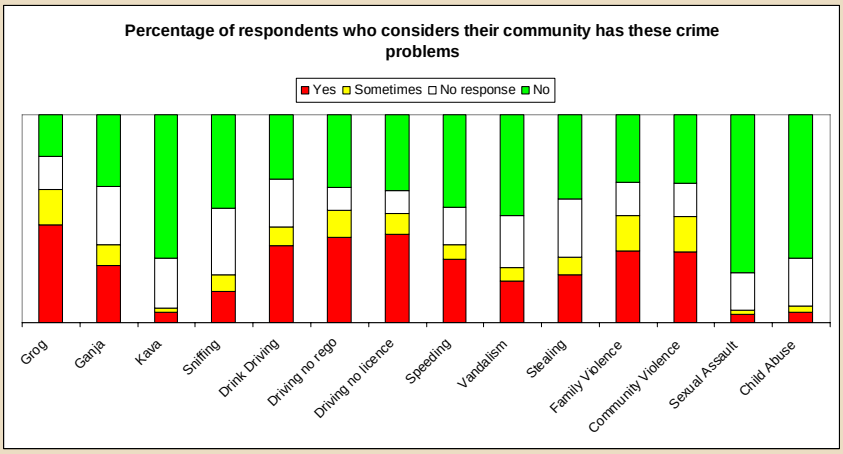
- There *were* common factors in all communities reporting few improvements:

  'inactivity' and 'unresponsiveness'

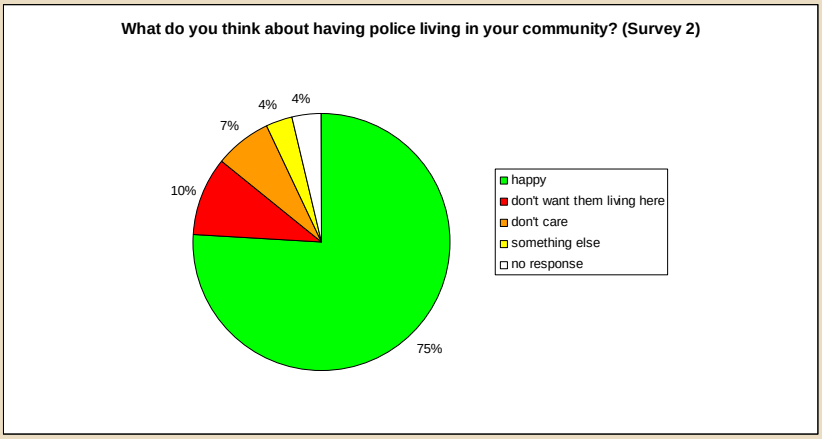
Court volumes



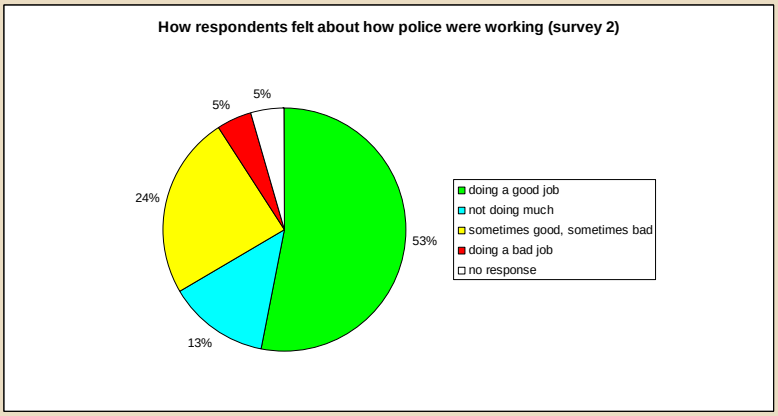
Community Safety Issues

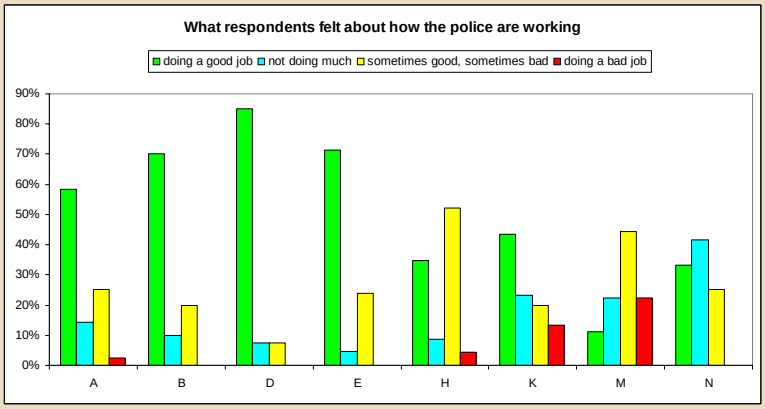


Approval of police presence



Approval of police work

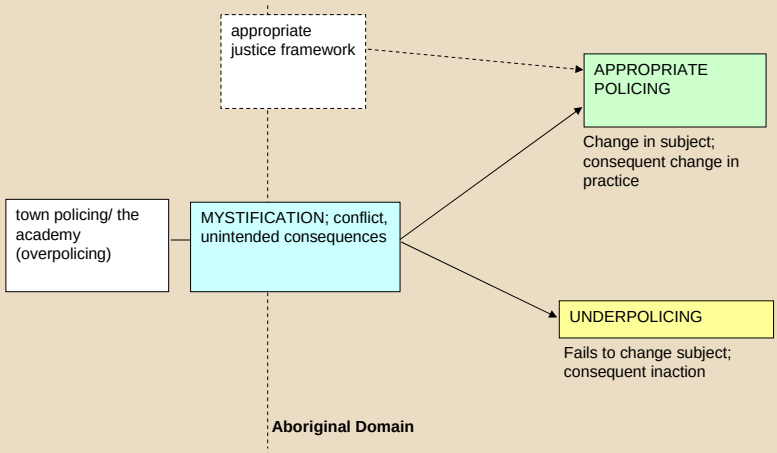




Why the difference?

- High approval of police presence where police where seen to engage with the community.
- Levels of crime not a major factor in determining approval rating for police presence.
- Again, low approval ratings linked to unresponsiveness.
- High variations over time.

Model of policing



Rethinking "culturally appropriate"

- Social, economic and political context
- Practical in nature
- Correlation between respecting culture and trust levels
- About being more effective in a job – in this case, solving more crimes
- Some police appeared to demonstrate 'appropriate policing'

Major complaints

- Police regularly entering houses without warrants or permission
- Fines for people driving unregistered or unlicensed, including in the bush
- Police searching bags
- Police being racially discriminatory
- Police being unresponsive to crime
- Police being 'rough' or 'cheeky'

Is entry lawful?

NT Police Administration Act

- Premise
- Reasonable grounds

NT Liquor Act

- suspects a relevant offence has been, or is being or likely to be, committed
- Or on a *random basis(s95)*
- enter and search an area of land *anywhere*
- Can confiscate any thing found

NTNER Act (Cwlth)

- All Aboriginal land
- Private as if it were public

NT Interpretation Act s59A1

Where by or under a law of the Territory a right, privilege, obligation or liability is expressed … to a public place, public street, public road, place of public resort or other place, however described, open to or used by the public or to which the public has access, whether as of right or on the payment of a fee or other charge, that reference includes, and shall be deemed always to have included, any place which but for the fact that it was on Aboriginal land within the meaning of the *Aboriginal Land Rights (Northern Territory) Act 1976* of the Commonwealth, would have been included in such a reference, and even though that Act of the Commonwealth or the *Aboriginal Land Act* limits the persons or classes of persons who may enter and remain on that Aboriginal land.

Unpacking unsafe driving

NT Traffic Act

- Public place (s32)
- Public street (s33)

But what about the NT Interpretation Act?

Nowhere left to go...

NTNER Act + NT Liquor Act means no drinking on:

- All Aboriginal land
- All Aboriginal Urban Living Areas
- All public places in nearly all regional towns outside Darwin
- Many public places in Darwin
- Most public housing

Rise in unsafe drinking

- Extreme danger of blue sign drinking areas
- One death so far?
- Rise in sly grog, binge drinking and criminalisation

Disproportional criminalisation of Indigenous people

Report can be downloaded from:

http://www.apo.org.au/research/aboriginal-communities-and-polices-taskforce-themis