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### Thinking Critically about Police Unions in Australia: Internal Democracy and External Responsiveness

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# Thinking Critically about Police Unions in Australia: Internal Democracy and External Responsiveness

Mark Burgess, Jenny Fleming & Monique Marks

*This paper considers the challenges for Australian police unions in the 21st century. The empirical evidence is drawn from research conducted by two of the authors for the Police Federation of Australia (PFA) in 2003–2004. The paper first outlines the changing field of policing in which police unions exist, then provides background information on the various state and territory unions/associations and the PFA. The paper demonstrates that while police unions in Australia have won considerable gains for their members and contributed significantly to police reform, their current agendas are somewhat narrow. The paper contends that this is owing to the conservative membership base of police unions, ambivalent identification with the labour movement, and poorly defined conceptions of professionalism. The final section of the paper identifies four central challenges facing Australian police unions and attempts by the police unions to respond to these challenges.*

*Keywords:* Policing; Australia; Police Unions; Police Associations; Privatisation; Professionalisation; Democracy

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## Introduction

The impetus for this research came from public concerns about whether or not police unions are opposed to police reform and whether they are generally obstructionist in their attitudes to innovative police practice. The authors were interested in exploring the extent to which Australian police unions were adapting to the changes taking place within policing and to what extent their internal organisational capacity enabled them to contribute to the development of policing. Senior union officials agreed that the police union movement could benefit from such research and that the Police Federation of Australia (PFA) should participate. Such a project would give them an opportunity to present their views on their engagement with governments and police management, and on future challenges.

The project began with the distribution of a questionnaire to senior officials representing all police unions in Australia. In most instances it was the President who formally responded. The questionnaire asked basic framing questions on organisational structure; the relationship with management; membership levels; branch meeting attendance; consultation mechanisms; and member benefits. Also, the unions were asked to identify what they perceived as the most salient issues for the membership and to consider future challenges for policing and police unions. The questionnaire formed the basis for subsequent interviews with senior members of the various organisations. Police union documentation such as annual reports, journals, activity statements, and conference agendas supplemented the questionnaire and the interviews.

This paper shows that police unions in Australia have made significant contributions to improving the working conditions of police officers and in shaping change within public police organisations. However, the extent to which police unions are able to contribute to reform programmes is limited by (1) police union leaders' concern with meeting the needs and demands of their conservative membership base; (2) ambivalent identifications with the labour movement; and (3) poorly defined conceptions of professionalism.

The research identified four central challenges for Australian police unions in the context of the changing nature of policing. These challenges include, (1) broadening police union agendas to include issues external to industrial matters; (2) expanding their notion of professionalism; (3) increasing member participation in police union activities and processes; and (4) expanding their research capacity to engage better in policy debates about policing in the 21st century.

## Australian Police Associations

Australia is a federation of six states: Queensland, New South Wales, Victoria, Tasmania, South Australia, and Western Australia and two territories, the Australian Capital Territory (ACT) and the Northern Territory. Each state and territory has its own police force administered by its government. The Australian Federal Police (AFP) is the federal law enforcement agency. It also provides community policing services to the ACT government. The eight police forces range in size from New South Wales with

almost 15,000 officers, to the Northern Territory with 1,000. The national total is approximately 50,000 officers.

Each force or jurisdiction is represented by a police union.<sup>1</sup> Approximately 99% of all Australian police are members of an employee organisation. Each of the police forces in Australia operates independently. Each has a commissioner of police and a police or justice minister responsible to their respective governments. Commissioners and ministers have distinctly separate powers although in more recent times the independence of commissioners has come into question (Fleming, 2004).

Australian police unionism began in South Australia with the formation of the Police Association in 1911. Since then it has played an important role in improving the welfare and interests of police at both the state and federal levels. The unions have successfully established a continuing consultative relationship with governments whereby their views on policy, legislation, and resource allocation are frequently sought. They are 'high profile insiders' whose skills in cultivating public opinion, consolidating relationships with governments, and using the media have legitimised their role as pivotal players in the determination of criminal justice policy and administration (Fleming & Marks, 2004).

Each union is a separate 'bargaining unit' and most are registered as industrial organisations under their state or territory industrial legislation. The AFP union operates under the federal government's industrial legislation as does the Victorian Police Association, whose government ceded its powers over industrial relations to the federal government in 1996.

In 1998, the PFA was registered under the federal *Workplace Relations Act*. Australian police now have a two-tiered system of representation. Officers are members of their own state, territory, or federal union and, at the same time, members of the PFA at the national level. The rules of the PFA have an 'autonomy' provision: it cannot direct any of its branches to undertake certain actions. All branches have autonomy to operate, particularly in relation to industrial relations and finances. Thus, one of the strengths of the PFA is the goodwill that must exist for the organisation to operate effectively. Since the inception of the PFA in 1998 it has made a point of operating on consensus rather than majority rule.

The state, territory, and federal unions have built a formidable reputation for their ability to lobby their governments on policing issues, particularly pay and conditions for their members. Over time, they have engaged in overt political lobbying and industrial and political action to achieve their strategies. Their use of the media has also played a key role in their campaigns. On several occasions such industrial and political action, together with media campaigning, has resulted in state police unions overturning a government. Police pay and resources have generally been at the forefront of the most hostile of these campaigns (Finnane, 2002; Fleming & Lafferty, 2001).

### **The Changing Context of Policing**

There is consensus among academics and practitioners that policing is experiencing significant change in terms of strategies, organisational structuring, and diversification

in the range of agencies involved in policing activities. Several studies note the changes in police organisational structure from applying new managerial techniques (Dixon, Kouzmin, & Korac-Kakabadse, 1998; McLaughlin & Murji, 1997), and labour management-relations reform (Hewitt, 1978; Reiner, 1978; Swanton, 1983). In line with public sector administrative trends, regionalisation has also occurred, whereby responsibility, authority, and control are devolved to improve efficiency and strengthen accountability (Boswell, 1994; Fleming & Lafferty, 2000).

Some of the most significant observations about revolution in policing have been about the governance of security. Scholars are steeped in debates on the diversification of institutions involved in crime control and other policing activities (Bayley & Shearing, 1996, 2001; Grabosky, 2001; Johnston, 1996, 2000; Marx, 1989), the privatisation of policing, and the growth of networks and partnerships (Garland, 2001; Loader, 2000). In the pluralised field of policing, activities are now carried out by a plethora of agencies including private security agencies, citizen (volunteer) groupings, and the public police—all attempting to maximise security and minimise risk (Johnston, 2000). Australian police services are thinking more seriously about strategic management (Nixon, 2002; Palmer, 1994) and innovation (Boswell, 1994; Etter, 1995), and have recognised the slow transformation of policing from occupational to professional status (Rohl & Barnsley, 1995).

In varying degrees, police unions have responded positively to the managerial and administrative changes of the 1980s (Fleming & Lafferty, 2000, pp. 164–165). While in the early days of corporate management, police unions challenged private sector mentalities and technologies, particularly those aimed at increasing productivity through democratising the workplace (Reiner, 1978), now police unions realise the benefits of more participatory management for their members. Indeed, many of the organisations have reformed their own branch and delegate structures for stronger accountability and transparency in decision-making (interview with President of the New South Wales Police Association, November 2004; see also Alexander, Green, & Wilson, 1998).

The unions, however, remain deafeningly silent on the transformation of the governance of policing. As we shall see, they deny there is a ‘proliferation of police agencies, including the significant growth of private security’ (Prenzler & Sarre, 2002, p. 52), and vigorously defend their public monopoly over policing. Arguably, denial is a coping strategy for the inevitable encroachment of private agencies in policing. Their silence could reflect the fact that these issues are not currently confronting the police unions, or that the demands on police unions prevent more proactive engagement with such issues. It is also possible, of course, that they perceive the notion of ‘private policing’ as an oxymoron not worthy of comment.

### **Looking Inside the Australian Police Unions**

Once the interviews, surveys, and documentary analysis were completed, five themes were identified as most significant to police unions. A number of challenges relating to the themes were also identified. The challenges are likely to be treated differently by the

various unions, given their varying histories, membership bases, organisational dynamics, and local socio-political contexts.

### *Identification with the Broader Labour Movement*

The identification of police unions with the broader labour movement shapes the strategies they employ and the agendas they set. Through their PFA membership, all police unions are affiliated with the supreme labour organisation, the Australian Council of Trade Unions (ACTU) but, at the state level, not all police unions are affiliated to labour councils. Police union leaders appear ambivalent about identifying themselves as members of the labour movement. This is linked to notions of police professionalism and the leaders' understanding of the police union social base as 'conservative.' Interviewees identified themselves primarily as 'professionals,' and self-identified their unions as professional organisations. Two police union leaders from different states asserted:

We are a professional organisation. The majority of our members are very conscious of not being identified with either side of politics, either of the major parties or any party for that, it's more about the profession of policing and the Association is seen as their representative of their profession.

When we say the broader labour movement I guess that's a question of definition, but we pride ourselves on our independence and our conservatism I think is fair to say. We see ourselves as representing the profession of policing ... rather than the labour movement generally.

Union leaders argued that their membership viewed themselves as performing a law and order function and that being identified as trade unionists was to some extent inconsistent with this perception. They made the point that police at times are expected to act against those engaged in industrial action, which places them in a contradictory position with regard to their identification with the labour movement. Police can find themselves policing a picket line knowing that the issues under protest may also have implications for them. As professional police officers, they must uphold the law regardless of their own individual views:

We are part of the conservative public sector in terms of where you would classify us in the labour movement. This is often because of the work we do. Our people are often quite conservative in terms of their policies on for example law and order issues. But when it comes to basic issues such as family friendly policies or wage increases, I don't think we are different from any one else.

This conservatism, which is not necessarily political conservatism, has led to most police employee organisations in Australia retaining the nomenclature of 'associations' rather than unions. Members view associations as operating in a professional environment, and unions as organising workers with somewhat different interests from those of employers and management. In reality, and police union leaders acknowledge this, the distinction between the two is not very significant.

The interviews revealed that alliance with the trade union movement benefited the police unions. The Labour Council, for example, was viewed as a 'very good lobbyist' for the universal improvement of working conditions:

Through our affiliation with the Labour Council we were able to secure a 300 per cent loading and an additional half-day public holiday ... The Labour Council was also able to assist us ... to secure an exemption for substantiation requirements and tax on travel and meal allowances.

Yet while alliance with the labour movement could be viewed as strategically advantageous, it did not dramatically shape the self-identity of the police unions. Police unionists clearly indicated they were unlikely to take up many of the issues on the agenda of the broader labour movement as, for example, gay rights or anti-war campaigns. They were more committed to the industrial interests of their own membership. Alliances with labour movement organisations tended to be pursued only when they could specifically enhance working conditions.

Australian police unionists insist that their associations be run by police officers rather than trade union professionals and, although police unions are affiliated to the ACTU through the PFA, the PFA and all its branches do not affiliate with any particular party or ideology. Unlike the wider union movement, no senior elected police association official, certainly in the last two decades, has ever moved into Parliament from a police union position, despite the fact that all major political parties at various times have sought police union officials as candidates for state or federal elections.

### *Defining Police Professionalism*

The issue of professionalism has been on police union agendas for some time and the debate is reflected in union journals and other documents. Professionalisation has thus been spearheaded until recently by police unions, not police management. The PFA has pursued goals of professional mobility, nationally recognised standards, and consistent training outcomes. Currently, the PFA is engaged in a number of activities for promoting police professionalism. These include the establishment of an Australasian police service delivery code of conduct, the identification of a model and enabling mechanisms to facilitate inter-jurisdictional mobility at rank, and the development of strategies and processes for the transition of training and education delivery from the vocational to the tertiary sector.

The unions are also driving a campaign to 'delink' police pay from police promotion. The aim is to pay police for what they do rather than 'have them all chasing promotions,' in much the same way as doctors or lawyers (who are not rank conscious) are remunerated for work done. Remuneration, in this view, is based on being a 'good practitioner.' Part of the rationale is that delinking will assist in retaining experienced police who are not promoted. It is occurring through the implementation of leading senior constable positions into both Victoria and New South Wales Police through enterprise bargaining processes. The police unions argue that such positions will achieve several goals, such as encouraging experienced operational officers to remain in operations rather than pursuing promotion which results in a 'flight' from frontline policing. The unions also view it as a way of encouraging and rewarding experienced operational officers to work in hard to fill locations. This campaign suggests a willingness on the

part of police unions to break out of the traditional confines of police bureaucratic structuring and merit systems.

What exactly police unions mean by police professionalism, however, remains unclear. A senior police unionist reflected:

I have to admit that I am myself somewhat confused about what this term means ... I suppose what we are talking about is that outside recognition factor. This links to things like knowledge and education. If we are full time and we are trained I imagine that we are professional. Is this what we mean or do we mean that we have lifted our standards to such an extent that we are no longer viewed as a working class occupation? I don't know.

For many of those interviewed, 'increasing professionalism' meant improving the working lives of police members and increasing their educational and training opportunities rather than enhancing service delivery:

Increasing police professionalism won't change the work that police do. The work would remain the same, generally speaking. It [qualifications, lateral transfers, etc.] just makes the police more employable and mobile in the country. It would also lead to the recognition of the work that police do and would impact on work conditions and payment ... We want to increase professionalism to protect those police at the front line ... The impact of police professionalism on the organisation will be felt more internally than externally.

Better working conditions and augmented educational qualifications are all inextricably linked to improved service delivery; yet, there is very little in the professionalisation discourse about the link between professionalism and ethical, effective service delivery. This narrow approach to professionalism limits the capacity and willingness of police unions to broaden the scope of their campaigns. Formerly, narrow views of professionalisation led to difficult relationships between police and communities, as police made use of professional discourse to elevate their status and to assert their particular expertise (Goldstein, 1990).

The PFA is represented on the Australasian Police Professional Standards Council (APPSC). The APPSC is an independent body comprising all Australian police commissioners, the New Zealand police commissioner, the PFA, and the New Zealand Police Association. Its charter is to advance policing from an occupation to a profession. While the APPSC has done much to develop policing standards, defining and advancing police professionalism has been largely neglected. The PFA has realised the importance of police officers playing a significant role in shaping the future of the police profession. The challenge is developing a process for that to take place.

### *Internal Organisational Capacity*

The extent to which Australian police unions are able to broaden their programmes, and respond effectively to their environment and members' needs is contingent on their internal organisational capacity and the comprehensiveness of their democratic processes. One of the biggest challenges confronting police unions is ensuring continuing grassroots participation in union activities. Members tend to pay their dues and wait for the unions to operate in their best interests. Union leaders have traditionally accommodated this apathy. One union leader commented:



I guess the problem for us and probably the problem for other police unions around the country is that we have got this comfort zone because we have such a high penetration within the industry. You can always say we have inactive branches, but we still have 99 percent membership. But, I think that we need to be careful that we don't suddenly land up with a 70 percent membership. We really need to be strong on representing police and having active branches to make sure members maintain their interest.

Membership apathy is an issue that unions in all sectors throughout the world are attempting to address. Most Australian unions (including the police unions) now have clearly defined delegate structures (Alexander et al., 1998, pp. 682–683). In several Australian police unions, advanced delegate training is now taking place to get greater member involvement.

The organisational capacity of most of the police unions was found to be weakest in the research area. Most unions did not have a dedicated person or team to conduct research. To their credit, the unions recognise this as a serious problem. Police unions having research officers tend to use them for industrially based issues, such as researching the next enterprise bargaining agreement. The unions have collectively agreed to employ a researcher at the PFA, and the recent 2004–2005 strategic planning exercise by the PFA also identified a need for more research capacity for the state union structure (PFA, 2004–2005).

#### *Police Labour Management Relations*

Numerous processes have been established within police organisations for consultation on policy and planning to further police labour management relations. For example, through enterprise bargaining and police tribunals police unions can influence policies, particularly with regard to wages, working conditions, and the resourcing of police organisations. All the union officials interviewed could provide examples of their unions consulting with management on industrial issues, resource allocation, legislation, and police reform. Less frequently, police unions provided input to broader policy and planning issues by invitation or, sometimes, through their own efforts:

We meet with the Commissioner on a monthly basis. I suggest we would have daily contact with his Chief of Staff. The region commanders, our local officials have regular contact with them. In fact many of our local officials are able to contact their regional commanders and gain access to them almost immediately.

At times, high profile political players invited police union involvement:

I think [the Premier] has actually approached us for the next meeting so three or four times a year we will meet with him, the Minister more so, the Minister is very good even in formal meetings he will only have one bureaucrat with him. It's a nice climate at the moment, it will change, but when we say something there is a reaction, we will get a phone call from the Premier's Department.

The unions have capitalised on the direct lines of communication they have with politicians.

As the position of police commissioner has become politicised, police unions have engaged politicians in their strategies. Police commissioners are limited in what they

can say publicly about their respective governments. Police unions with close relationships with the media have filled this void. Where police departments are reluctant to assist the media on issues that might not flatter their governments, unions are generally available to comment without fear of reprisal. This has made the unions powerful players in the public arena, ensuring that governments engage them to avert adverse media comment (Fleming & Lafferty, 2001).

While opportunities for industrial action are limited by both federal and state legislation, unions have employed a host of alternative strategies to achieve their objectives. These strategies have generally included political mobilisation and been remarkably successful, although they have engendered much criticism. In a political environment that thrives on law and order issues, the ability of unions to make short-term tactical alliances with political parties and individual influential politicians has stood them in good stead (Fleming & Lafferty, 2001).

Although police managers and political authorities are aware of the necessity to include police unions in decision-making processes affecting police members, the majority of respondents believed that the union was only represented in the decision-making forums of police services when 'it suited management to do so.' Consequently, many unions have serious concerns about the consultative practices of management. The view that police unions are consulted 'instrumentally' and opportunistically by management was linked to union leaders' feelings that labour management relations within the police were not as good as they could be. Some union officials commented that management labour relations had deteriorated over the years despite management discourse about participation and corporatisation.

### *Past Reform and Future Visions*

Police unions expressed scepticism about how police organisations were managed, arguing that there was a lack of strategic planning and a deficit of real leadership. They felt they often had to step in to play a proactive role with regard to policy intervention and review processes. In fact, they regarded themselves as the primary players in a number of reform processes.

Many police researchers and senior police management contest the unions' view of themselves as forward thinking and innovative. Police unions have opposed civilian reviews of the police, called for stricter sentencing of offenders, disapproved and delayed lateral entry programmes, which bring police personnel into policing from other jurisdictions at various rank levels, and disputed increased training requirements. Despite this history, union leaders are adamant that they are more likely to initiate reform than thwart it:

I don't agree that we inhibit reform. We are key stakeholders and we represent the profession, we want to advance the profession and at times are very much in sync with the chief commissioner of the day. How you ultimately achieve a particular outcome may be through a different path but ultimately you want to achieve the same outcome.

The unions have assisted reviews of police organisations in a number of Australian states. These have largely centred on changes in resourcing and working conditions.

The involvement of the New South Wales Police Association in the Wood Royal Commission of Inquiry into the New South Wales Police Service and the subsequent reform agenda is an example. As well as making submissions supporting radical change, including integrity testing and greater external oversight, the Association provided administrative support to the Inquiry and was represented on most of the panels examining specific reform issues (Fleming & Lewis, 2002, pp. 88–90).

The role of the Northern Territory Police Association (NTPA) in exposing the resource problems of the Territory was publicly praised by the Territorial government (Northern Territory Government, 2003). In recent years, the NTPA has also suggested mechanisms for equalising the treatment of Aboriginal community policing officers and for improving the distribution of policing resources in remote Aboriginal areas (personal email from a Northern Territory union official—March 2004).

The establishment of the Premier's task force in South Australia was the result of a public campaign conducted by the Police Association of South Australia (PASA). The apparent failure of the South Australian government and the management of the South Australia Police (SAPol) to resource the force adequately adversely affected organisational effectiveness and staff morale. In the absence of comment from SAPol management, the PASA raised its membership concerns publicly (PASA, 2004).

The PFA has also publicised key policy and planning issues that are now being addressed by police leaders across Australia. In 2005, the PFA made a submission to the Senate Inquiry into Mental Health. The lobbying efforts of the PFA contributed to a government decision to commit \$1.8 billion to mental health issues over the next four years. The PFA also made a submission to the federal government in 2006 to fund a national workplace study to address future skills shortages in policing. The PFA is now working with Australian police commissioners to develop a scoping paper on work to be done to avert a potential skills crisis in the public police.

Despite such efforts, police unionists have not yet begun to consider the impact that the multilateralisation of policing is likely to have on the police profession or on police unionism. In the questionnaires, participants were asked to rate the importance of the privatisation of policing; cross-border policing initiatives; police organisational reform processes; international terrorism; police professionalism and development; and, new management styles and cultural diversity in police organisations. Unions were also given an opportunity to identify other important challenges. Most respondents identified police professionalism and development as the foremost challenge in the 21st century. Management styles and organisational reform processes were also perceived as important. The privatisation of policing, the pluralisation of policing, and the impact of terrorism and cultural diversity were not considered central issues. The police unions remain inward looking and reluctant to appreciate the changing social, political, and economic field in which they operate.

### **Identifying Challenges within the Police Unions**

Police unionists were asked to identify key challenges that in their view were facing police unions and police organisations. Generally, the challenges identified were

intra-organisational. The unions' focus is on how to protect the interests of the public police, particularly in the face of 'threats' to the integrity of the police 'profession' from privatisation and civilianisation.

### *Private Policing*

In identifying future issues the police unions were somewhat inward looking. They gave no credence to the privatisation trend in policing that policing scholars globally have identified as a key issue affecting the future of police organisations. They saw it as not an issue requiring the immediate attention of Australian police unions:

Private policing is the agenda of the private companies and of academics and maybe even of governments. But it is certainly not on the agenda of police organisations ... Where there have been attempts at privatisation or at hybrid models, they have been consistent failures. There is not one example that you can find of this private policing model where this has worked. Policing is policing is policing ... Whilst I am sure there are people who may want to make money out of it, the security industry have conned the community a little bit by thinking that they have taken on the police role. They have not taken on the role at all. It is a different role. Private security is not about law enforcement...

... at the end of the day police unions are against privatisation, well we are there to protect our own members and I suppose there is a protection of employment. I don't think that that's a real concern but it's a concern that they are taking core functions and I don't think we'd ever accede to allowing core functions of policing to go to the private sector.

To date, the PFA has not provided an alternative framework for its affiliates to consider privatisation. As Mark Burgess pointed out, the union view of multilateralisation of police is directly tied to how they understand police professionalism. For Burgess, professional policing is public policing:

The biggest issue about the whole professionalisation debate is us staking out what is our turf. We consistently cry foul about the incursions of private security and second-tier policing. The development of a profession allows us to clearly stake out our claim and say that particular jobs can only be done by professional police officers. The debate that's recently been had about airport security, is just one of those areas where you could find a government looking to police an airport but using non-qualified personnel, because it is cheap. So the whole debate about the profession is us determining that if a particular job is clearly a police function then it should be undertaken by professional police officers and no one else.

In discussing the response of the PFA to the issue of privatisation, one of the union representatives interviewed defended his dismissal of the private security industry in the following terms:

[The PFA] certainly has views about issues of security guards parading around as police and whether that's good for the community, people putting on uniforms which are hard to differentiate from a police officer ... if you are going to have a security guard they should be seen as a security guard, not masquerading as police with a false expectation of what they can and can't do. But where it goes from there I think that's largely in the hands of the legislative, they get to make those decisions.

Australian police unions are not alone in their attitude to police privatisation and multilateralisation. Police unions around the world have formed a network, formalised in recent years as the International Law Enforcement Council (ILEC). The ILEC meeting in late 2004 agreed to the following principle on private security and second tier policing:

The ILEC argues that public safety, the core obligation of government, is being compromised when governments choose to utilise the services of inadequately trained and qualified persons as an inappropriate substitute for properly trained law enforcement professionals in public policing responsibilities. (Mark Burgess, 3 March 2004)

Notwithstanding the self-interest and reluctance to embrace private policing, union representatives provide some sound arguments for the public police to retain a monopoly over policing. They were concerned, for example, that private security personnel were 'not properly trained,' that they did not operate in the public interest, and that protecting the wealthy was merely increasing unequal access to security. In their view, the role of the public police is to 'maintain the peace to protect the rights of every person equally before the law' which, they believe, private policing agencies are not equipped or willing to do. Not just privatisation of policing but 'non-professional' involvement in the policing enterprise was viewed generally as a problem.

### *Civilianisation*

The idea that there are 'core' functions best carried out by the public police who are appropriately trained and publicly accountable is also evidenced in union responses to the civilianisation of policing. Through the PFA, they have adopted a policy with respect to the civilianisation of positions. They maintain that all positions should be the result of a process of appropriate notice and negotiation. Civilianisation, in their view, should meet the following criteria:

- the position does not require the use of police powers and authority usually associated with the office of constable of police, nor the application of specific police knowledge and training or the giving of evidence in relation to such issues; and
- there is no requirement under any statute or regulatory provision for the position to be occupied by a constable of police; and
- the principle purpose of the position is not based upon expertise which can only be acquired through actual experience as a constable of police;
- the position is not one where occupancy by a sworn officer has been certified by the commissioner of police, or delegate, as being in the best interests of policing or the police service.

Union leaders were adamant that 'street policing' should be carried out by public police, and that 'permanently restricted' police (those on work cover arrangements for example where operational policing is not an option) should have the right to perform police administrative jobs.

Union leaders were also concerned about community members participating in localised policing despite international moves, particularly in places such as Britain, to

encourage community members to augment the public police (Crawford, Lister, Blackburn, & Burnett, 2005). Involving citizens in policing is viewed as undermining the authority and independence of the police constable and 'cheapening' the police profession, with negative consequences for the community. To date, police unionists have given little consideration to creative ways of employing community members in policing activities or dealing with budgetary cuts, nor to communities desiring more community control over policing, such as many of the Aboriginal communities in Australia.

The PFA, however, has led the debate on greater federal funding for policing through an 'Innovative Grants' programme for local crime reduction initiatives. It argues that crime is a national problem; therefore, the aim of such grants is to bring together community representatives and local police to obtain federal funds for crime reduction in their local communities. The PFA claims there is now acceptance from both political sides for the funding of local law enforcement and crime reduction initiatives.

#### *Resource Allocation*

For almost all of the police unionists surveyed, the issue of police resources was the most important future challenge. In their view, proper resourcing is important for the morale and effectiveness of police members, and for their members' well-being. Resourcing and budget deficits directly affect the degree of satisfaction of police 'clients' and service delivery.

One of the unions identified the involvement of police members in off-shore regional operations as a major challenge. They viewed the involvement as important, but as diverting resources from national and local policing priorities, thus negatively affecting crime reduction within Australia itself. Moreover, in some off-shore operations, Australian police are expected to play a 'semi-defence' role, quite different from the role they play within Australia.

#### **New Agendas for Australian Police Unions**

In 1983, Bruce Swanton concluded that police unions in Australia had made important gains in increasing wages and improving working conditions for its members. He noted that the unions had significantly reduced the authoritarian style of police organisations and maintained good consultative processes with management. Almost 25 years later, these remain the central advances made by Australian police unions. More recently, and particularly with the formation of the PFA, the unions have made much progress in contributing to the development of new policies for enhancing police professionalism. They see themselves as playing a pivotal role in alerting police managers to resource deficits and to the need to plan strategically for future resourcing issues. In an environment where political pressures, member interests, and union rules and regulations tend to limit the ways in which employee organisations can do business, police union achievements are many.

Yet, as this research demonstrates, police unions still appear to be caught in an unresolved dilemma about their identity. On the one hand, police union activities are aligned with (public sector) industrial unions, leading them to focus on pursuing issues centred on wages, working conditions, and industrial relations. At the state and territory level, their primary objective is to protect the economic interests of their members, promote their welfare, provide legal support, prosecute members' grievances, and provide relevant information where necessary. But, because many police unionists do not regard themselves as part of the public sector union movement, they have not engaged in debates on public sector workplace restructuring and new approaches to governance. This means they may be somewhat unaware of the far-reaching changes taking place in governance, particularly as the state takes on more of a regulatory role and reduces its service delivery involvement (Braithwaite, 2000).

Progressive police union leaders may wish to respond innovatively to changes taking place in the broader policing environment, but they require a mandate from their members to do this. Members may feel threatened by new ideas about professionalism, the multilateralisation of policing, and the forging of new networks. There is a requirement for police union leaders to engage directly in debate with their members and to demonstrate what changes are inevitable. Also, leaders need to show that there is not necessarily a contradiction between advancing the collective needs of police members while pursuing agendas that go beyond the 'shopfloor.' The dilemma that all unionists face is how to pursue change agendas within the confines of member expectations and demands.

### *Constructing a Broader Vision*

By confining their agenda to industrial issues, police unions avoid involvement in broader issues of service delivery, governance, and democracy. It is not surprising that police unions are often perceived as conservative bodies, concerned primarily with defending their own interests with little regard for the issues confronting the communities in which they are embedded. The reality is that police unions are not at present developing strategies for some of the key issues confronting public sector unions, such as neo-liberal government policy and privatisation.

If police unions do not continually examine the environment in which they operate, they may be caught unawares by the forces shaping their employment conditions and policing as a profession. The challenge then is for the police unions to broaden their agendas and to consider how they can progress beyond the concerns of their conservative social base to embrace the changing world of policing. For example, while the defensiveness of police unions about privatisation may be understandable, its absence from the police union agenda is a concern. Unions have tended to give their thinking and campaigns a pure industrial focus. While they are key agents in the governance of policing, their silo vision could limit their capacity to shape the changes in policing. Consequently, the voices of police employees in confronting the challenges of the 21st century will be less distinctive than if the unions expanded their organisational schemas and their internal organisational capacity.

Debate on issues such as resource allocation, privatisation, civilianisation, and community involvement in policing should be taking place at all levels. Such discussions could be facilitated by more solid contact with the research community and by building research capacity within police unions. These discussions should support policy debates and inform union position documents. The views of related international organisations could also be solicited on a regular basis. Moreover, police unions should consider the current labour management climate and ways of enhancing participatory management practices, thus ensuring that unions have a role in all policy and planning processes. More formal collaboration with other public sector unions might provide opportunities for the identification of issues of mutual interest that could be addressed collaboratively. Finally, police unions generally retain strong community support. It is important that this remain the case. One way of doing this is to consider engaging in community outreach projects and to make clear public commitments to social justice issues.

A recent submission on mental health by the PFA has gained wide community and health-sector support. The submission highlighted the dilemmas facing police dealing with people in the mental health system. The police unions have staked out their place as leaders in this debate and have been able to bring a wide community grouping with them. This issue alone provides a good example of the influence police unions can have on wider public debates.

### *Redefining Police Professionalism*

Police unions self-identify as professional bodies. As well as making considerable gains in traditional industrial areas, they can claim success for many reform initiatives and for setting the agenda in areas such as professional development, resource allocation, and police superannuation. Yet their intense daily involvement in workplace matters has produced a reactive mentality and arguably prevented them from fully addressing the broader environment of the public police profession. What is required is the adoption of a more sophisticated version of professionalism.

There is a need to consider professionalism as reliable, efficient, courteous, and unbiased service delivery. Professionalism is about ongoing education and development, but it is also about responding innovatively, positively, and proactively to the external environment.

### *Building Participatory Processes*

Almost full membership is the greatest strength of police unions and potentially their greatest weakness. They have arguably become complacent about involving members in decision-making processes. This needs to be addressed for three reasons: first, more membership participation may increase identification with the unions and create opportunities for members to help set new union agendas; second, by active involvement in union matters, members will have opportunities to shape the future of policing in Australia; and, third, by participating in democratic union processes members will



have opportunities to develop skills in social dialogue that can be transferred to their engagement with communities.

Despite the nearly full membership enjoyed by police unions, officials tend not to mobilise members for specific causes. According to union leaders, the majority of members are interested only in the periodic enterprise bargaining rounds or personal advice or assistance when required. Despite their financial membership, research shows that many union members, in particular women, further their employment opportunities and benefits through their own efforts, thus bypassing the avenues provided by the police union (Fleming, 2005). Membership of a police union should be more than just financial membership. It is the responsibility of the police union leadership to ensure that this is the case.

### *Generate Research Capacity*

The organisational capacity of most of the police unions is weakest in the research area. In negotiation, unions need to meet management on an equal footing. Extensively researched evidence to support a union's case is crucial to a successful outcome. This is the case whether the negotiations are routine, the result of an emergency situation or, more particularly, part of strategic planning. Police unions contract consultants and university researchers when reviews and enquiries are underway, but there is no consistent research activity, which restricts the ability of the unions to respond proactively to emerging issues and member needs.

There is a need to develop closer working relationships with local universities to encourage discussion among practitioners and theorists. Academic conferences, policing researchers speaking in specific forums, and developing research grant applications with other agencies and the private sector, are all ways in which research and practitioner relationships can be furthered.

### **Responding to the Challenges**

The PFA is beginning to respond directly to the challenges outlined above. In its 2004–2005 strategic plan, it identified key objectives for the near future. Some of these resonate with the challenges discussed.

First, the PFA believes that it is important to define more carefully what is meant by police professionalism. It hopes to do this by engaging in a research process and developing a discussion paper for deliberations with all police unions in Australia. Second, the PFA wishes to contribute to more effective means of combating crime and has agreed to conduct research into current police funding arrangements and their suitability for combating crime. The issue of the 'Innovative Grants' programme discussed earlier is a key component of this research. Third, the PFA has made a commitment to look beyond the relatively privileged circumstances of Australian police unions to consider the plight of police workers in other countries. In this regard, the PFA has committed to assisting fellow police members in the South Pacific in forming strong, effective police unions, and assisting in planning and building the capacity of existing,

weaker police employee organisations. Where possible, the PFA will also advise and contribute to the improvement of training and equipment of police in these countries.

The future programme that the PFA and its member organisations are envisioning is encouraging. However, unions can fall into the trap of addressing immediate member needs at the expense of reflecting on broader developments. The gains that police unions have won in the past could be the source of serious blind spots in the future. Ron DeLord, President of the Law Enforcement Associations of Texas, cautioned in the 2001 annual conference report of the PASA:

In order for a police association to survive and succeed in today's environment, more attention must be paid to thinking and planning on behalf of the organisation. Strategic planning represents a systematic method for setting policy in an organisation and it involves analysing key aspects of the world in which our organisation operates ... All leaders should communicate a vision for the future. (From the Minutes of the 2001 PFA Council Meeting cited at the PFA, Canberra, February 2004)

At the moment, the 'vision' DeLord refers to still needs to be defined by Australian police unions. While academics and others herald the new era of policing, the police unions in Australia are still very reactive and much focused on industrial issues and the professionalisation and development of the police officer in an educational sense. Issues relating to community policing, privatisation, technological innovation, and partnerships only inadvertently appear on their horizon, but will need to be placed much more centrally on police union agendas if they are to continue to be key players determining the present and future governance of policing.

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### **Note**

- [1] In Australia, the various police unions refer to themselves as either unions or associations. For clarity, when referring to these organisations as a group, this paper refers to all police employee organisations as unions.

### **References**

- Alexander, M., Green, R., & Wilson, A. (1998). Delegate structure and strategic unionism: Analysis of factors in union resilience. *Journal of Industrial Relations*, 40(4), 519–535.
- Bayley, D., & Shearing, C. (1996). The future of policing. *Law and Society Review*, 30(3), 585–606.
- Bayley, D., & Shearing, C. (2001). *The new structure of policing: Description, conceptualization, and research agenda*. Washington: National Institute of Justice.
- Boswell, M. (1994). Changing police practices through police management. In K. Bryett & C. Lewis (Eds.), *Unpeeling tradition: Contemporary policing* (pp. 36–44). Centre of Australian Public Sector Management. South Melbourne: Macmillan Education.
- Braithwaite, J. (2000). The new regulatory state and the transformation of criminology. *British Journal of Criminology*, 40, 222–238.

- Crawford, A., Lister, S., Blackburn, S., & Burnett, J. (2005). *Plural policing. The mixed economy of visible patrols in England and Wales*. Bristol, UK: Policy Press.
- Dixon, J., Kouzmin, A., & Korac-Kakabadse, N. (1998). Managerialism—Something old, something borrowed, little new: Economic prescription versus effective organizational change in public agencies. *The International Journal of Public Sector Management*, 11(2/3), 1–19.
- Etter, B. (1995). Mastering innovation and change in police agencies. In B. Etter & M. Palmer (Eds.), *Police leadership in Australasia* (pp. 278–309). Sydney: Federation Press.
- Finnane, M. (2002). *When police unionise: The politics of law and order in Australia*. Sydney: Institute of Criminology, University of Sydney.
- Fleming, J. (2004, September). Les Liaisons Dangereuses: Relations between police commissioners and their political masters. *Australian Journal of Public Administration*, 63(3), 60–74.
- Fleming, J. (2005, August 21–24). *Women in police unions*. Paper presented at the Fourth Australasian Women and Policing Conference: Improving Policing for Women in the Asia Pacific Region, Darwin.
- Fleming, J., & Lafferty, G. (2000). New management techniques and restructuring in police organisations. *Policing: An International Journal of Police Strategy and Management*, 23(2), 154–168.
- Fleming, J., & Lafferty, G. (2001, October). Police unions, industrial strategies and political influence: Some recent history. *International Journal of Employment Studies*, 9(2), 131–140.
- Fleming, J., & Lewis, C. (2002). The politics of police reform. In T. Prenzler & J. Ransley (Eds.), *Police reform: Building integrity* (pp. 83–96). Sydney and London: Federation Press.
- Fleming, J., & Marks, M. (2004). Reformers or resisters? The state of police unionism in Australia. *Employment Relations Record*, 4(1), 1–14.
- Garland, D. (2001). *The culture of control: Crime and social order in contemporary society*. Chicago: University of Chicago Press.
- Goldstein, H. (1990). *Problem oriented policing*. New York: McGraw-Hill.
- Grabosky, P. (2001). Crime control in the 21st century. *Australian and New Zealand Journal of Criminology*, 34(3), 221–234.
- Hewitt, W. H. (1978). Current issues in police collective bargaining. In A. W. Cohn (Ed.), *The future of policing* (pp. 207–223). Beverly Hills: Sage.
- Johnston, L. (1996). Policing diversity: The impact of the public–private complex in policing. In F. Leishman, B. Loveday, & S. Savage (Eds.), *Core issues in policing*. London: Longman.
- Johnston, L. (2000). *Policing Britain: Risk, society and governance*. London: Longman.
- Loader, I. (2000). Plural policing and democratic governance. *Social & Legal Studies*, 9(3), 323–345.
- Marx, G. T. (1989). Commentary: Some trends and issues in citizen involvement in the law enforcement process. *Crime & Delinquency*, 35(3), 500–519.
- McLaughlin, E., & Murji, K. (1997). The future lasts a long time: Public policework and the managerialist paradox. In P. Francis, P. Davies, & V. Jupp (Eds.), *Policing futures: Police, law enforcement and the twenty-first century*. London: Macmillan.
- Nixon, C. (2002). *Confronting the future of policing: Technology, professionalism and partnerships*. The 2002 John Barry Lecture, University of Melbourne, Melbourne.
- Northern Territory Government. (2003). *Building our police force: O'Sullivan report*. Retrieved from [http://www.nt.gov.au/ocm/police\\_plan/report.shtml](http://www.nt.gov.au/ocm/police_plan/report.shtml)
- Palmer, M. (1994). Managing a hierarchical para-military organisation. In K. Bryett & C. Lewis (Eds.), *Unpeeling tradition: Contemporary policing* (pp. 36–44). Centre of Australian Public Sector Management. South Melbourne: Macmillan Education.
- Police Association of South Australia. (2004, January). *Foundations for 21st century policing*. Submission to the Select Committee of the Legislative Council on Staffing, Resourcing and Efficiency of South Australian Police, Adelaide.
- Police Federation of Australia. (2004–2005). *Annual report*. Canberra.
- Prenzler, T., & Sarre, R. (2002). The policing complex. In A. Graycar & P. Grabosky (Eds.), *The Cambridge handbook of Australian criminology* (pp. 52–72). Cambridge: Cambridge University Press.

- Reiner, R. (1978). *The blue coated worker: A sociological study of police unionism*. Cambridge: Cambridge University Press.
- Rohl, T., & Barnsley, R. (1995). The strategic transformation of policing from occupation to professional status. In B. Etter & M. Palmer (Eds.), *Police leadership in Australasia* (pp. 234–255). Sydney: Federation Press.
- Swanton, B. (1983). *Protecting the protectors*. Canberra: Australian Institute of Criminology.