

The NSW Police Protocol: Streety's Perspective

By AJ

I have been on the street from 1996 to 2000 and then late 2005 to May 2008. I am back on the streets at the moment and have been for about the last five weeks.

As I understand it, the NSW Police Protocol was brought in for the Sydney Olympics in 2000. When I first heard about it I thought the protocol was meant to achieve (a) they wouldn't harass homeless people on a constant basis and (b) they wouldn't try to move people on, which is fairly rare. I have never been asked to move since I have been on the street in the six and a half to seven years that I have lived as a homeless person. As far as I am concerned most of the police harassment of homeless people involves constant ID checking, or being searched randomly by police.

Prior to last year I had never ever heard of the protocol. Since I have become aware of the protocol I have asked a lot of streeties about how they are treated by police. I would say that homeless people are still getting searched on a regular basis. In my opinion, if a homeless person is walking down the street and there is a guy in a suit next to him, he would walk straight past the cops and but the police would go ahead and search the streetie because of his appearance.

Being searched randomly by police seems to be commonplace from the streeties that I have spoken to. It's not just a random thing that happens to one or two people who are living on the street; it happens to just about everybody that's living on the street. How would a normal person feel having their worldly possessions on display for all the world to see while the search is taking place?

Also I have known of guys that sleep in their cars—that the cops have pulled up or someone has reported that they are sleeping in their car in a residential area or opposite a park and the cops have pulled him up and basically turned it inside out looking for drugs.

Some of the police that I have talked to in the suburban areas have no conception what the homeless protocol is about. I think the City of Sydney has made the city police aware of what the protocol involves, but I don't think the police actually have taken into consideration the greater aspects of the whole protocol. I am not sure if they have actually taken the protocol on board or whether they have been made aware of it either through their training or through their local area commander.

One time I asked some coppers in Balmain about the protocol and they just had a blank face—like what is the protocol?—they had no conception of it. Also it's a fact that a lot of streeties still don't know about the protocol because no-one has gone out and made them aware of it.

One policeman I spoke to in Leichhardt couldn't tell me a thing about the protocol, yet he professed to know about it. I have probably spoken to about 14 police officers and the reaction among the vast majority is that they know absolutely nothing about the homeless protocol, what it involves, how it affects street people as a whole.

I have found that some police officers act very aggressively towards homeless people. They try to get in your face, like leaning towards you. This can be really intimidating to homeless people because they have had previous interaction with police and the criminal justice system. They feel intimidated because they think well if I don't cooperate because I have a criminal record and if I go to court over something, that criminal record's going to work against me. About 90 per cent of the streeties I know have got criminal records so they know the justice system and how it works. I strongly feel that the 'homeless community' has the highest

rate of criminal record of all groups in the community. So they think that if you put an aggressive front to a police officer then he is going to respond in exactly the same way.

I remember one time I was at Petersham Station at about 1 am in the morning. I bought a ticket to catch the train back into town. I was feeling a bit worse for wear and there's this nice timber railway bench to sleep on so I have just put my rucksack down and gone to sleep. About 3.30 am in the morning I was awoken by two officers who were bashing the soles of my boots with their batons to wake me up. Then they proceeded to ask for ID which I produced and they tipped my bag onto the railway seat and onto the ground. The cops were just laughing, searching through it. One of them got right in my face with all these questions:

'Why are you living on the street?' 'Are you receiving any money from Centrelink?' It's got nothing to do with them you know. I

was just sleeping there doing nothing. I kept telling the officer that I am of no fixed address and she couldn't understand it. I said I am of no fixed address and it's on my Centrelink card and they completely ignored me.

I have probably spoken with about between 30–40 streeties and I would say 95 per cent of them have said to me that they had their bags searched at least once a year for basically no reason whatsoever. I mean if they were actually breaking the law then fine but these guys have just been sitting in Hyde Park or walking around Circular Quay. I spoke to one bloke who got pulled up walking through the Botanical Gardens by the police believe it or not—you know they wouldn't ask a tourist ...

I honestly think it hasn't changed a great deal. The first time I was on the street from 1996–2000 I don't think it was as bad as what it was from 2005–2008 where the police seemed to have more intent in targeting the homeless. The uniform police that work the city areas now have a far greater tolerance and understanding of homelessness than their suburban colleagues, simply because of greater interaction with homeless people. When I heard about the protocol, which was September last year 2011, I was

as mystified about the protocol as probably most police are.

Until that message gets out through training programs with the police I really don't think it will change the attitudes of police towards homeless people. If they want to search you there is nothing you can do about it—you can't protest—you can't ask the officer what his name is and his badge number, as then they'll turn and get overly aggressive like 'what's it to you'.

One of the biggest issues I have found with a lot of street people is that they are under a lot of stress as it is—a lot of streeties suffer from depression because they are living on the street and I think that because of that, they are always very wary of police. I think what police have got to understand is that homeless people are under a lot of pressure. I just don't think the police understand what it is actually like to be homeless and it seems to me that they don't want to understand; it is like you're a homeless person and the reason you are homeless is because it is your own fault and a lot of people who end up on the streets are there because of factors completely outside their control—they lose their job, they have gambling or alcohol addictions,

drugs, whatever and things have spiralled out of control within their own lives and then they are on the streets. And the cops don't seem to want to make the effort to try and understand homeless people.

There are a lot of people who live on the street that have a mental illness and a lot of police don't understand that and I don't think they receive enough training when it comes to dealing with people with mental illness and that interaction between the police and the homeless person—because they are suffering or they are on medication because they have mental illness and all of a sudden the cops think oh he's on drugs, and before the person's even had a chance to explain themselves to them, they have made up their mind. They seem to have a pre-conceived idea of what a homeless person is.

I think they could make the protocol work a lot better if at some point in their training they actually had interaction with somebody that is living on the street, or somewhere in the training you get a street person acting like a police offer and the police officer is acting like homeless person—a type of role reversal. That sort of shock tactic could actually broaden their learning experience in terms of how to interact with homeless people and the problems that homeless people face on a day-to-day basis. As a lot of service providers can attest, the 'homeless problem', as in the number of homeless people, is on the rise all around Australia.

I have found that there are a lot of police that don't even know the protocol exists and I think that if the NSW Police Force is genuine about making this protocol work they have to make their officers aware of it and it has to be an ongoing training program—it can't be just 'oh I'll read the police manual and forget about it.' I think there should be ongoing training about how to deal with homeless people.

Homeless people are just like everybody else—they want respect and if police don't respect a homeless person then they have already made a decision about how they are going to approach people. Respect is one of the biggest things, because society looks down on homeless people anyway—you see it on the street all the time. You can be sitting around in the park or on a side street and it's just the way people look at you—they spit on you with their eyes. You can really tell that some people have a pre-conceived idea of what a homeless person is. Irrespective of whether I am homeless or not, it is about respect and streeties respect each other—they respect their own space. Yet when you are being interviewed by the police it seems that as soon as they find out you're homeless the respect just vanishes out the window. Most streeties I know agree with me on this. ■

(AJ has been a member of the Sydney-based Homeless Person's Legal Service Consumer Advisory Committee, StreetCare, since 2008. This article is based on an interview he did with the HPLS Policy Officer, Louis Schetzer.)

