

Youth, Ethnicity and Crime in Australia

Paper to the Les Recontres du CEDEM
Centre for Studies on Ethnicity and Migrations
Université de Liege

25 April 2002

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1. Background

Criminal incidents in Sydney, October 1998

In the early evening of 17 October, 1998, Edward Lee, a fourteen year old boy of Korean background, was stabbed to death in a residential area of the western Sydney suburb of Punchbowl. Edward Lee's death was a result of a brawl between him and his four mates and 'a gang of up to 20 men' 'aged between 18 and 24' (Green, 1998: p.3). In reporting these events, the Sydney media described the assailants, in terms emanating from police sources, as of 'Middle Eastern appearance' (eg Clennell and Kennedy, 1998: p.3) and as 'Lebanese' (eg *Sydney Morning Herald* 3/11/99: p.14). Two weeks later, on 2 November, 1998, Sydneysiders woke up to radio and newspaper reports of an overnight 'drive-by' shooting-up of the police station in the suburb of Lakemba, nearby to Punchbowl. The media reported the event as an act of retaliation by a 'Lebanese gang' in response for a 'stop and search' campaign conducted in Bankstown district by 130 police, including mounted police and the dog squad – which resulted in 24 arrests and 71 charges in one day – in the aftermath of the Lee killing (*Daily Telegraph*, 2/11/98, pp. 1 and 4).

Over the period since November 1998, a moral panic about 'ethnic youth gangs' and a law-and-order crackdown attracted continuous newspaper headlines and media interest in Sydney. The Lebanese community in western Sydney – and especially its young men – were tainted by the media brush of *ethnic crime*. Sydney's diverse Lebanese community, numbering some 111,000 people, was criminalised in the process. The problems of youth crime in Sydney were racialised, with reports linking the events to the criminal Lebanese culture. Sometimes the brush was broader, with Sydney's even more diverse immigrant communities from the Middle East drawn into the events by repeated reportage of criminals of Middle-Eastern appearance. This was but the latest chapter in the history of so-called ethnic crime in Sydney and around Australia that had been revisited many times this century (Collins et al 2000).

In this context, a handful of male Lebanese-background Year 11 and 12 students on the way home from school were depicted by a Sydney tabloid newspaper as a dangerous criminal gang with easy access to semi-automatic weapons. The *Daily Telegraph's* front-page photo, reproduced on the cover of this book, was labelled, 'DIAL-A-GUN: Gang says it's easier than buying a pizza' (Casey and Ogg, 1998: p.1). The story was part of the newspaper's probe into ethnic youth crime in south-western Sydney. The boys in the photo – who are today either engaged in university or further education study or in small business – were posed by the *Telegraph's* journalist to look the part: they were asked to turn their caps around and look mean. The fiction of the photo and the extremist headlines that accompanied it highlight the role of some of Sydney's media in constructing, as well as reporting, incidents of 'ethnic crime' in Sydney. This teenage friendship group, dubbed the 'Punchbowl Homeboys', might have briefly enjoyed their newfound notoriety and the impression of having taken for a ride the credulous reporters of an ethnocentric media. But they and their confreres were already tired of what they regarded as state surveillance and harassment when they gathered and socialised in public spaces.

The New South Wales Premier, Bob Carr, added to the voice of those who blamed

‘the Lebanese’, despite the fact that there were no witnesses to the drive-by shooting. The *Sydney Morning Herald* (3/11/98: p.1) reported the Premier’s comments about the Lakemba shootings thus:

Police investigators have revealed that a Lebanese gang involved in drugs and car theft has been identified in relation to recent disturbances (in Canterbury-Bankstown region) ... You’re dealing here with a gang that is fully employed in criminal behaviour.

The Premier was intent on refuting criticism, in the context of a state election campaign, that addressing youth unemployment among ethnic minorities was a more useful response than sanctioning ‘get tough’ law and order campaigns against supposed ‘ethnic gangs’. With this comment, Premier Carr cavalierly dismissed the well-known link, established in a wide range of research, between high unemployment rates and crime. Lebanese unemployment rates have been, with Vietnamese unemployment rates, the highest (for non-Aboriginal people) in Sydney, and have stayed at a level of between three to four times the average for decades (Collins, Morrissey and Grogan, 1995).

Not only was the whole Lebanese community smeared by media and politicians with blame for the crimes, they – especially ethnic community leaders – were also charged with the responsibility for their solution, and condemned for the maintenance of a purported ‘wall of silence’ protecting the perpetrators. The Sydney daily tabloid newspaper, the *Daily Telegraph*, editorialised, ‘ethnic leaders have a responsibility to co-operate with Mr Carr and Mr Ryan to provide information that will lead to the arrest of these criminals, not make claims of racial slurs’ (3/11/98: p.10). Its cartoonist, Warren, drew a community leader in Muslim garb, with head buried in the sand as bullets whistled past. The following March, with the crime still unsolved, *Daily Telegraph* columnist Ray Chesterton (1999) thundered:

There has to be co-operation and a genuine attempt by ethnic leaders to rid NSW of the cowardly vermin waging a war that is murdering innocent people. The police appeal for help to convict a primarily Lebanese gang ... Police privately believe the gang is mainly Lebanese. But in accordance with the sickening political correctness that blights this nation, they can only talk of nationalities [*sic*] that are of Mediterranean/Middle Eastern. ... If help in convicting these leaders is not forthcoming from the ethnic community, multiculturalism could be as dead as [murdered ‘gang leader’] Danny Karam.

Sydney’s Lebanese community, the largest part of Sydney’s Arabic-speaking populace, is concentrated in the south western suburbs around Lakemba and Punchbowl. But they are only one of over 100 different ethnic communities living in this very cosmopolitan region of south-western Sydney (Collins and Poynting eds. 2000). Not surprisingly, the immediate association of these two criminal events with the Lebanese community, and, in some versions, Sydney’s Arabic community – and the subsequent electronic and print media reportage of stereotypes about Lebanese criminality – were met with outrage within the various Arab-speaking communities. Leaders from Sydney’s many Arabic organisations expressed their condemnation of what they saw as vilification of their whole community, especially given that no individuals had been arrested or charged by the police for either crime. The day after

the Lakemba shooting, the *Sydney Morning Herald* reported that: “Ethnic leaders cautioned against blaming any one group ...” (*Sydney Morning Herald*, 2/11/98, p.1). In the same issue, Nadia Jamal wrote:

Speaking in his office at Lakemba mosque yesterday, Imam Al Hilali said emotions were running high in the community and it was a ‘dangerous time’ to suggest Lebanese gangs were responsible before anyone had been charged over the attack. This could seriously damage relations between young people in the community and police ... (*Sydney Morning Herald*, 3/11/98, p. 6).

These manoeuvrings took place in the lead-up to a NSW state election campaign in which ‘law and order’ would be a major platform of the Carr Labor Government. In November, the NSW Director of Public Prosecutions, Mr Nick Cowdery, QC, publicly criticised what the *Herald* termed ‘the State Government’s law and order push, describing many of its policies as “ill-conceived” and potentially dangerous’. He also condemned the Coalition Opposition proposals for tougher sentencing, and cautioned against the developing ‘law and order auction’ between the major political parties, being abetted by sections of the media. Mr Cowdery argued against Government claims that its law and order push just responded to concern in the electorate, saying that ‘to a very large extent they are the ones who are creating that community concern’ (Garcia, 1998: p.8). The Premier ignored this counsel in favour of populist boosting of his electoral stocks with a strong law and order campaign. The tactic was reflected in favourable opinion polls for Carr on the eve of the election giving Labor a 9% rise in approval rating over the previous five weeks. As Walker and Chulov (1999: p.1) noted, Opposition Leader Kerry Chikarovski’s response to these grim opinion polls was to pledge ‘tough new law and order measures’.

This approach had succeeded for Bob Carr in the previous New South Wales election, in which his slogan had been ‘tough on crime and tough on the causes of crime’. Already in 1994, the *Sun-Herald* was referring to ‘Labor’s anti-gang strategy’, reporting that, ‘initiating what was to prove a bipartisan policy on law and order, Carr has promised that if elected next year, he will crack down on gangs’. In this earlier context, he had made ill-considered, populist remarks about ‘roaming gangs of youth (with) their baseball caps turned back to front’ (Wynhausen, 1994: p.29). This issue worked again for the Carr Labor government in 2000 as the won the election with an increased majority.

Meanwhile, numerous ethnic community workers at a forum on ethnic crime in Sydney (Ethnic Communities Council of NSW, 1999) had complained of indiscriminate police harassment of Arabic-speaking background young people in a ‘stop and search’ campaign around the Canterbury Bankstown area in the aftermath of the Lakemba and Punchbowl events. Soon afterwards members of the Arabic-speaking community in south-west Sydney called a public meeting about this, and invited neighbourhood youth to speak about such experiences. The crime-fighting local Labor MP stormed into the community centre that was to be the venue, brandishing the pamphlet advertising the forum, and reminded the agency concerned that they were dependent on government funding.

These events in Sydney in October 1998 heralded the onset of a moral panic in Sydney and the state of new South Wales about the issue of ethnic crime and ethnic gangs, particularly related to Lebanese and Middle Eastern immigrants in Sydney (Collins et al 2000). This moral panic about 'Middle Eastern crime' continues today, amplified by the events in New York of September 11 2001 that have escalated anti-Muslim feelings in Australia (Hage, 2002). But the concern about the relationship between (especially coloured) immigrants and crime in Australia is not new. Australia is one of the few western capitalist societies to maintain a large-scale immigration program over the past fifty years (Castles and Miller 1993). Since white settlement immigration has been a major source of Australian labour force and population growth (Collins 1991). In the post-1945 period alone, some 5.6 million immigrants have arrived in Australia. Today nearly one in four of the Australian population of 18.5 million people were born overseas (DIMA 1998). These first generation immigrants, together with their Australian-born children - the second generation - comprise over half of the population of Australia's largest cities of Sydney, Melbourne, Adelaide and Perth (Burnley 2001). Despite the white Australia policy and the desire to fill the country with mainly British immigrants, Australia's immigrants have come from all corners of the globe. People from more than 180 nationalities have been caught in the Australian immigration net (Collins 2000).

The historical couplet that relates immigration and immigrants to crime has occurred regularly throughout Australian history. This paper attempts to investigate the myths and the realities underlying the relationship between youth, ethnicity and crime in Australia through an exploration of the moral panic in Sydney about Lebanese and Middle Eastern youth gangs. The next section presents an overview of the existing research and data on the relationship between ethnicity and crime in Australia. The paper then investigates dimensions of the racialisation of the crime issue in Australia before looking at the issue of police racism in NSW and Australia. Finally, the paper summarises some concluding remarks.

2. Research into 'Ethnic Crime' in Australia

In the 1950s, the first decade of the great post-war immigration program that was to change the face of Australian society, concern about the possible links between ethnicity and crime led to three reports by the Commonwealth Advisory Council (1952, 1955 and 1957) into the matter. The three Dovey Reports, as they were known, found that migrants were in fact under-represented in crime: the incidence of convictions for "aliens"- as non-naturalised immigrants were officially known - was lower (3.9 per thousand) than for adult Australians (5.7 per thousand). The report found that the criminal conviction rate of southern European immigrants was one quarter of that for the general population and that the recidivism rate of immigrants was half that of the Australian-born. Moreover, the longer the duration of stay in Australia for an immigrant the less likely that that person would commit a criminal offence (cited in Borowski and Thomas, 1994).

Research in the first half of the 1980s added to the evidence about the low incidence of immigrant crime. Francis (1981) hypothesized that the migrant crime rate would be higher than that of the Australian born, but the data showed him that he was wrong. While second generation immigrants - that is, those who had at least one parent born overseas - had higher crime rates than first generation immigrants, second-generation crime rates were below that of adults who had Australia-born parents. Another study

of juvenile crime at in the early 1980s also concluded that second generation immigrant youth were more criminal than the first generation, but that they were not more criminal than the children of non-immigrant parents (cited in Borowski and Thomas, 1994:640). Some six years later, Hazelhurst (1987) looked at Australian national prison data for the period 1982-85 and concluded that migrants had lower, not higher, crime rates. In 1985, when the imprisonment rate for the Australian born was 107.5 per 100 000, the comparable rate for all the foreign-born on average was 75.5 per 100 000 (Hazelhurst 1987: ii).

However, when Hazelhurst looked at different birthplace data for first generation immigrants, a more diverse pattern became apparent. Those born in the New Zealand (the data does not allow an identification of what part of these were Maoris), Lebanon, Yugoslavia and "Other Middle East" had a higher relative proportion of those in prison than the Australian-born. It seemed that a strong link between ethnicity and crime had been established. But when a later study looked at data for the second half of the 1980s, it concluded that the crime rates for Vietnamese juveniles was significantly lower - indeed, almost half of - the rate for non-Vietnamese. On the other hand, there was a higher relative murder rate among Vietnamese-born, though there were significant problems with the data (Easteal 1989: xii-xiii).

Despite claims that some ethnic groups were involved in criminal gangs, the evidence does not support the view that immigrant groups are over-represented in criminal activity. However, these conclusions are tempered somewhat because of the weaknesses of available data on criminality by ethnicity. Borowski and Thomas (1994: 649) reviewed the Australian and Canadian evidence on ethnic crime, and concluded that:

... the community's fears about the threat that adult and juvenile migrant crime may pose for social stability are largely unfounded. At the same time it must be acknowledged that much of the research on which this conclusion is based suffers from data limitations.

The link between ethnicity and crime is clearly more complex and tenuous than many think.

New research that has emerged in the 1990s confirms that there is no clear-cut relationship between ethnic minorities and criminality. A study of the 1991 National Prison census suggested that overall there was little difference between the imprisonment rate of first generation immigrants and the average rate for the total population. However, once again when the foreign-born data were broken into different birthplace groups, the Turkish-born had the highest rate of imprisonment (309.2 per 100 000 adult Australian residents), followed by the Lebanese-born (275.1), the Vietnam-born (156.6) and the New Zealand born (168.4). These rates are higher than the rate of imprisonment for the Australia-born, which was 131.6 per 100 000 adults in 1991. But it would not be correct to draw the conclusion from this data that immigrants *per se*, or NESB immigrants in particular, are more criminal than the Australian-born, in the manner of the anti-immigration arguments of *One Nation* proponents. The 1991 prison census data also revealed that NESB immigrants born in Greece (49.6), Italy (49.3) and Africa (54.2) - as well as those immigrants born in the UK (55.9) and Eire (50.6) - had markedly lower rate of imprisonment.

More recent Australian data comes from the country of birth of prisoners collected as

part of the National Prison Census, published since 1982. A subset of this data for the year 1997 is produced in Table 1.

Table 1. Rates of Imprisonment by birthplace, 1997 (per '000 of population)

Birthplace	Rates of Imprisonment
Australia	1
UK/Eire	0.6
N.Z	1.6
Vietnam	2.7
Greece	0.5
Italy	0.6
Turkey	1.6
Lebanon	2.0

Source: Mukherjee, (1999a: 8)

These data show that, while immigrants born in the Lebanon, Vietnam, Turkey and New Zealand are over-represented in prisons compared to the Australian-born, others born in Greece and Italy are under-represented. Again, it appears to support the conclusion that there is no simple correlation between ethnicity and crime in Australia: some birthplace groups of first generation immigrants are over-represented, others under-represented.

Extra caution is required in using these statistics to make any firm conclusions about the relationship between ethnicity and crime in Australia. To make a claim about the criminality of different ethnic groups or "cultures" in Australia from data on rates of incarceration of different immigrant groups is valid *only if* it can be assumed that the foreign born have an equal probability of apprehension and are treated equally by the judicial system (Thomas 1993: 7). Police attitudes influence how far individuals who are apprehended in alleged criminal acts go in the criminal justice system. This point will be addressed later in this paper.

Research into youth crime

As the previous section of this paper has outlined, youth rank highly in the minds of those who fear for their safety in NSW. That youth crime is on the increase is a popular mantra that echoes from many public commentators and sections of the media. Much of the concern about ethnic crime in Sydney relates to the behavior of mostly second-generation immigrant youth. But just how extensive is youth crime in NSW in general and Sydney in particular? Are these fears supported by the research into youth crime in NSW?

Part of the problem in answering this question is that there is little research on youth crime in the late 1990s. Most of the research relates to the decade from the mid 1980s to the mid 1990s. In this section we outline some key findings of this research into youth crime in NSW and Sydney.

A report to the NSW Parliament by the Legislative Council Standing Committee on Social Issues (1995:23) *did* find evidence for an increase in violent offences committed by youth: "Available data from the Children's Court suggest the number of proven violent offences has increased substantially over the last decade. ... In addition,

a growing proportion of all court appearances involve alleged violent offences. ... The proportion of the total number of cases coming before the court that involve violence has also been increasing over recent years. In 1986-87 violent offences represented 9.9% of all appearances for juveniles in the children's court...by 1993-94 the percentage of appearances for violent crimes had more than doubled to 21.3%."

A good insight into the facts of the matter are provided in report of the *NSW Parliament by the Legislative Council Standing Committee on Social Issues* (1995), which is referred to extensively below. According to the *NSW Parliament by the Legislative Council Standing Committee on Social Issues* (1995:31-39):

- The number of alleged robbery offenders aged between 18 and 24 years armed with either a firearm or another weapon fell to their lowest level in the four year period under review in 1993.
- the numbers of serious robbery offenders in the 10 to 17 year age group rose to their highest level in 1993
- the annual number of alleged sexual assault offenders in the 18 to 24 age group has been relatively stable for several years
- The number of persons aged 18 to 24 years convicted of homicides and sexual offences has been relatively stable since 1988. In contrast, the number of proven robbery and extortion offenders has risen substantially in recent years.
- While the Far West and North Western regions had comparatively higher rates for both the 10 to 17 and 18 to 24 year age groups for offences against the person in 1992, for robbery offenders, the Sydney statistical division had a higher comparative rate than other regions
- The Senior Children's Magistrate suggested to the Committee that the carrying of knives by juveniles is 'very frequent' both in the community and in schools (p 44)
"The kids who do it will usually say not that it is there to peel their orange or they are going fishing with it but, 'We are carrying it for our own protection.' (Blackburn Evidence, 28.07.94).
- "A consultant's report prepared for the NSW Police Service, *Street Gangs*, states:
"there is growing anecdotal evidence of increasing incidence of weapons among youth. This includes guns with youths claiming they are 'easy to come by'...if verified (this) is a most worrying development (Pulse Consultants, 1994:26)."

There are some data available on juvenile crime by ethnicity (or, more correctly, by the inaccurate proxy for ethnicity, birthplace). As Lawlink NSW (1999d:4) reports, some ethnic groups have a rate of involvement in the criminal justice system that is well above the average. The report identifies Indo-Chinese and Pacific Islanders as youth whose presence in the criminal justice system is well out of proportion to their representation in the overall population, and has increased in recent years.

Other insights into the ethnic youth emerge from a *report into youth violence in NSW* by the NSW Legislative Council Standing Committee on Social Issues (1995). The Committee analysed early 1990s data on the birthplace of young people in Juvenile Justice Centres who were committed for violent offences and for robberies. These data, shown in Tables 2 and 3, suggest that Lebanese, Indo-Chinese, New Zealander (including Maoris) and Pacific Islander juveniles are significantly over-represented.

Table 2: Violent Offences by Ethnicity/Cultural Background: NSW Juvenile Justice Centres, 1 January 1991 to 31 May 1993

ETHNIC GROUP	PROPORTION OF VIOLENT OFFENCES
Anglo-Australian	50.8%
Aboriginal	28.4%
NZ/Maori	3.6%
Indo-Chinese	3.3%
Lebanese	2.8%
Other	11.1%

Source: (NSW Legislative Council Standing Committee on Social Issues, 1995:48).

Table 3: Robberies by Ethnicity/Cultural Background: NSW Juvenile Justice Centres, 1 January 1991 to 31 May 1993

ETHNIC GROUP	PROPORTION OF VIOLENT OFFENCES
Anglo-Australian	47.1%
Aboriginal	24.1%
NZ/Maori	3.8%
Indo-Chinese	3.0%
Lebanese	5.6%
Other	21.8%

Source: (NSW Legislative Council Standing Committee on Social Issues, 1995:48).

While Lebanese comprise 0.9 per cent of the juvenile population - defined as 12 to 25 year olds - they accounted for 5.6 per cent of those detained for violent offences and 2.8 per cent of those detained for robberies. Similarly, while 1.6% of this population segment is from New Zealand, including Maoris, juveniles from these groups were responsible for 3.6% of the violent offences and 3.8% of the robbery offences. Indo-Chinese youth, mainly born in Vietnam but including Cambodians and Laos, represent 3.3% of all juveniles in detention for violent offences, even though young people from these cultural groups comprised only 1.5% of the total youth population in NSW. Finally, the report recorded that the number of Pacific Islander juvenile detainees increased by 75% from April 1993 to April 1994, commenting that "the offences for which these youth were placed in custody suggest a tendency towards violent criminal activity (NSW Legislative Council Standing Committee on Social Issues, 1995:48).

To conclude, it is clear that fears of youth crime in Sydney and NSW do have some factual basis. Research shows that there is a problem with youth in public spaces around Sydney, including parks, sports grounds, shopping precincts and public transport. There is also anecdotal evidence that youth may be using weapons at an increasing rate, though the data is not clear on this issue. However, more contemporary research is required to bring the picture up to date.

Often public fear about youth relates not only to their individual criminal acts of theft and violence, but to the way in which youth gather in public spaces. However, reports in early 2000 of large numbers of trouble making youths in Sydney's world-famous Bondi Beach (Cornford, 2000: p.15) highlight the concerns. These reports are

worrying. But at the same time we must caution about drawing sensationalist conclusions about the extent of youth crime from one or two publicised instances. As White (1994: 114) argued, media-generated 'moral panics' regarding youth 'crime waves' and the stereotyping of certain young people as being 'troublesome' or 'dangerous' can stimulate a general fear or anxiety at a popular level".

How do we interpret this data and research?

The problem here is that given the currently available criminological data, it is nearly impossible to compare rates of crime for different ethnic communities in NSW. This is because, as Mukherjee (1999a: 3) points out, police records constitute the major source of crime statistics in Australia so that available statistics refer only to crimes reported to and/or detected by police. Since only 40 per cent of crimes that occur are reported to police and only 25 per cent of offences are recorded by police, Mukherjee (1999: 4) concludes that "only about 10 per cent of the crimes that occur each year in Australia are solved and only for this set of 'solved' crimes perpetrators are known".

If our task is to interrogate the NSW data about Lebanese or other ethnic criminality, the task is made impossible because NSW police do not collect and publish statistics on the ethnicity of persons processed by police. Victoria is the only state in Australia to collect and publish systematic police data on the birthplace - as well as age and gender - of those individuals processed by police. The problem here is that birthplace alone cannot give you accurate ethnicity data. Victoria and Western Australia police services are the only ones in Australia to publish data on the ethnic appearance of the criminal suspects that they process (Mukherjee 1999b). Clearly, "ethnic appearance" is a subjective and error-ridden measure of ethnicity. The Victorian data has only been published since 1993-94. But no offence details are provided for distinct persons.

Even if such data were available, it would still be very difficult to make confident and clear conclusions about the issue. As Mukherjee (1999a:5) has argued, there are great weaknesses in interpreting such a data set: only a limited number of migrant groups are listed, and even so "prisoner statistics cannot be used to estimate the involvement of migrant groups in crime". In other words, it is not possible to conclude, from published criminology statistics, if a particular ethnic group - say the Lebanese or any other ethnic group in Sydney - are overly "criminal" when compared to the rest of the Sydney population.

Moreover, there are great problems in using this data to make firm conclusions about juvenile crime in Sydney. First, such data applies only to the first generation, not the second, yet it is often second-generation youth - Lebanese or otherwise - who are at the centre of much of the fear of crime in Sydney. According to Lawlink (1999:1) "It is widely recognised that attempting to discern the underlying rate of crime [of juveniles] using police reports or court statistics is problematic." There are also other biases in the data. For example, Cunneen [1995] points to factors of social, cultural and political process that militate against an accurate reading of the nature of juvenile crime.

To conclude this section, it is clear that the research and data available to date is not of sufficient quality to support the conclusion that there is a clear, positive relationship between ethnicity and crime in Sydney. This is because nowhere in Australia is accurate ethnicity statistics on criminality available. Some limited data

that uses birthplace as a proxy for ethnicity does show that in some Australian states some ethnic groups are over-represented in different cohorts of recorded criminal activity. In particular, higher rates of juveniles in custody are evident from some birthplace groups, including the Lebanese, Vietnamese, Pacific Islanders, Maori, Chinese, and Turkish-born. But the numbers are a tiny fraction of the youth population of these birthplace groups. Moreover, these data show that other ethnic minorities are under-represented in crime. In addition, many of the Australian and international studies cited in this chapter and using the same, limited, data sets conclude that ethnic groups are not over-represented in crime.

In no way has criminological data and research in Australia established with any statistical confidence a link between culture, ethnicity and crime. Perhaps the only firm conclusion that can be drawn from existing data is that they do not support the hysterical claims made about wide-spread Lebanese criminality that were part of the moral panic stirred up over Sydney's airwaves and newspapers in the early spring of 1998 and that have been repeated in February 2000.

Research into fear of crime

Another insight into Australian crime comes not from police data on suspects or incarceration but from community fear of crime. Fear of crime is widely reported in Australian cities and towns. It appears to be part of the fabric of the current age of uncertainty that has emerged in the last few decades in Australia, characterised by increasing globalisation, rising unemployment and growing economic insecurity.

There is evidence that people in NSW fear youth gangs and that youth rank highly in the typology of criminal in the minds of those surveyed about fear of crime. For example, Lawlink NSW (1999b:5) reported the results of a survey on *Perceptions of Crime or Public Nuisance Problems in the Neighbourhood*, conducted in NSW in April 1995. The findings suggest that youth gangs were thought to be a problem for only one in five people: "Although 21.2 per cent of persons interviewed thought 'Louts/youth gangs' were a problem, it is worth noting that only 6.8 per cent thought it was the main problem." However, other research has established that young people themselves are most likely to be the victims of crime: "juveniles and young people generally seem to be most at risk of criminal victimisation, at least where incidents of violence are concerned."

It is also clear that fear of crime is constructed through the racialised prism of fear of the "Other". Deborah Lupton (1999:1) conducted fieldwork in 1997 in Sydney, Bathurst, and Wollongong in NSW and in Hobart in Tasmania, into fear of crime. The participants in the research included young people (16 to 20 years of age), older people (aged 60 years and above) and women of all ages. The ethnic background of those surveyed was not recorded. The survey is a good example of one dimension of the processes of racialisation in Australia. People attach blame for their fear of safety, as well as for other problems in their life, on some constructed, racialised Other, with the Australia media playing a key role in the construction. To quote Lupton (1999: 14) here:

The figure of the 'unpredictable stranger', the Other who poses a threat of crime to oneself, tends to act as a target and repository of generalised as well as more specific worries, fears and anxieties. These

include concerns about the nature of modern life and modern society, the apparent breakdown of community feeling, the loss of a sense of certainty about life and social relations, growing incivility in people's interactions with each other and the effects of increasing unemployment, poverty, and family breakdown.

Lupton (1999:12) concludes that

Mythologised places of danger, thus, are seen as dangerous particularly because they are associated with people from deviant and marginalised social groups – injecting drug users and drug dealers, sex workers and pimps, unemployed people, the homeless, impoverished people, desperate people, angry people, drunks, corrupt police officers, Aboriginal people, members of Asian criminal gangs...The figure of the 'unpredictable stranger' was invariably identified as male, but within categorisation different subcultures were identified by different social groups. For young men, for example, it tended to be members of youth gangs, for young women it was all strange men in public places, for adult men it was often drunken men outside pubs.

Thus immigrants (with Aboriginal people), as the "Other", are widely seen as the perpetrators of fear. Rarely are immigrants themselves seen as "victims" of this fear.

Gender dimensions of youth crime

While the focus of this paper is on youth crime, it is clear that most youth, ethnic or not, who are involved in criminal activities are male. As Lawlink NSW (1999c:1-2) reports, 1995 data showed that 95 per cent of those in NSW juvenile detention centres were male. The only criminal offence for which girls approaching parity with males is fraud, while the only offence for which females appear more than males is prostitution (90 per cent of appearances before the courts for prostitution were female). Whether this reflects a high rate of criminal activity of young men or a higher incidence of organised crime is unclear. Lawlink NSW (1999c) cites figures from the *The Kids in Justice Report* [1990] that show that boys are about seven times more likely than girls to be charged for offending than girls.

Clearly, a study of youth ethnicity and crime in Sydney is primarily about young ethnic men in Sydney, with the research emphasising what Carrington [1990] called 'the masculinity of criminality' (cited by Lawlink NSW 1999c:2). But as Alder points out, "despite the rapid growth of research on women's and girl's experiences of the criminal and juvenile justice systems, the policing of young women in particular has been left relatively unexplored" (Alder Evidence, 29.07.94, Legislative Council Standing Committee on Social Issues, 1995:46).. While it is not the concern of this book to rectify such imbalance, that is not to say that we overlook the centrality of gender relations in the nexus between youth, ethnicity and crime.

Some pertinent observations have been made on the relationship between gender, youth and crime by the Legislative Council Standing Committee on Social Issues (1995:46):

The witness differentiated between internal and external violence for young women and young men, suggesting that women are taught to express anger internally, in the form of self-mutilation, drug abuse,

eating disorders and even forming relationships. When young women do express anger and act violently, it is noticed more and not tolerated as much as it is for young men (Wilson Evidence, 29.07.94).

“Another witness suggested that *being bad can actually be a sort of romantic, positive image for blokes. There is no notion of badness that is acceptable for women*’ (Alder Evidence, 29.07.94).” (Legislative Council Standing Committee on Social Issues, 1995:46).

Another insight into the complex relationship between immigrants, youth, masculinity and crime comes from Manuel Castells (1998: 204) who describes the growth and expansion of the global criminal economy. Castells argues that global crime networks have a cultural as well as an economic and political impact on contemporary societies: the main cultural impact of global crime networks on societies at large, beyond the expression of their own cultural identity, is the new culture they induce. In many contexts, daring, successful criminals have become role models for a young generation that does not see an easy way out of poverty and certainly have no chance of enjoying consumption and live adventure...In a world of exclusion, and in the midst of a crisis of political legitimacy, the boundary between protest, patterns of immediate gratification, adventure and crime becomes increasingly blurred.

Other research links much intra-male violence with issues of masculine identity. A considerable literature exists on the importance of masculine honour among peer groups of young working and ‘underclass’ men (Campbell 1993; Cunneen, 1995). But little of this research also investigates how ethnicity structures issues of masculinity. Poynting, Noble and Tabar (1999) have explored how particular experiences of subordinated ethnicity of immigrant young men shape and are shaped by forms of masculinity which RW Connell (1995) terms ‘protest masculinity’. Tomsen (1996: 193) emphasises that the masculinity aspect of youth crime, policing and institutionalisation needs to be considered before policies are developed to respond to male juvenile crime: “The intertwining of police and other masculinities which are defined and reproduced in opposition to each other, means a considerable misdirection of resources allocated to counter crime... interactive analyses of honour have so far overlooked the importance of the masculinist interests of such authority figures as security officers and police” (Tomsen 1996:2).

Youth and public space

The link between socio-economic factors and crime are both direct and indirect. One link is how low or no income limits the private space that youth have access to and makes them reliant on public space, often in shopping precincts or parks. This link is explored in a report by the Federation of Ethnic Community Councils of NSW (FECCA) on the use of public space:

Young people who are unemployed, who have little money to pay for entertainment, who may be geographically isolated and have little access to public transport, and who may not have a home in which to socialise with friends are very limited in where they can spend their time. Public spaces like shopping centres may be the only free, dry, warm (or cool) and accessible places where they can amuse themselves in the hours of boredom without employment, educational or family constraints (FECCA, 1991: 33).

As Rob White (1994: 110) reminds us, in order to talk about spatial aspects of youth crime it is important to distinguish between policing of certain communities (say, the Lebanese) and neighbourhoods (say, Lakemba) and the policing of public sites where diverse crowds of people congregate. That aspect of youth culture that relates to the latter, public spaces like the shopping mall and shopping centre, White (1994) calls "street life".

There is a contradiction at the centre of conflicts over kids and shopping malls. The latter are the most sophisticated development of the commodification of public space, while those young people who have no or little money are disconnected from the market function of the "shopping experience". The mall is designed to bring people in, to make them feel comfortable and welcome, to induce them to buy. But the problem is that many youth visit such places for other reasons than they were designed for, since many of them lack spare dollars to spend at the mall. There is a social class dimension that cuts across age here. Youth with cash are very welcome, and not seen as troublemakers, while their "have not" peers are really not wanted at all. Rob White (1994: 112) captures well this class dimension to youth in public spaces:

Social responses to young people will be shaped by their position as consumers, and as producers, in the context of general street life. For example, young people who do purchase goods and services, or who exhibit a level of affluence which makes them appear as potential customers, are rarely seen as problematic from the view of businesses or the police...In the case of the dispossessed, the obviously poor and visible minority groups, their social position is usually mirrored in the suspicion and confrontational attitudes of those around them...From the point of view of consumption, these young people are virtually 'worthless'.

It is thus important to understand the contradictory connection between youth and the malls and shopping centres. Unwanted by mall-owners because of their lack of income and grouping in numbers, their very lack of income and socio-economic status draws them to the mall in numbers. Rob White (1994: 111) captured the attraction of youth to these public space that accompany shopping in the following way:

The use of urban malls and shopping centres by young people generally stems from a range of social and economic factors. The 'bright lights' of the city, the lack of recreation or leisure facilities in one's own neighbourhood, no money to pay for alternative forms of entertainment, proximity to public transport services, the reputation of certain places as good ones at which to 'hang out', the danger and excitement associated with interacting with young people from many backgrounds ... the 'street', including malls and shopping centres, provides a place where young people can feel secure in their activities by having numbers of like minded peers around them yet being relatively anonymous and free in terms of close parental or other adult control.

3. The racialisation of the ethnic crime debate in Australia

It is impossible to avoid the conclusion that the debate about ethnic crime in Sydney

and Australian has been highly racialised. By this I mean that there is an asymmetry in the response to, and reporting of, what is called *ethnic crime* – that is, the crimes allegedly committed by immigrant minorities in Australia – when compared to the response to, and reporting of, crimes that involve so-called ‘non-ethnics’, that is the Anglo-Celtic majority of the Australian population. In other words, the discourse about ethnic crime, the way that it has been reported and discussed in the media and other public and private forums, and the way that the NSW Government – including the NSW Police Service – has responded to it, as demonstrated by the events outlined above, is very different to the way in which other, equally heinous, crime is reported, discussed and responded to. This asymmetry is demonstrated in a number of ways in this section. The first relates to the historical link between immigrant minorities, cultural diversity, multiculturalism and criminality. The second relates to the specific responses to, and discourse about, the events in Sydney since October 1998. These will be discussed in turn.

Historical Background: cultural diversity, multiculturalism and crime

The supposed links between – often ‘undesirable’ – NESB immigrants and criminal behaviour is a recurring theme in Australian immigration history (Francis 1981). The issue has also periodically attracted media attention and public debate, as far back as nineteenth-century panics in the *Bulletin* and the like about supposed Chinese criminality. Such fears led to periodic research and inquiry into immigrant crime in the post-1945 decades of burgeoning immigration (Bureau of Immigration Research 1990; Mukherjee, 1999). The 1950s and 1960s were dominated by immigration of Greeks and Italians, and these groups were soon linked to crime in Australia. In 1961, for example the Sydney newspaper, *Observer*, reported the involvement of Southern Europeans in prostitution rackets in Melbourne (Bureau of Immigration Research 1990:2). The 1970s also saw the ‘Greek conspiracy case’ over alleged Medibank fraud by Greek doctors. The accused were later exonerated, with the police involved found to have used inappropriate investigative methods in the case (Bureau of Immigration Research 1990:10; Kondos, 1992). The now defunct weekly, *The National Times*, reported in 1978 on the drug trade involving Calabrian Italians, as well as Lebanese, Chinese and Turkish drug traffickers (Bureau of Immigration Research 1990:2).

The emergence of Asian immigrants in large numbers in the mid-1970s – for the first time in nearly 100 years, following the abandonment of the ‘White Australia Policy’ – was accompanied by a fear of Asian crime, particularly associated with the Triads. Two incidents of so-called ‘ethnic crime’ have since become landmarks in popular memory, each linked to the murder of a politician. In the 1970s, allegations and convictions of Italians in Griffith in south-western NSW fed fears of the importing of the Mafia to Australia. In 1977, the disappearance and presumed killing of Griffith Liberal Party Branch President Donald McKay, an anti-marijuana campaigner and former State Liberal candidate in the Griffith region, elevated these fears to a full-blown moral panic. In 1994, Cabramatta Labor MLA, John Newman, was gunned down outside his home (*Sydney Morning Herald*, 1994: p.1; Collins 1994). Like McKay, Newman had been campaigning against criminals involved in the drug trade. Cabramatta in Sydney’s western suburbs had, since the mid-1970s, become a centre for Indo-Chinese settlement (Viviani 1984, Viviani *et al* 1993, Thomas, 1999), and was dubbed ‘Vietnamatta’ by the media. Three Vietnamese immigrants, including Phuong Ngo, the former local Councillor and first Vietnamese to be elected to local

government in Australia, were charged in 1998 with Newman's murder after years of investigation. Ngo has subsequently been convicted of this murder and is serving time in Sydney's Long Bay Jail. Following these incidents, the media then engaged in great concern about 'ethnic gangs', in the context of a widespread resurgence of anti-Asian immigration sentiment.

Sydney's culturally diverse population – over 180 nationalities are listed as staying in Sydney on the night of the 1996 census – is the product of immigration, particularly in the postwar period. Since Australia has had more immigrants of greater diversity than most countries, it is not surprising that the issue has been controversial. Critics of Australian immigration policy (Blainey 1984, Rimmer 1991, One Nation 1998) – or, more correctly, critics of non-British immigrants entering Australia (Collins 1991: 20-32) – have emphasised the crime links of immigrants as one of their objections. They point to the connection between immigration and the importation of criminal gangs such as the Mafia, Yakuza and Triads into Australia. More generally, immigration is, in the eyes of these critics, linked to social conflict, economic debt and environmental destruction in Australia. This criticism is extended to the policy of multiculturalism, the philosophy guiding government policy on immigrant settlement, which has shaped immigrant settlement in Australia since the mid-1970s.

Des Keegan (1985), for example, wrote in *The Australian*, 'Racial hatred has erupted everywhere the mixture has been too disparate'. Geoffrey Blainey predicted that Australia would face of blood on the streets in the 'front-line' suburbs of immigrant settlement as neighbours try to defend themselves from (cultural) invasion (Blainey 1984). Multiculturalism was seen as part of the problem. According to Blainey, 'Multiculturalism...is a recipe for trouble, but coated with platitudes and golden syrup' (Melbourne *Herald* 30 August 1984) and 'our current emphasis on granting special rights to all kinds of minorities is threatening to cut this nation into many tribes' (*Sydney Morning Herald* 25 January 1986).

These concerns about multiculturalism have not gone away. The One Nation Party argued that 'economically immigration is unsustainable and socially, if continues as is, [it] will lead to an ethnically divided Australia'. Moreover, multiculturalism leads to 'our people [being] divided into separate ethnic groups' and a destruction of 'our unique Australian culture and identity' (One Nation 1998: 2-3, 10). Journalist Paul Sheehan also puts a populist spin on the anti-multiculturalism theme. In his best-seller, *Among the Barbarians*, Sheehan is critical of the 'multicultural industry', which is 'one of tax-fed lawyers, political operatives and racial axe-grinders that has grown like an enormous parasite out of Australia's heroic commitment to cultural diversity' (Sheehan 1998: x). The issue of national identity in a culturally diverse society also concerns him as he strongly rejects 'the notion that Australia does not have a distinct national culture that binds and forms society' (Sheehan 1998: xiv).

In the historical discourse that opposes Australian immigration and cultural diversity, the image of the immigrant 'Other' that is criminal, devious, non-Christian and non-Australian is a recurring figure. This is particularly true in relation to Australia's most controversial immigrant minorities, the ethnic Chinese (Markus, 1994) and those from the Middle East (Hage ed, 2002), particularly Muslims. These discourses have been rooted in an explicitly racist Australian immigration policy from the 1860s to the 1970s and have links to the racist discourse that accompanied White

settlement/invasion and the subsequent racist policies and practices directed to Australia's indigenous peoples, including the recently overturned doctrine of *Terra Nullius* (Rowse, 1993). Indeed, it is not surprising that Aboriginal peoples have the highest rates of incarceration and criminality in Australia (Cunneen 1994).

The Racialised response to the events in Sydney of October 1998

After the events of late 1998, the NSW Premier, the NSW police chief, Peter Ryan and the Ethnic Affairs Commission of NSW held the first of a number of talks with Sydney's Lebanese community leaders. Community consultations are a sensible response to these events. But it seemed to many observers that the issue was being presented as one that the Lebanese community itself should solve: it was presented as an ethnic community issue, not societies issue. While the government obviously had good intentions in this regard, a glaring asymmetry emerged. While the events in Lakemba and Punchbowl became the responsibility of the Lebanese community to negotiate and to help solve, other serious criminal events in NSW in the past decade have not been seen as the responsibility of ethnic community leaders. Take one of the most vicious crimes in western Sydney in recent decades, the brutal sexual assault and murder in 1986 of Anita Cobby. The three brothers who were convicted of her murder, Gary, Michael and Leslie Murphy, were of Irish background. Yet not one newspaper or politician reported a problem with 'Irish crime'. The Premier at the time did not ask the Ethnic Affairs Commission to seek meetings with Irish community leaders about the murder. It was not seen as an 'ethnic' crime, because the Irish are part of the dominant Anglo-Celtic majority. It seems that only non-Anglo-Celts are seen as 'ethnic' in relation to criminal matters.

At the same time, the NSW Police Commissioner, Peter Ryan, has publicly reported the problems that his officers have had in getting co-operation from Sydney's Lebanese community when investigating the killing of Edward Lee and the drive-by shoot-up of the Lakemba police station. He repeated these claims more recently – in February 2000 – when investigating other criminal events in Sydney involving what Mr Ryan identified as Lebanese gangs. Mr Ryan's take on this is that there is a *code of silence* within the Lebanese community about crime and that this is hindering NSW Police investigations to solving these crimes.

The problem with this view is that it suggests that this code of silence is a cultural artefact peculiar to the Lebanese community in NSW or, by extension, a problem found among Sydney's ethnic communities. But slight reflection destroys the credibility of that view. In 1989, a teenage girl, Leigh Leigh, was sexually assaulted and murdered in Stockton, near Newcastle, and a code of silence was reported to have descended over the neighbourhood (Lyons, Lewis and Watkin, 1989: p.1; Lewis, 1989: p.3). One youth was charged, tried and convicted of this crime, but it took years of effort from Leigh Leigh's mother, some academics and lawyers to get the case reopened to investigate the role of others in the crime. Codes of silence are not limited to Sydney's Lebanese and Arabic communities or other ethnic communities. Many communities close ranks to the police, even in circumstances far less serious than the Leigh Leigh or Edward Lee cases. Such fears that lay behind these codes of silence confirm that they are not an ethnic condition but a social condition. Often, those who do know something fear for themselves or for members of their family who might be implicated in a serious crime. They fear the consequences of being exposed as an

informer: not an uncommon sanction, including among police. They also may not trust police, particularly if the police have just completed a program of enforcement which the community judged to be over-aggressive.

The attribution of the ‘wall of silence’ to the ‘Lebanese community’ infers that it is the who bear the responsibility for the crimes: an inference strenuously rejected by Sydney’s Arabic-speaking communities. Thus Lebanese culture has been portrayed, particularly by some of Sydney’s most reactionary talk-back radio ‘stars’, as inherently criminal, either because of their war experiences in the Lebanon, or because of some innate predisposition. Lebanese male youth are labelled as being troublemakers and members of violent, criminal gangs. This line of rhetoric leads to dire warnings of Sydney becoming as violent as Beirut, unless strong measures are taken.

There are several faults in this argument. First, even if first or second generation Lebanese immigrants are charged and convicted with these events, these criminals are a very small minority of the Lebanese community in Sydney, which numbers some 111,000 people. Second, the implication is that Sydney’s Lebanese community is homogeneous and is complicit in these criminal events. In fact, Sydney’s Lebanese community is a very disparate, as are all Sydney’s ethnic communities. Some Lebanese are Catholics and some are Muslims. Even within these two religious groups, there are significant factions and differences. Some Lebanese can trace their roots in Sydney back over 100 years; others have arrived in the past 20 years. Some are very wealthy, others own marginal small businesses, others are white-collar workers, still others are factory workers or unemployed. Some have university degrees; others never finished high school. They have different Lebanese regional histories and affiliations. The upshot of all this is that there is no such thing as ‘the Lebanese culture’. Rather, there are Lebanese cultures, just as there are Lebanese communities. Reference to *the* Sydney Lebanese community assumes homogeneity when there is none. Third, when imputations move from the criminality of a few to the criminality of a culture, we have a case of crude racial stereotyping.

Finally, the debate about ethnic youth crime in Sydney has been racialised in a very cruel way. Most of the youth of “Middle Eastern Appearance” that have been at the centre of this debate are in fact Australian born and are Australian citizens. However, the discourse that has dominated the media coverage of the issue has robbed them of their Australian nationality. These youth are described as ‘Lebanese’, ‘Middle Eastern’, ‘immigrant’ or ‘ethnic’, never ‘Australian’ or even ‘Lebanese Australian’. This clearly constructs them as the Other, as non-Australian.

4. Police Racism and Ethnic Crime in Australia

Another dimension of the racialisation of the issue of ethnic crime in Australia relates to racism in the New South Wales and other state Police Services. There is strong evidence that police racism is an important factor in the ethnic crime equation, not only in Australia, but also in other multicultural societies such as the USA, Canada and the United Kingdom. As Janet Chan (1997: 20) argues: ‘Police are often accused of forming stereotypical opinions about the criminality of certain ethnic groups’. She cites an unpublished report by the NSW Ethnic Affairs Commission that, from a survey of fifty-five community organisations in NSW, found that young people of

some ethnic backgrounds are type-cast as delinquents. The ethnic organisations were concerned that NSW police assumed that NESB youth were 'trouble makers' and 'constitute themselves as gangs'. This was congruent with findings from interviews with leaders and community workers in the Arabic-speaking community in 1999. Ironically, Bankstown-based police were 'caught on their own surveillance cameras making racist remarks to Australian residents of Arabic appearance' (Doherty 2000, p.3).

As Chan argues, even if police do not actually discriminate against minority youth in Sydney, the widespread perception of such discrimination among racial minorities creates problems:

Since fear and distrust of the police are common among some groups, any evidence of unfair treatment can only add to the distance between police and minorities. It is therefore not surprising that police often find that seeking cooperation from some members of minority communities can be a challenging task (Chan 1997: 23).

The events in late 1998, particularly the drive-by shooting of the Lakemba police station, have focused attention in Sydney on ethnic youth and crime; they also concentrated police attention on Lebanese youth in the area in a big way. The police responded to the 1998 events with a very well orchestrated, aggressive "in-their -face" stop and search program of Lebanese youth, an action that was greatly resented by Lebanese youth and by their parents and community leaders.

To understand this situation we need to situate these events within the broader framework of increasing tension and conflict in the relations between young people and police. This climate of conflict has more to do with political pressures regarding policing reform, and with lack of opportunities and facilities for young people in certain neighbourhoods, than it does with matters of ethnicity in general or *Lebaneseness* in particular. As Rob White and Christine Alder wrote in the introduction to their edited collection, *The Police and Young People in Australia*:

Currently there are considerable pressures upon the police to keep young people under control and publicly invisible. In a period of extremely high levels of youth unemployment, poverty and homelessness, a range of tensions and conflicts may surface when the police 'do their job' and young people 'do their thing' in the same public spaces. These conflicts in turn raise major questions regarding the use of police discretion, and the manner in which the police intervene in particular communities of young people. (White and Alder, 1994: 2-3).

Relations between police and youth have deteriorated with the increased targeting of young people that has accompanies "zero tolerance policing" strategies that have become popular in Australian and other Western societies with large ethnically-diverse populations. But, As Rob White (1994: 117) argues, "the targeting of young people as a group warranting police intervention and increased surveillance has been marked by sustained ideological campaigns establishing youth as 'the enemy' ".

Chan (1994:189-91) outlines how changes in policing strategies in NSW have worsened relations between police and ethnic youth. "The shift to pro-active policing, ostensibly as part of the problem-solving approach to police work, may also work

against marginal young people from ethnic communities. ...Young people known to have criminal records, or thought to be members of a 'gang', are regularly checked, questioned or even searched. Young people who insist on their rights are resented by police, who see the refusal to co-operate as additional reason for suspicion."

Policing Multicultural Societies

Australia is not the only country of post-war immigration. Canada, the United States, New Zealand, the United Kingdom, France the Netherlands and Germany have also experienced the emergence of - often unwelcome - immigrant minorities in their countries as a consequence of immigration (Castles and Miller, 1993). Like Australia, this development has been met by a resurgence of racist politics and right-wing political groupings. In Western Europe there has been a noticeable escalation of racism towards immigrant groups, fuelled by economic restructuring and the remarkable political and social changes in Eastern Europe. Groups such as the *National Front* in the UK, M. Le Pen's *Front Nationale* in France, skinheads in Germany and the Netherlands have all scapegoated immigrant minorities for the economic insecurities generated by the globalisation and economic and political restructuring of the last two decades. The emergence of the neo-Nazi racist right, who have attacked and killed refugees and foreigners under the slogan "Germany for the Germans" and "Full House", has dominated the German political scene in the late 1990s and spread to other countries such as Belgium, Austria, Denmark and the Netherlands. The emergence of Jörg Haider's Freedom Party in Austria was but one expression of these "anti-immigrant" political developments. Similar developments are seen in Denmark and the Netherlands, with the success of Pim Fortuyn's *Liveable Netherlands* party in the recent Rotterdam elections, and the success of Le Pen in the first round of the French Presidential elections in April 2002.. With unemployment rates at very high levels in many European countries (the Netherlands and Sweden are exceptions) and the nationalist contradictions that have emerged with further encroachment of the European Community and escalating flows of undocumented immigrants and asylum seekers, racist attitudes and violence have become common place and appear to be escalating. Immigrant minorities, often the victims of political change, economic restructuring and escalating violence, have been almost universally blamed for rising levels of insecurity, conflict, violence and crime.

Ethnic diversity appears, if media headlines are any guide, to be necessarily associated with conflict. Ethnic conflict, most devastatingly seen in the conflicts in former Yugoslavia - Bosnia, Kosovo - and a large scale flow of economic and political refugees from former Eastern Bloc countries, appears to have dominated the European landscape in the last few years. A decade earlier, "race riots" in the London suburb of Brixton in the first half of the 1980s (Solomos 1989) appeared to reinforce the equation of ethnic minority with conflict. The lessons, it appeared, were unavoidable: immigrant minorities are trouble and cause troubles. But as John Solomos (1992: 24) warns us, the reality is more complex: "The experience of the 1981 and 1985 riots is an example of the power of immigration as a political symbol, even though there was no evidence of the causal relationship between the two processes".

Despite such arguments, right-wing groups continue to mobilise political support around race-hatred, with claims of inherent criminality just one accusation directed at

immigrants. In the USA, groups such as the Ku Klux Klan seek support among racist elements of the white community in political campaigns and in vigilante acts of racist violence. In Canada, far-right extremist groups include the Ku Klux Klan, the Western Guard and smaller organisations such as the Canadian Nationalist Socialist Party, the Canadian Intelligence Service, Concerned Parents of German Descent and the Canadian Anti-Soviet Action Committee (Barrett, 1991:87-90). In that country, Preston Manning's *Reform Party* is, like Australia's *One Nation Party*, was grounded in anti-immigrant politics.

Two days after the court decision that precipitated the 1992 Los Angeles riots was handed down, Toronto, one of Canada's most multicultural cities, had its own "race riot". Over 1000 people, black and white, marched to protest against the killing of a black youth, Raymond Lawrence, by an undercover Toronto policeman. The protest turned into a rampage when, in the words of the *Globe and Mail*, "a mob of about 1000 people, mostly youth of various races, ran through downtown Toronto streets on Monday night vandalising property and breaking into stores"¹. The Toronto riot shocked Canadians more than the events in LA: Canada in general, and Toronto in particular, prided itself in being a tolerant, multicultural society where all cultures mingle freely and equally. The popular view seemed to be that racism might be a problem in the USA, but not in Canada.

In all these countries, racial conflict has been linked to matters of ethnic crime and the police response to immigrant minorities. Like the LA riots - sparked by a video of police kicking and beating Rodney King, a black motorist - racism among police was found to be a major factor in the Toronto killing. In the same month, a coronial inquiry into the Montreal police killing of a black man concluded that the Montreal Urban Community Police were failing in their fundamental duty because of racist elements within the force. The coroner called for a review of police training and the establishment of a special task force to deal with racism within the police force². A month after the Toronto riots, a report on race relations in the province of Ontario, commissioned by Premier Bob Rae, concluded that racism was "systemic" in Ontario. The *Lewis Report*, found that racism pervaded every one of the province's institutions: from schools and health care facilities to social welfare agencies and private companies. Blacks were found to bear the greatest brunt of racism: "It is blacks who are being shot, it is black youth that is unemployed in excessive numbers ... it is black kids who are disproportionately dropping out"³.

In the United Kingdom, black people are also treated unequally by the criminal justice system. As Paul Gordon (1992: 190) has argued: "Black people's experience of the British criminal justice system shows clearly that the rhetoric of the law does not accord with the reality of its practice. The law is not colour-blind, but a means by which black people have been subject to a process of criminalisation". Black is used by Gordon to include not only people of Afro-Caribbean descent, but also to include Asians, the term used in the UK for immigrants from the Indian subcontinent. For Gordon (1992: 179), policing is not an end, but "a beginning of a *process of*

¹ *Globe and Mail*, 6th May, 1992.

² Andre Picard, "Montreal Police chief disputes racism claim", *Globe and Mail*, 13/5/92]

³ Cited in "A Blinkered report on race", Editorial, *Globe and Mail*, 11 June, 1982.

criminalisation which continues from the point of arrest through the courts and beyond". Events in the UK - following the police shooting and killing of a black youth, Stephen Lawrence (European Monitoring Centre on Racism and Xenophobia 1999)- show that these issues of the criminalisation of black youth in the UK continue to resonate in the late 1990s.

Research in the United Kingdom (Gordon 1983, 1992) and the United States (Bayley and Mendelson 1969; Skolnick 1966) document clear evidence of prejudiced attitudes among police officers and the regular use of racist language among police officers. This is particularly the case in relation to minority youth. For example, Reiner (1985) found that young low-income ethnic males in Britain and the US were more likely to be stopped and questioned by police and were more likely to be arrested, in comparison with white youth. In these countries, like in Australia, minority youth are racialised in the criminal justice system. Given that police have a large degree of discretion in their operations, the problem is that racial stereotypes held by police can lead to higher surveillance, stopping, searching, interrogation, arrest and charging of minority youth.

In all these countries the relations between police and ethnic minority communities has been constructed within the prism of *racialisation* (Miles 1982, 1993). There exists substantial evidence from major moments of police conflict with ethnic or racial minorities, and from research, that individual and/or institutional racism has shaped police (over-)responses to 'ethnic crime'.

Like Australia, Canada has very multicultural cities such as Toronto, Vancouver and Montreal. Asian migration has been substantial in the past twenty-five years, adding to previous inflows of mainly European immigrants. One major difference is that Canada has many more "black" immigrants than Australia, including immigrants from the Indian sub-continent and Afro-Caribbeans from former British colonies in the West Indies (Collins 1993). It is the history of the relations between the justice system, police and black Canadians that most vividly demonstrates the racialisation of police/ethnic relations in multicultural Canada. Another major difference is that Canada officially uses the term "visible minorities" to differential between coloured immigrants (Blacks, Asians) and other immigrants (Collins 1993).

Over a period of 15 years up to the late 1980s, Montreal police shot and killed three black males, while Toronto police shot 4 black males in a 17 month period. Just as the escalating number of Aboriginal deaths in custody in Australian jails precipitated growing distrust between police and the Aboriginal community, so did these events in Canada worsen relations between Black immigrant communities and provincial Canadian police authorities. Fleras and Elliott (1992:219) summarised the situation thus: "Minority attitudes towards police are ambivalent in the wake of past conflicts and persistent stereotypes ... the police as a group are regarded with mistrust and dislike."

The *Ontario Task Force on Policing and Race Relations* was established to improve relations between police and black communities in southern Ontario following the shooting deaths of two black males in Toronto. The findings of this report, as summarised by Fleras and Elliott (1992:230-231) highlight issues that relate to the Australian experience. The report found that:

- Police were accused of being out of touch with minority communities because of the predominantly male Anglo Saxon composition of the police force
- A corollary of this is that of community concern about the very low representation of 'visible minority' officers within police forces
- There was inadequate race relations training
- There was a need for improved dialogue between police and ethnic communities
- Ethnic representatives called for an independent citizen review board to monitor police activities
- There was an acknowledgment of "the depths of aboriginal resentment towards many features of the criminal justice system" (Fleras and Elliott 1992:231).

Police in Canada have thus found it difficult to respond effectively to Canada's cultural diversity, with incidents of police shooting of black males leading to mutual distrust between police and ethnic minorities.. As a consequence, Canada in the 1990s experienced what Fleras and Elliott (1992: 231) call a "crisis in police-visible minority relations".

In all these countries there have also been moves to change policing policy and practice to respond to the needs of culturally diverse communities. In Canada, like Australia, there has been a move to multicultural policing centring on community based and culturally sensitive policing. This involves, in part, liaising with and consulting with local ethnic communities, and cultural awareness training for police (Fleras and Elliott, 1992: 216)

Police and Racialisation of ethnic minority youth in Australia

The international research on policing in multicultural societies found that it was impossible to ignore the way in which the racialisation of minority cultures in these societies shapes a whole range of aspects the lay behind crime. Racialisation shapes socio-economic opportunities of cultural minorities – a point discussed in detail in the next chapter, experiences of racist violence, as well as attitudes and practices of police and members of the community.

There is no doubt that in Sydney today racism is endemic. The Report of the National Inquiry into Racist Violence in Australia (HREOC 1990) found that Aboriginal people and first and second-generation NESB immigrants living in Sydney had experiences of physical harassment related to their perceived "race". It found from surveying 128 adult immigrants and 152 young people in outer-western suburban Campbelltown that 9 per cent of immigrant adults and 14 per cent of immigrant students reported race-related physical harassment. In inner-city Marrickville, 7 per cent of adults and 9 per cent of students found the same thing. In each survey, young people reported a higher rate of racially motivated assault and harassment than adults.

NSW ethnic communities have protested about the negative stereotyping regarding the supposed criminality of particular ethnic groups. As Chan (1994:179) outlines, in 1991 the NSW Ethnic Affairs Commission surveyed community organisations and reported that they often complained about the stereotyping and harassment of NESB youth by NSW Police. These ethnic communities argued that police acted as if they accepted the stereotypes that all NESB youth were trouble makers and that "Youth of non-English-speaking background constitute themselves as gangs and not as groups"

(NSWEAC 1991, cited in Chan, 1994: p179). The report also observed the following elements of police harassment of NESB youth:

Racist taunts on the part of the police, lack of attention to requests for assistance from youth on non-English speaking background, occasional physical abuse by police, victimisation by police through selective use of police powers, police brutality whilst youth are being detained and questioned by police. (NSWEAC 1991)

The Australian Law Commission's report *Multiculturalism and the Law* reported that there is a concern about a perceived tendency to cast young people of particular ethnic backgrounds as delinquent. This may result in a young person being disadvantaged in dealings with police and at court. Young people who gather together because they are related, are family friends, go to school together or live near each other, may be assumed by police to be involved in illegal gang activities simply due to their appearance (Australian Law Commission, 1992: 201)

It does appear, however, that markers of visible difference - skin and hair colour, appearance, accent, dress - that indicate, though crude cultural stereotypes, cultural minority status do impact on the chance of coming under police suspicion in the first instance. They also appear to be correlated with the chance of having that suspicion lead to charges being laid on the individual. Indeed, it is sometimes the moment of police notice/suspicion – itself shaped by police officer's views of the likely criminality of different ethnic groups – that creates the "criminal" situation in the first instance as the minority youth react to the interdiction by police. Social class 'appearance' seems to work in the same way: middle class white kids have more chance of escaping with a warning and appear to be less likely to progress through the subsequent steps within the criminal justice system. An understanding of these processes must therefore be brought to bear on the apparent objectivity of the crime statistics – ambiguous and inconclusive as they are – which we cited earlier in this chapter.

5. Conclusion

It took just two nights early in Sydney's 1998 spring to ignite a moral panic about Lebanese crime in particular, and ethnic crime in general, though decades of the racialisation of Lebanese and other immigrant minorities in Australia lay behind the response to the events by media personalities with predominantly older, white audiences. The spin that these commentators put on the events linked Lebanese criminality to their cultural background and/or their experiences of war and conflict in the Lebanon. There is no doubt that there are some Lebanese youth in Sydney participating in criminal activities. Some of these belong to professional, criminal gangs, most don't. Their parents and their community and business leaders worry about the future of their sons just as they worry about the publicly-aired opinions that tar their whole community with the brush of criminality and complicity. The existence of criminal activity among Sydney's Lebanese community is not the issue, since the Lebanese are not alone here: all of Sydney's 180 or so ethnic communities, including Anglo-Celtic ones, have criminal elements.

This fear of ethnic criminality and its link to past, present or future immigrants confirmed the views of the supporters of the *One Nation Party* and other anti-immigration groups, of the economic, social and environmental evils of immigration,

one of the most controversial and politically significant issues in Australia of the 1990s. Indeed, the very existence of the public controversies about immigration, Asian immigration, Australian national identity and multiculturalism in the latter half of the 1990s provided a climate in which incidents of "ethnic" crime would be irresistible to newspaper editors and radio talk-back show producers. That is not to say that the seriousness of the two events in Sydney - the killing of Edward Lee and the drive-by shooting of the police station - would not of itself have been newsworthy. But to understand the move from media coverage of two serious incidents allegedly involving Lebanese criminals to media reports of the criminality of Lebanese communities, we do need to situate this event in the context of the controversial debate about Australian multiculturalism and Australian immigration.

One theme that emerges from this paper and the experience of ethnic crime in Sydney in the last few years is the readiness of politicians to exploit fear of crime for their own political purposes. Political parties in Australia, and in many other countries, appear to fight to be tougher on crime than their opponents, even when so called progressive parties, such as the Labor party in NSW, are involved. Moreover, the media, particularly the tabloid newspapers, are eager to give great headline space – often on their precious front pages – to crime, particularly ethnic crime, because it sell papers. Political opportunism and newspaper sensationalism have a vested interest in beating-up the ethnic crime issue.

It is partly for this reason that an investigation into Lebanese or Middle Eastern crime in Sydney is at the same time an investigation into *racialisation* of crime. That is, attitudes of racial prejudice, directly or indirectly, shape practices of individuals and institutions, including the labour market and the police. This is not to say that everything is a consequence of police or media racism. To think this would be naïve. What we are saying is that in order to understand the complex issue of “ethnic crime” in Sydney, we need to consider how the social construction of "ethnic" - say Lebanese - produces a discourse about ethnic crime that often reproduces racist stereotypes rather than challenges them.

In Canada and the United States - with Australia, the most significant countries of very diverse settler immigration in the last 50 years - ethnic minorities have been linked to conflict and criminality (Richmond 1988). However, as Thomas (1993:6) concluded, the evidence just does not support these claims:

despite all of the social theorizing and research into the cause of immigrant crime, virtually every empirical study to examine the question has found that immigrants are under-represented in the criminal population ... this has been true over a long time in each of the important immigrant settlement countries: Australia, Canada and the United States.

The review of the available data in Australia confirms that view. The data is too weak to confirm excessive criminality among immigrant groups. But even when this is suggested by the data – such as that on youth incarceration rates – it cannot be inferred that the causes of relatively high criminalisation of immigrant minority youth can be linked to their culture or ethnicity. Indeed, given the high rates of unemployment among minority youth in Sydney and other Australian cities, some higher rates of criminality might be expected.

But there is another factor that mediates between criminal events of immigrant youth

and their final immersion within the criminal justice system in Australia: police racism. Recent developments within the NSW Police Service under Commissioner Ryan have seen cultural diversity training extended, Ethnic Community Liaison Officers appointed, and a promising community policing initiative called 'PACT' (Police and Community Training) trialled in ethnically diverse suburbs of Sydney like Bankstown and Marrickville. But more time and resources need to be put into cultural diversity training, given the picture of ethnicity and crime that has emerged in this chapter. Furthermore, the police in Sydney should be representative of the very cosmopolitan, diverse population of the city, yet despite a series of recommendations, the ethnic makeup of its ranks falls far short of reflecting this diversity.

Another one of the findings to emerge from this paper is that *the socio-economic roots of crime* must be investigated. Mukherjee (1999a: 1) reviewed the international and Australian evidence on ethnic crime before concluding: "Criminological literature over the last several decades shows that socio-economic disadvantage and disorganised communities contribute substantially to a city's or neighbourhood's crime problem ... race, ethnicity, country of origin has less to do with crime than the environment and the disorganised communities they live in." It is very plausible that a higher incidence of crime among some immigrant communities such as the Lebanese may result not from Lebanese criminal culture but from their socio-economic position. Whatever the real figures for crime rates by ethnic youth, it is clear that ethnic minority youth in Sydney or other parts of Australia today confront declining economic opportunities compared to previous generations of post-war Australian youth.

In addition, the research emphasises that, when we are talking about crime and fear of crime, we are talking about *place and public space*. Public space is an important consideration in any policy response to youth crime, irrespective of the ethnicity of the youth. As Lawlink NSW (1999:2) argued, "Juvenile crime is often episodic, unplanned, opportunistic, and related to the use of public space in areas like public transport and shopping centres where there is more visibility and surveillance." We need to look at changing the way in which public space is being commodified - *mallized*, in the American phrase - and the access of youth is being restricted.

It is the contention of this paper that issues related to socio-economic disadvantage of immigrant minorities and the spatial dimensions of this disadvantage in Australia's large cities – Australia is one of the most urbanised countries in the world today – that are more fruitful to an understanding of the relationship between ethnicity and crime in Australia today than any reified, homogenised notion of culture or ethnicity.

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