Marginalised Young People, Surveillance & Public Space
A Research Report

Dr Dean Wilson, Jen Rose and Emma Colvin
A Joint Project of the School of Political and Social Inquiry, Monash University and Youth Affairs Council of Victoria
September 2010
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Authors note:
To protect the identity of participants pseudonyms have been used throughout this paper.
Preface

Young people’s right to access public space safely and without discrimination has been an ongoing focus of YACVic’s advocacy work over the years. Young people are still typically viewed with suspicion when ‘hanging-out’ in public spaces. Unfortunately, in spite of the introduction of the Victorian Charter of Human Rights and Responsibilities, policy and laws are still developed that seriously breach young people’s rights, particularly when it comes to the regulation of public space. It is for this reason that YACVic was very happy to partner with Monash University to explore in more detail the experiences of young people with surveillance in public.

Young people who are experiencing homelessness or other forms of social disadvantage or marginalisation experience breaches of several of their human rights. Their right to housing, as described by Article 25 of the Universal Declaration of Human Rights, is breached. They may well be denied their right to education as a consequence of the strain homelessness places on their lives. Their right to safety is regularly compromised by virtue of not having access to safe, private spaces. Further breaches of their right to safely access public spaces free from harassment and discrimination simply compounds their disadvantage and exacerbates their vulnerability. We have a responsibility to develop policy that does not serve to further marginalize young people who are already highly vulnerable.

This report is timely. The idea for this collaboration stemmed from the involvement of both YACVic and co-author of this report Dean Wilson in a reference group to the Victorian Law Reform Commission’s inquiry into Surveillance in Public Places. The final report from this investigation was recently released and interestingly the findings of that broader inquiry align strongly with key issues young people raised in the focus groups for this research. For this reason, this report makes recommendations which seek to build on the recommendations of the Commission.

YACVic would like to express our sincere gratitude to the staff at both Frontyard Youth Services in Melbourne’s CBD and St Kilda Youth Services who assisted us in making the focus groups possible, and most importantly to all the young people who participated in the focus groups for this research. We are very grateful that they took the time to share their experiences, stories and ideas with us – their insights are the foundation of this report.

George Ferrari
Chief Executive Officer
Youth Affairs Council of Victoria
Executive Summary

This project examines young people’s perceptions of surveillance and security in the city of Melbourne. The research was driven by a number of key research questions. These include:

- What do young people know about surveillance and security?
- Does surveillance make them feel safe?
- What sort of interactions do young people have with security and surveillance?

The project utilised a combination of qualitative and quantitative research methods. In addition to conducting focus groups, the researchers administered a brief demographic survey to each participant. The survey provided basic demographic details of the participants. There were 39 participants aged between 16 and 24 with the mean, median and mode averages all being 20 years of age. 60% of participants were male, and 40% were female. In terms of ethnic background, 85% were Anglo Australian, 7% were Maori, and 3% were Indigenous. In terms of educational attainment, while most participants had completed their education to at least a Grade 10 level, one third had not completed secondary education to above a grade 9 level. Over half the participants were experiencing homelessness, and two thirds had slept rough at some stage in their lives.

Focus group discussions demonstrated that participants were aware of the types of surveillance in the city. Some were able to detail types and locations of surveillance around the city. The consensus of the group was that surveillance was ubiquitous. While some advantages of surveillance were recognised, such as the ability to identify attackers; most participants did not feel safer regardless of the presence of surveillance. Importantly this would question the frequently deployed argument that a rationale for surveillance cameras in public places is that they enhance feelings of safety.

For young people living for large amounts of time in public, often in very vulnerable situations, legalistic and individualistic notions of privacy fail to resonate. Nevertheless a very synonymous concept of autonomous spaces does resonate—a space to be alone or with others with the right to be included rather than excluded from the city. The research suggests that discussions of young people’s experiences of surveillance in public spaces are better interpreted through the framework of social justice and the human right of freedom of movement.
The principal concerns of our participants centred around issues of image storage and use. When asked about the use and storage of surveillance images, the young people who participated in this study expressed serious concerns about the potential of images to be misused. Participants were especially concerned that images could be used in an inappropriate or incriminating manner. Female participants in particular worried that cameras might be used in a voyeuristic manner. The participants wanted to be informed of their rights, and believed they should have access to images of themselves. Most importantly, young people wanted to have their voices heard in broader public discussions about surveillance in public places.

Significantly, the young people who participated in this study felt they were disproportionately targeted by security guards, who stereotyped them because of their age and appearance. Interactions between young people and security guards were frequently negative and impacted upon their use of public spaces. Moreover, sustained scrutiny and negative interactions with security guards can have a chilling effect on young people’s use of public spaces, where they avoid particular spaces to avoid being moved on. Indeed, some found that security guards did not just target them for searches or to move them on, but they neglected to assist them when in need. This potentially limits the rights of young people to utilize public spaces.

In several of the focus groups the topic of conversation turned to the highly publicized ‘knife crime epidemic’. Young people who frequented public spaces regularly were extremely concerned that they were likely to be victims of violence. They expressed considerable frustration, however, that the media, law enforcement bodies and the general public often viewed them as perpetrators. This led to a heightened sense of vulnerability, and a perception of being targeted and criminalized in public spaces.

Our report concludes with policy recommendations based upon the research data and the recently released report of the Victorian Law Reform Commission (2010). These include considering issues of accessibility and appropriate design that considers the needs and experiences of young people in the distribution of public information, that best practice guidelines should contain explicit reference to the rights of marginalized young people, and should seek to establish practices that avoid exacerbating their vulnerability or criminalizing their use of public space, that processes for young people’s access to footage be improved, and that investigations be undertaken into discriminatory practices and that young people should be consulted in the course of such investigations.
1. Introduction

On a Friday afternoon Crystal makes her way from a friend’s flat where she has been staying into the city to meet up with friends. Closing the apartment door, she makes her way down the corridor to the lift. In the corner of the lift the small dome in the corner records this part of her journey. Once in the foyer, more small domes record her exit, while the exterior security camera records her departure. In a small control room located some distance from the Housing Commission building she has just left, a security guard watches her leave.

Walking down the street towards the train station, Crystal’s image is transmitted to a monitor in the local police station. She is being observed on one of the local council’s surveillance cameras that are now commonplace in many suburbs. Entering the train station, her image is recorded in a different control room until she boards the train. Once in the train, Crystal glances at the roof, noticing the small domes once again that allow the driver to view inside the carriages. Arriving in the City, Crystal is observed by some of the approximately 150 cameras that cover the station. Sitting outside on the steps, Crystal meets up with friends who have arrived on another line. They sit chatting, but shortly a patrol arrives. They are asked to move along, as they are blocking the entrance. It’s a cold day, around 12 degrees, so they move down to another station that has a heated waiting room. After thirty minutes, they are approached by a security guard who has been alerted to their presence by a camera operator and are asked to leave. Seeking some warmth, they head to the heated comfort of a major shopping centre. It’s warm and full of shoppers, so they take a seat in the middle of the centre where the talk continues. Hungry and thirsty, they enter a supermarket to get something to eat and drink. They soon sense the security guard behind them. They are then asked to step aside, as the security checks their bags. Leaving the warmth of the shopping centre again, they step out into the Melbourne streets. Everyone’s feeling a bit down now, and all are wondering, why is it so hard to just hang out?

The preceding fictional account, based upon actual stories gathered in the course of this research, highlights the sharp end of surveillance and security practices as they are experienced by many disadvantaged young people in Australia’s cities. In the course of her day, Crystal is observed thousands of times by surveillance cameras and security guards. The purpose of this project was to explore how young people like Crystal understand this surveillance – does it concern them? And if so what exactly are these concerns? While there is now a vast body of literature
examining surveillance in public places (Norris & Armstrong 1999, McCahill & Norris 2002; Coleman 2004; McCahill 2002; Wilson & Sutton 2004), our knowledge of how public area surveillance is perceived and understood by those who are most frequently its targets remains limited. Only two studies to date, both from the UK, have actually investigated the attitudes and perceptions of those targeted, and both these studies focused upon adult offenders (Short & Ditton 1998; Gill 2003). Studies of the operation of CCTV surveillance would suggest however, that young people, particularly those perceived to be ‘troublesome’ do receive disproportionate attention from surveillance operators (Norris & Armstrong 1999; Smith 2004). This is intertwined with the wider politics of public space in which young people are perceived as ‘flawed consumers’ (Bauman 1998) and frequently find themselves at the sharp end of processes of exclusion that erode their legitimate rights to occupy, socialize and participate in the public places of our cities. Our study therefore seeks to explore how young people experience surveillance in public spaces, how they react to it and how they articulate their rights to privacy and information in relation to systems of observation.

This report aims to inform policy debate on the interaction of young people with public space within a broader context, and by providing empirical evidence on the experiences of young people with surveillance and security in public space. Chapter Two sets the research within the context of current research on young people, surveillance and public space. Chapter Three outlines the focus group and survey methodology used in conducting the present research. Chapter Four presents the results of the survey to give a broad demographic sketch of the backgrounds, education and living situations of those who participated. Chapter Five to Chapter Ten present qualitative data drawn from the focus groups. Chapter Five outlines the participants understanding of surveillance. Chapter Six analyses the perceptions evident in discussions of what surveillance cameras in public areas were for and what they actually do. Chapter Seven examines how surveillance was occasionally resisted and how the young people who participated understood notions of privacy and autonomy in public. Chapter Eight discusses some of the anxieties participants expressed regarding who observed security cameras and how images from cameras might be misused. Chapter Nine outlines participants interactions with security guards, including their feelings of being targeted by security guards on the basis of their age and appearance. Chapter Ten recounts concerns young people raised about ‘knife crime’ and their sense that they were unfairly stigmatized as perpetrators of violence. Finally, Chapter Eleven will address the policy implications of the research and provide some recommendations for policy change in light of the findings of the research.
2. Surveillance and Security in Context

Introduction

CCTV is often argued to be a factor in the exclusion of young people from public space. Moreover, some studies have suggested young people are disproportionately targeted by visual surveillance.

While there is now a vast body of literature examining surveillance in public places (Norris & Armstrong 1999; McCahill & Norris 2002; Coleman 2004; McCahill 2002; Wilson & Sutton 2004), our knowledge of how public area surveillance is perceived and understood by those who are most frequently its targets remains limited. Only two UK studies (Short & Ditton 1998; Gill 2003) have actually spoken to those targeted, and both of these studies focused upon adult offenders. While, anecdotally, it is suggested that young people in the city might feel themselves to be unfairly targeted and discriminated against by the gaze of surveillance, this claim requires empirical documentation and testing if it is to enter meaningfully into the policy debate surrounding the spread of surveillance in Australian public spaces, and the rights of young people in relation to this.

Surveillance, Public Spaces and the Uneven Gaze

One of the central images engaged in discussions of CCTV has been that of the Panopticon, drawing upon Jeremy Bentham’s 18th century vision of an architecture where the promise of observation was as important as observation itself. For Foucault (1977) the Panopticon was a model for new configurations of discipline and power that reshaped individual subjectivities through inculcating a belief in the unbridled surveillance capacity of the state (Norris & Wilson 2006). The Panopticon metaphor has proven particularly influential in the study of CCTV, with authors such as Reeve (1998) and Fyfe, Bannister & Kearns (1998) seeing in CCTV the dispersal of an ‘electronic panopticon’ across urban space. The panopticon metaphor is viewed as especially apt, as it is not possible to know whether or not one is being monitored by CCTV, facilitating ‘anticipatory conformity’ (Norris & Armstrong 1998: 5). Equally as influential, though less frequently directly cited in the academic literature, has been the metaphor of ‘Big Brother’ taken from the fictional totalitarian regime created by George Orwell in his novel Nineteen Eighty Four. Orwell’s dystopian vision, in which telescreens continually monitor all activities, has had a strong influence on surveillance theory, particular in raising spectres of a ‘total surveillance society’ (Norris & Wilson 2006).

However both the metaphors of the Panopticon and Big Brother assume a focused and centralized gaze that falls upon all. Contemporary visual surveillance is however considerably more fragmented and partial than
such totalizing metaphors suggest. That the gaze of visual surveillance falls unevenly and is mediated through the categories of race, gender and age is now well documented through detailed studies of CCTV operation in particular locations (Norris & Armstrong 1999a; Lomell 2004; Coleman 2004). As Norris & Armstrong (1999b) found ‘male youths, particularly if black or stereotypically associated with the underclass, represent the fodder of CCTV systems’ (172). Therefore the argument that CCTV has the potential to amplify existing patterns of discriminatory police practice and exacerbate social exclusion is convincing.

Such amplification is situated within a broader context of urban transformation. Thus several commentators have seen increased surveillance as one aspect of the rise of the ‘consumer city’ and the reconfiguration of public space for the purposes of mass consumption (Bannister et al 1998; Fyfe & Bannister 1996). Drawing upon Davis’s (1990) influential thesis on the urban fortification of Los Angeles, numerous scholars have suggested that CCTV contributes towards the commodification of public space, the erasure of social difference and the stigmatisation and exclusion of those Bauman termed ‘flawed consumers’ (1997: 14) It has been suggested that initiatives to commercially stimulate shopping precincts through encouraging consumers to spend time and money in public areas has led to the increasing use of surveillance, including CCTV, that is intended to cultivate feelings of security that encourage consumer spending (Smith 2004; Bannister et al 1998). Those without adequate resources to participate in this consumer experience, such as young people, people experiencing homelessness, and other socially disadvantaged groups, are viewed as ‘flawed consumers’ (Bauman 1998) who constitute a threat or nuisance to ‘valid’ consumers (Smith 2004: 378). Hence, these ‘flawed consumers’ are subject to intensified monitoring and control through surveillance. Many young people, especially so-called ‘street kids’, do not have the financial status to participate in consumption-driven societies (White 1990), and may find themselves socially and spatially excluded as a result.

The Gentrification of Public Space

The installation of surveillance cameras and the increase of security in urban spaces is thus intrinsically intertwined with broader processes of gentrification. Jayne et al (2006) and Raco (2003) discuss the importance of acknowledging the changing nature of the use of, and access to, public space, notably that social classes now mix more frequently in public. Increasingly, public space is being gentrified, resulting in public space becoming more exclusionary or, as Atkinson (2003) terms it, ‘domesticated by cappuccino’. Pavement cafes, cosmopolitan bars in alleyways and pedestrian precincts all represent the use of public space by the consumer.
As noted in the above discussion of Smith’s (2004) work, the ‘flawed consumer’ is not always welcome here, even though these spaces are at the cusp of public and private space in metropolitan areas. Jayne et al (2006) view these gentrified spaces as sources of ‘drinkatainment’ where a consumer may also be the perpetrator of anti-social behaviour. Both Jayne et al (2006) and Bell & Binnie (2005) posit that ‘drinkatainment’ is intrinsically linked to anti-social behaviour and the surveillance of public spaces. However, the source of the anti-social behaviour is often not the socially disadvantaged and marginalized, but comparatively affluent consumers flouting what Jayne et al (2006:461) term ‘discourses of polite, civilised, and cosmopolitan urbanity.’ Yet, evidence indicates that the socially disadvantaged, including young people, are increasingly being excluded from public space in order to make it ‘safer’ for the consumer, despite research indicating that these people are more likely to be victimised (Alder 1990; Wardaugh 2000; Coleman 2004).

Over-surveilled? Privacy, Social Justice and Rights

Privacy bodies have long critiqued the rising use of CCTV, in particular its Orwellian nature and the risk of creating a ‘Big Brother’ society (Smith 2004). Such critiques focus on the resultant loss of privacy for all citizens from the use of CCTV, including how images are collected, stored and utilized. The concerns range from the motivations and actions of those who operate and view CCTV images, to the storage of images and their potential future use for unrelated events, such as collecting images of people who attend protests and filing them away for possible use later (Smith 2004). Nevertheless, while the right to privacy has often been invoked in anti-surveillance campaigns, it may prove a limited way in which to discuss young people’s experience of surveillance in public places. The privacy paradigm has been criticized for being hyper-individualistic and ignoring the broader social situations and contexts within which surveillance practices are enacted (Regan 1995; Gilliom 2001). As Gilliom has suggested:

*Because the abstract claim of privacy seeks to hide so much, apply to so many things, and be so universal, our widespread reliance on it promotes a tendency to ignore the specific and very real relations of power and domination that are at work in policies of surveillance* (2001: 9).

It is important therefore to consider surveillance in public spaces within the broader context of social justice, and the legitimate rights of young people to occupy these spaces.
Young People, ‘Undesirables’ and Surveillance

Public spaces have become paradoxical in that young people will continue to use public space as one of the few places where they are free from the surveillance and regulation that they are subject to in the home or at school, yet, these spaces are becoming more regulated and surveilled. There are limited resources available to young people, particularly in respect of the provision of places to spend unstructured time, away from school and the home. As White (1990: 163) concludes

*if the issue of ‘space’ is central to the experience of being young, and is the key area of concern in the daily playing out of contradictions, then the answer does not lie in imposing even further restrictions on the rights of young people and in introducing even more regulations covering all aspects of their lives.*

As Munice (2006) explains, much surveillance directed at young people is predicated on the concept of anticipating disorder and criminalising nuisance. Thus the increasing use of surveillance, including CCTV, can be argued to play a crucial role in enforcing and regulating social order.

The escalating control and surveillance of public spaces conflicts however with legitimate uses of public space by those who may be stigmatized as undesirable or troublesome. Young people’s use of public space is frequently not a transgressive practice. Hanging out at skate parks or street corners is not an act of conflict in and of itself, but is a means for young people to be active participants in an arena of consumerism, from which they are often excluded (Miles 2000). Occupying public spaces is their means of making a presence in the consumer world (Jayne et al 2006). White argues that young people use the street as an escape ‘as a place to “hang out”, the “street” in fact refers to specific well-defined locations, locations where young people have a degree of room to move, as well as an opportunity to meet (or simply “watch”) other young people’ (1990: 141). The need for such spaces is particularly acute for marginalized young people, who are often compelled to spend large amounts of time in public spaces due to absence of other options. For these young people access and freedom of movement within public spaces is crucial.
Suspicion, fear of crime and youth disorder

There is a considerable body of research demonstrating that ‘suspicion’ is socially constructed, with surveillance operators focusing on particular populations thought to be somehow linked to criminality (Norris & Armstrong 1999; McCahill 2002; Lomell 2004). It has now been fairly conclusively demonstrated in various settings that some groups are disproportionately targeted by surveillance, particularly those categorized as ‘undesirable’ and ‘troublesome’. There are several groups who attract increased surveillance from CCTV operators for different reasons. Norris and Armstrong (1997) noted that women were often targeted by male operators for no other reason than elementary voyeurism; while people demonstrating unusual or non-conformist behaviour also drew further attention, whether it be people making sudden movements, looking confused or lost, or visibly avoiding the cameras. Smith (2004) found that a person’s appearance and clothing, such as baseball caps and puffy jackets, mobilized operator bias in targeting individuals and deciding which people ‘belonged’. The activities targeted, the gathering of intelligence and its dissemination is focused on recurring categories, such as young people, ‘known and potential’ shoplifters, the persons experiencing homelessness. Research into operator biases by McCahill and Norris (2002a; 2002b) reached similar conclusions. Their study found operators specifically targeted young people in shopping centres as potential threats. While targeted individuals had not actually committed any crimes, nor were they actively behaving in an anti-social manner, CCTV operators and shopping centre security closely monitored their behaviour as they were categorized as potential offenders. These ‘problem’ categories and those involved in their primary definition reinforce and consolidate discourses around who and what are constructed as problematic for social order. Coleman and Sim (2000: 632) assert that the very operation of CCTV results in an affirmation of what constitutes a threat to public order.

It is important here to make an important caveat. The disciplinary and exclusionary potential of visual surveillance is always mediated through particular organizational contexts and through individual human agents – both of which exert not a single ‘gaze’ but a multitude of variable gazes. While some operatives may enthusiastically engage in the task of crime prevention and view themselves as undertaking important security work, others will be far more varied in their efforts (Norris & McCahill 2006). Thus the potential of surveillance and security to effect the exclusion of young people from public space is not a straightforward process, nor does it always operate in the same way. Nevertheless, the following quotation from Norris & Armstrong highlights the danger public space surveillance potentially poses to young people’s rights in public:
The gaze of the cameras does not fall equally on all users of the street but on those who are stereotypically predefined as potentially deviant, or who, through appearance and demeanour, are singled out by operators as unrespectable. In this way youth, particularly those already socially and economically marginal, may be subject to even greater levels of authoritative intervention and official stigmatization, and rather than contributing to social justice through the reduction of victimization, CCTV will merely become a tool of injustice through the amplification of differential and discriminatory policing (1997: 8 cited in Smith 2009: 129)

The question of marginalized young people’s interaction with surveillance and security is thus situated within broader contexts of urban transformations and social exclusion. Against this backdrop, our research moves from the perspective of those targeting towards the perceptions and experiences of those most likely to be targeted.
3. Methodology

The project examined young people’s perceptions of surveillance and security in the city of Melbourne. The research was driven by a number of key research questions. These include:

• What do young people know about surveillance and security?
• Does surveillance make them feel safe?
• What sort of interactions do young people have with security and surveillance?

The project utilised a combination of qualitative and quantitative research methods, comprising focus groups and a short demographic survey.

Project design

Our study is a collaborative research project undertaken by the Criminology section of Monash University’s School of Political and Social Inquiry and the Youth Affairs Council of Victoria. The project arose out of the recent interest by the Victorian Law Reform Commission in Surveillance in Public Places in Victoria (2009; 2010), and preliminary work undertaken by Youthlaw, with the assistance of YACVic, that identified the concerns held by many young people surrounding these issues.

We decided the most appropriate methodology for exploring these issues would be to use focus groups. Focus groups are particularly useful for examining not only general perceptions of an issue, but also for identifying what participants deem to be significant in relation to a given issue (Bryman 2004). The focus groups were conducted with young people between the ages of 16 and 24 who regularly utilise public space in the Melbourne CBD. Assistance in the recruitment of appropriate participants was provided by YACVic, who worked with the researchers in locating appropriate services where recruitment and interviewing of participants would best be conducted. In line with current practice, participants were reimbursed for their time and expertise with a $30.00 payment. A total of six focus groups were conducted, four of which took place at Frontyard Youth Services in King St. Melbourne and the remainder at St Kilda Youth Service in Pickles St, St Kilda. An initial pilot focus group was run (n=3) at Frontyard to test the research tools. The rest of the focus groups contained between five and eight participants in each group. A total of thirty-nine (n=39) young people participated.
Research Design

The final question schedule was developed in conjunction with the relevant stakeholders. The focus group participants were asked a series of guiding questions designed to illicit their understanding and attitude towards public area surveillance. Questions were based on significant issues raised in prior studies involving young people and the research into surveillance, privacy and public space discussed in the literature review of this paper. The questions were also informed by the issues raised in the focus group that led to the inception of this project. These included, what did young people understand ‘surveillance’ to be? What was surveillance there for? Did they feel targeted by surveillance? Did they have concerns about the way surveillance was operated? These questions were presented to the focus groups as a visual tool through a Powerpoint presentation. Additionally, each participant completed a short survey to collect demographic information.

Following the pilot study, some minor adjustments were made to the discussion topics. Namely, a question relating to whether participants felt targeted by surveillance, security guards in particular, was added. A question specifically relating to regulating surveillance was also included to obtain some data that may be useful for future policy recommendations.

In general, we found that the focus groups provided a plethora of interesting data. Discussion was lively and animated, and even if at times the discussion ranged across seemingly unrelated issues, it was always important in generating new areas that were of concern to the participants, not just to the researchers. Thus, the informal nature of the discussion resulted in some interesting related points being raised by the participants that further enriched the data set. In general, the young people engaged well with the topics, and when they didn’t, they were forthright in their opinions as to why they weren’t interested in some of the discussion topics. Overall, they demonstrated a sophisticated engagement with the topics.

Ethics

Ethics approval was sought and obtained through Monash University Human Research Ethics Committee [MUHREC], project number CF09/2598 – 2009001499.
4 Participant Demographics

In addition to conducting focus groups, the researchers administered a brief demographic survey to each participant.

The surveys provided basic information on the young people. There were 39 participants in total, 60% of whom were male, and 40% female.

**Age range**

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<th>Age</th>
<th>Participants</th>
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<td>17</td>
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Their ages ranged from 16 to 24 with the mean, median and mode averages all being 20 years old. 85% were Anglo Australian, 7% Maori, and 3% Indigenous.

**Education level**

- **Grade 10** | 36%
- **Grade 11** | 13%
- **VCE** | 13%
- **TAFE** | 10%
- **Grade 9** | 10%
- **Grade 8** | 10%
- **Up to Grade 7** | 8%
While the majority had completed their education to at least a Grade 10 level, one third had not completed secondary education to above a grade 9 level.

**Living arrangements**

<table>
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<th>Living Arrangement</th>
<th>Percentage</th>
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<tr>
<td>Crisis accommodation</td>
<td>8%</td>
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<tr>
<td>Living rough</td>
<td>5%</td>
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<tr>
<td>Squatting</td>
<td>5%</td>
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<tr>
<td>Backpackers</td>
<td>3%</td>
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<tr>
<td>Parents</td>
<td>18%</td>
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<tr>
<td>Couch surfing</td>
<td>18%</td>
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<tr>
<td>Private rental</td>
<td>10%</td>
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<tr>
<td>Boarding house/hostel</td>
<td>13%</td>
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</tbody>
</table>

In relation to living arrangements, over 50% of the young people were in accommodation such as rooming houses and crisis shelters which would classify them as experiencing homelessness according to Chamberlain and McKenzie’s (1992; 2006) commonly utilized definition. 23% were still living at home with parents. Two thirds had slept on the streets at some point in their lives. A significant number of the participants spent time in public space in the CBD every day. And a further 30% frequented public space in the CBD between 2 and 4 days per week. The participants were accessing public space at all times of the day and night.

When asked about the public places they spent the most time in the majority of the participants frequented train stations, in particular Flinders Street and Southern Cross, as well as trains, trams and buses. They also spent time in parks such as Flagstaff Gardens, Shopping Centres, including Melbourne Central, skate parks, places with high pedestrian traffics such as Swanston St and Bourke St Mall. Participants also spent time in and around youth services and down on the banks of the Yarra.
5. Knowing Surveillance

As at least two-thirds of our participants were experiencing, or had very recently experienced, homelessness, they all spent significant proportions of their time in public spaces.

Particularly significant in this was the Melbourne CBD itself, especially Flinders and Spencer Streets, but more generally large amounts of time were spent in and around public transport, public parks, shopping centres and skate parks. When asked what they understood surveillance to be, participants provided a variety of responses. Overwhelmingly the most immediate response was surveillance cameras, identified as being ubiquitous in lifts, buses, streets, train stations, shopping centres, banks and other retail outlets. Another key area mentioned as a form of surveillance by young people was the increased ubiquity of mobile phone cameras. Of particular interest also is that young people all identified human surveillance as an important element, particularly security guards. Some participants also mentioned more abstract forms of surveillance such as satellite surveillance, google maps, facial recognition technology and motion sensors.

In terms of CCTV surveillance, most participants were aware of the existence of cameras through a combination of personal observation and media reporting:

**Mitchell:** Well they stick out...
**Jacqui:** Yeah, they’re obvious.
**Daniel:** Like those ones on the pole, they’re coming off of every tram pole. Like you put a black dome over it, pretty much you know what’s underneath it. I don’t know, there’s been a lot of stuff in the paper about them too so it’s becoming common knowledge that they’re everywhere.

Sometimes participants’ knowledge was based on more detailed observation and could locate specific locations and even demonstrated an awareness of who was observing. For example, the following participants demonstrated considerable awareness of the cameras:

**Tim:** The City of Melbourne has got these city cameras that they’ve got on quite a few corners. Like they’ve got them all up King Street and all that sort of thing. I’ve noticed them. They’re like on the telegraph poles and all that sort of thing. That’s like the thing and they’ve actually got a car that does surveillance as well now, that goes around the city on weekends that they have at like big events. Like when they had the football on last week and they had that there
Eric: I’ve noticed all the cameras, especially at the train stations. I know that there’s one different camera they have there, that leads directly to all the police stations. So they’ve got normal cameras for the surveillance of what goes on at the station and then they’ve got other cameras set up to lead straight through to the police stations and stuff.

Nevertheless, in general more detailed knowledge of how cameras actually operated or the actual locations of individual cameras was vague. It was commonly assumed, however, that surveillance was ubiquitous. Helen for example believed cameras were often placed in trees, remarking:

Also sometimes, occasionally they’ll put them in a tree or something, you walk past the tree and like, that’s an odd looking nest.

While estimates of the actual location and operation of surveillance cameras varied, the common perception was that visual surveillance was in all places. As members of one group succinctly noted:

Alanna: How many cameras are there in the city?
Ben: Too many man.
Warren: Thousands.

The general perception was, as one participant noted, that ‘cameras are f**king everywhere’.

Summary

Participants in this research most immediately identified surveillance cameras when asked about forms of surveillance they were aware of. While their knowledge of individual camera systems and camera locations varied, there was an almost unanimous view that cameras were ubiquitous and covered all public areas they frequented. Given the information recently gathered by the Victorian Law Reform Commission (2010: 30-43) on surveillance in public places in Victoria, it would appear their perception is accurate.

• The participants were aware of the types of surveillance in the city;
• Some were able to detail types and locations of surveillance around the city;
• The consensus was that surveillance was ubiquitous.
6. Safety, Control & Surveillance

Surveillance in public spaces has frequently been promoted on the grounds that it will enhance community safety. Indeed this promotional effort is explicitly acknowledged by the use of terms such as ‘safety cameras’ (Wilson & Sutton 2004) and in particular, the City of Melbourne CCTV program is entitled the ‘Safe City Camers Program’.

It has often been noted that people experiencing homelessness and marginalized young people are a population particularly vulnerable to victimization, especially in public spaces where much of their time is spent (Alder 1990; Carlen 1998; Wardaugh 2000). We were therefore interested in whether the much touted safety function of public area surveillance translated into perceived benefits for those most vulnerable to both feelings and experiences of insecurity in city streets.

On this point there was considerable ambivalence. Overall the advantage of visual surveillance was seen to be that it might identify offenders in the case of attack. As Patrick suggested:

But then what about like if you get attacked right, and then—on the train station they’ve got no surveillance there and then they wouldn’t be able to catch that person. See if you got attacked now they would be able to.

For participants it also seems that surveillance had been normalized, so that while they were unclear about how cameras actually produced safety, there was an underlying fear that in their absence city streets would be considerably more dangerous and chaotic. This attitude is revealed by the comments of Coreen, who suggested that:

If you’re in a public place and there’s no surveillance, anything could happen. You could have all kinds of deals going on. You could have fights. You could have all kinds of chaos and drama but then, if you’ve got the surveillance, then that way at least it can be monitored or just kept to a decent level.

The ambiguous attitude towards the safety function of surveillance was neatly encapsulated by Adrian, who considered that:

The cameras may not make us any safer but the absence of cameras would probably make us less safe.
The view that visual surveillance might provide some safety however was strongly countered by two important perspectives. The first was a general cognizance that the cameras served a social control function, even if this was not specifically directed at young people. One participant suggested that:

They’re designed to make suburbia feel safe, for the people that vote for the council to apply for them, rather than actually do anything.

While another participant suggested that the purpose was: ‘to keep the people thinking they’re there. Big brother is watching’. In addition to a social control function, it was also widely believed that cameras offered little actual protection should an incident of violence occur. The following segment offers some insight into the dominant view held by participants:

Karl: I actually think that surveillance in public places isn’t that much of a deterrent. I mean, you look at all the theft that happens at places like...

Nick: That’s what I mean, it doesn’t really do nothing for us, all it does is for convictions and that’s it

Leon: You’re still going to get bashed. It would have to turn into a person, come and help you.

Nick: A lot of times they’re off.

Mark: But what about the quality of the pictures? I’ve never seen a good quality...

Leon: Yeah, it doesn’t really make me feel safe.

Rod: Do they make us feel safer? No way...

Nick: It’s not like if you’re standing under a camera and you get into like a physical assault that the camera is going to pull out a gun and go please stop assaulting that person. You know? There’s no way that they make you feel safer... camera is just there for aesthetic. It does have a job but I mean if you get attacked it’s not going to help you.

Mark: They don’t make me feel safe. These guys crept up with a box-cutter behind my neck. I thought well if I have to die at least—I looked up at the camera and I thought I might get compo if I survive and if I don’t, if I die at least somebody’s seen it...
The vulnerability of young people in public space made them extremely skeptical of the promotional claims to provide safety that regularly accompanies public area surveillance systems. Their lived experience suggested cameras did little to secure safety, and for them such claims were contradicted by the everyday realities of the streets.

**Summary**

The attitude of our participants towards surveillance cameras was both complex and sophisticated. While some participants felt they might prove useful in identifying individuals, others were skeptical about image quality. This is a skepticism shared by scholars such as Kovesi (2009) who has argued that ‘surveillance cameras, as they are currently used, are almost useless for the identification of people’ and are in fact ‘legally blind’ (Kovesi 2009: 210). Overall, also, the presence of cameras did not make young people feel safer in the city.

- Some advantages of surveillance were recognised, such as the ability to identify attackers, although there was concern that this capacity was compromised by image quality;
- Most participants did not feel safer regardless of the presence of surveillance.
7. Resistance, Autonomy & Privacy

While by no means unanimous, there were participants who felt targeted by surveillance, usually as part of larger conflicts with agents of control over access and rights to public space.

This sense is particularly the case for young people experiencing homelessness, for whom access and rights to public areas is of acute importance. As Jayden noted it was perceived that surveillance and security existed because people:

> Just want us away from their areas because apparently we make their business look bad or whatever like. But that’s not the case; it’s just that we don’t have our own place to f***king chill.

While Jesse noted that:

> Me and my mates we’re always getting some look from the security guard, or you know, security cameras. We’re not trying to be bad, we’re not starting any trouble, we’re not doing anything wrong. But it’s the mentality.

Such experiences do give rise to small acts of resistance that aim to counter the significant asymmetry of power many young people experience in relation to camera surveillance. Paradoxically, some young people actually played with surveillance, particularly the kind found in convenience stores. Such play served to enhance their visibility in a society in which they often ignored and excluded. As one participant noted:

<table>
<thead>
<tr>
<th>Jesse:</th>
<th>I like the ones where you walk into the store and they’ve got the actual TV so you can see yourself walk in…</th>
</tr>
</thead>
<tbody>
<tr>
<td>Skye:</td>
<td>We all know you check yourself out.</td>
</tr>
<tr>
<td>Jesse:</td>
<td>Yeah, always</td>
</tr>
</tbody>
</table>

For others however surveillance is more actively resisted, such as Eric who claimed to mimic acts of theft in order to engage security guards in futile investigations:

<table>
<thead>
<tr>
<th>Ella:</th>
<th>Sometimes I play to the cameras especially in this.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ben:</td>
<td>Yeah, in shopping centres I just go like that and then go like that and pretend to put something back and then just chuck it and it’s still in my hand and then you’ll get like these two big or like…</td>
</tr>
<tr>
<td>Tami:</td>
<td>Security guards come.</td>
</tr>
<tr>
<td>Ben:</td>
<td>No, they’re not. They’re undercover and they walk around and they grab you, and you’re just like what the</td>
</tr>
</tbody>
</table>
**Marginalised Young People, Surveillance and Public Space**

f**k, I didn’t steal anything and they’re like we saw it in the camera, like you’re a dumb c**t, aren’t you. Then they go, they pat you down and s**t and there’s nothing on you and they just look like the biggest idiots in the world.

Others however attempted to avoid the cameras in order to secure private spaces within the public life of the city. This amounted to an effort to ‘try to do things where there aren’t any surveillance’. Given the widespread belief amongst young people that surveillance is ubiquitous, this amounted to finding specific hidden spaces within the city where they could momentarily withdraw from the public life of the city. Geoff elaborated on the importance of this:

There’s a couple of places around that, public places that they’re definitely public places, like easily accessible. You’re not jumping over any s**t to get to. But they don’t have cameras and they’re completely unknown to anyone. You can go up there and you can spend a whole night there and you won’t see anyone else whatsoever. There are a couple—not very many but they are around, some of them right in the heart of the city and stuff like that. I’d rather go there to sleep for a night because no offence guys but I know about some of these places and no one else knows about some of these places.

Thus for young people whose lives are lead very much in public, the capacity to secure an autonomous space beyond the gaze of agents of control is a vital resource. Nevertheless, this conception of the need for a personal space is not necessarily understood in terms of ‘privacy’. Indeed on the issue of the right to privacy in public spaces, opinions were sharply divided. Many participants indeed echoed the popular and somewhat banal formulation if you have nothing to hide you have nothing to fear. Thus when asked if they had a right to privacy in public places, responses included the following:

- **Shane:** It doesn’t make sense, when you’re like—oh I want some privacy in this public place, it doesn’t make sense.
- **Mark:** Wherever there’s privacy there’s not much safety.
- **Jacqui:** Like I don’t personally care if there are lots of cameras watching me because it’s not like I’m going around knifing people.

Nevertheless such views were by no means unchallenged, and other young people did view camera surveillance as a threat to their personal privacy. Thus the following discussion reveals considerable concern about the issue.
**Patrick:** But if you go into a public place you feel like you do have a right to some sort of privacy.

**Coreen:** Yeah, but like you’re walking down the street. Do you really want to be video recorded the whole time?

**Helen:** Yeah exactly. People have the right to know if they are being watched or not.

**Adrian:** I’m a bit scared of being caught on camera.

**Geoff:** They interfere with everyone’s business.

Overall, we need to be cautious with this data and cognizant of its limitations. While the opinion was expressed that the idea of ‘privacy’ was somewhat irrelevant, as one young man expressed it ‘it’s seriously like—the whole privacy thing, it’s a bit ridiculous’, this may well be due to the way the concept of privacy was understood. For young people living for large amounts of time in public, often in very vulnerable situations, legalistic and individualistic notions of privacy fail to resonate. Nevertheless a very synonymous concept of autonomous spaces does resonate—a space to be alone or with others with the right to be included rather than excluded from the city. Moreover young people’s concerns in relation to visual surveillance might better be encapsulated in terms of rights rather than privacy—as the segment above suggests, the right to know when you are being watched, the right to know who is watching, and importantly the right to know what happens to images and the powers you have in relation to them.

**Summary**

Participants in this research indicated the limitations of the discourse of privacy in debates about surveillance. The concept of privacy might be useful for individual violations—the inappropriate distribution of a particular image for example—but we need to ask whether it is really a very useful concept to debate surveillance practices that are embedded in broader social processes of exclusion. It is perhaps more useful to ground discussions of young people’s experience within a broader conceptual framework that encompasses social justice, transparency and human rights beyond privacy. Thus several key points emerge from these discussions:

- Some young people engaged in acts of resistance, ranging from playing games with cameras to mimicking crimes, as a reaction to perceived targeting by surveillance and security;
- Although the participants did seek space away from the gaze of surveillance, they did not perceive this in terms of privacy rights;
- Young people’s experience of surveillance in public places should be addressed as a matter of social justice and human rights, not simply a matter of individual privacy.
8. Voyeurs, Images & Information

If there was some ambiguity in relation to the importance of privacy, this was not the case in relation to concerns over who is watching surveillance and what is done with the images collected.

The young people who participated in the focus groups were unanimous in voicing concern over who was watching the cameras. As Ben and Alanna noted, it was seen as problematic that:

Ben: It’s just a reflection. Anyone could be watching.
Alanna: Exactly.
Ben: You don’t know who it is watching you.

Such concern was exacerbated by the fact that it was assumed to be private security guards who monitored the cameras (in most cases a correct assumption). Given the generally negative interactions of young people with private security, there was little trust in the professionalism of those watching:

Karl: It’s because it’s not – like surveillance cameras aren’t run by people who have done any training or they’re just people who...
Tami: Well, they’re security.
Karl: Yeah, but like security, you know, I’ve met a lot of dirty security people.

In general there was significant concern over the types of images collected and where such images could be circulated. As Alan noted:

It’s a bit perverse in a way because you know I say, oh I’m having a big night out and you go up a laneway or whatever, take a piss or whatever? It’s those cameras are always there watching you and you don’t really know about it. What do they do with the images of you taking a piss or whatever? I mean, do they...

That those taking images would use them in an inappropriate way was of considerable concern. David for instance was worried that:

...there could be little paedophiles sitting up in the computer thing recording everything and then putting it onto YouTube

While some male participants expressed concern over this potential, responses were strongly gendered with female participants expressing particular concern over the possibility of surveillance cameras being
used as an instrument of sexual harassment. Female anxieties about voyeuristic use of surveillance cameras and the gendered nature of the electronic gaze have been noted by a number of scholars (Brown 1998; Koskela 2002). Our research supports this claim, and additionally suggests that such concerns are amplified amongst young women experiencing homelessness, who are amongst those most vulnerable to victimization in public spaces (Alder 1990). At the time focus groups were conducted, such fears were exacerbated by the widespread publicity accorded to the case of CCTV operatives at Darwin airport, who were caught using the camera system to zoom in on women’s breasts (Cavanagh 2009). The incident was widely known to participants:

Leon: Did you hear about the cops up in Northern Territory, they just installed a bunch of new cams and they couldn’t tell the service I think and sit there and zoom in on girls.

Rod: I heard about it yeah, four girls or something, was it, I remember something about that.

Mark: They missed a couple of major things going down because they had taken the cameras offline because they were too busy checking out the school girls.

Although the retelling of the incident was not entirely factually correct (they were private security guards not police), knowledge of the incident served to heighten concern.

As mentioned this anxiety was especially notable amongst young women. Such anxieties are revealed in the following discussion between three young women, Angela, Sharon & Beck.

Angela: It’s not about really safety; I don’t like cameras being pointed at me. I don’t like being watched by creepy f**kers who look at school girls, whoever the hell’s behind that camera.

Sharon: Well that’s probably the main concern out of the whole thing; not that there’s cameras; it’s what’s happening with them.

Beck: Just what’s happening with it all. Because like, no matter what, there is weirdos even if they’re security guards; you get a weirdo in every group of people there are in the world.

Sharon: Yeah, so you just...

Beck: You don’t know. You have no control over that.

Sharon: I suppose if there is this hot woman, a security guard might take a photo of that home; you don’t know.
The concern over what images were taken for and where they might be circulated extended beyond CCTV surveillance into a concern over photography in public spaces more broadly. Once again the concern was not so much with imaging itself, but with how images would subsequently be utilized. Particular apprehension surrounded the potential of images to end up on social networking sites such as Facebook and YouTube, as the following anecdote reveals:

**Shane:** ...because I ended up going on Facebook and I had like— I was going through lists and viewing people’s profiles. I came across this guy that actually had a photo of me in his profile and I was going, what the hell. I was...

**Mark:** [laughs] That freaked you out.

**Shane:** I was freaking out. I was going, this guy must’ve followed me and taken photos of me. He had all young kids and all that sort of thing so I reckon he was a pedo or something. That’s why I don’t like my photo being taken.

Similar worries were revealed in another conversation:

**Alan:** Tourists, when they start taking pictures, like on the beach and you’re just standing there and they’re like [makes camera noise].

**David:** Yeah, that’s pretty annoying.

**Beck:** Yeah, you don’t know where it’s going to end up.

**Alan:** Yeah, if they put it on their Facebook you look like, weird.

**David:** Probably some porn site or something.

Fear the images might be used in inappropriate and possibly sexualized ways, was accompanied by additional anxieties that images could be used to incriminate and assemble an electronic dossier, as expressed in the following dialogue:

**Tim:** You’ve got to wonder maybe I’m hanging out with someone who has got warrants out on them, I don’t really want to get dragged in with their s**t. So these cameras are they actually being monitored live by the cops and can a warrant be—what happens down the track do they do face recognition as well?

**Eric:** Yeah I want to know if I’m going into a train station, if say we jump the barriers at Flinders Street or something, do you know what I mean?

**Tim:** They see us one day, they recognize us from what they’ve got and are we f**ked or is it just a case of those cameras pointing at us?
This anxiety was compounded by suspicion that images were easily tampered with and could be used to support false accusations and arrests, as the following discussion demonstrates:

**Shane:** Well technology’s advancing so fast, imagine what editing techniques we could have in the future. You know like governments could conjure up images...

**Mark:** Who is it to say it’s going to be tamperproof because as soon as they get their hands on it anyone can tamper with a CD man because now it’s all on CD man you know what I mean? Anyone can tamper with anything.

**Jason:** Digitally alter the images and s**t like that.

**Mark:** As soon as they get it they could tamper with it and that doesn’t mean s**t that they had to go through Chubb to get it.

The anxiety experienced by young people was clearly related to a perceived lack of information both about how images were recorded and governed and about what rights they had in relation to the subsequent use of images. Many young people had little knowledge of whether they had a right to access images, and no knowledge of how they would go about doing so if they could. Nevertheless this was considered a valid right, with young people believing that they should have the right to access images of themselves and information about how to do so. As Brooke suggested:

I think people deserve that right to have access. Not everyone’s going to do it. Like it’s just people that are probably more anxious, the more anxious people, the more, don’t want to say it, but paranoid type that I think that’d want that but I think they have the right to see them. Yeah, definitely.

Understandably, given the profound concerns about voyeuristic use of cameras, young people also suggested that training and guidelines for those monitoring surveillance systems was of crucial importance. In Mark’s opinion for example, they should ‘give the cameras footage to people who actually have training or some s**t’. Moreover, the young people who participated in this research were in favor of regulation, despite frequently being uncertain as to the extant legislation regarding surveillance in public places, as the following conversation between Rob and Skye makes evident:

**Skye:** As far as I’m concerned there should be laws for anyone who’s worked in surveillance, obviously you’re just there
to monitor for anything bad happening. You’re not supposed to pick up the tapes and take them home and keep them sort of thing.

**Rob:** There are privacy laws against all that.

**Skye:** There are already laws in place as far as I know.

**Rob:** There could be more laws though, yeah. I reckon there could be more laws because the basic law is just that they can’t actually sell videos or record them. They’re not even meant to watch the videos unless there has actually been—audited by the police and they’re meant to keep a record of three months. They’re meant to keep their videos for three months and then destroy the video. Completely destroy it.

Overwhelmingly what young people wanted was information that clearly outlined their rights in relation to surveillance and supplied them greater knowledge about who was watching what when and where. This was expressed in the following conversation:

**Ella:** I think what you were saying was a good point though. How they should probably give a booklet out saying—about this information out like once a year or once every couple of years. Sort of like the yellow pages. Because that could also work in that it actually gets people thinking, well there are more cameras around than we thought...

**Tami:** I think people have the right to vote or write a letter or ring someone up and say...

**Ben:** Yeah definitely.

**Warren:** At least better education about them.

The strong desire for information was a common strand through the focus groups, and was again mentioned by John who suggested that:

They should make it publicly known so people can ring up and enquire about stuff. That’s one thing I reckon that the public lacks a lot. They don’t inform people with everything that’s really out there. I reckon they should like get a little booklet—a government booklet—every year and just send that out.

Thus the desire for information was strongly expressed. This desire included the need to be informed of where to go to make a complaint, an understanding of how surveillance was regulated, of who was operating it, and what guidelines and regulations currently controlled how images
were taken and used. Some young people suggested a ‘regulatory watchdog’ who would be specifically tasked with providing information and addressing complaints.

Something of considerable significance to young people was also the opportunity to be included as part of broader public discussions of surveillance. For young people public spaces are a vital resource, and for those who are experiencing homelessness knowledge of their rights in relation to it are fundamental. Moreover, broader public discussions must clearly acknowledge the importance of public space for young people. Any discussion of either installing or regulating surveillance in public places is obliged to include the voices and opinions of young people. Both their vulnerability and occupation of these spaces renders their input imperative. The importance of this was best expressed by Mark, who was adamant that:

>This topic has to be discussed before they do it, or they’re going to do it wrong and it’s going to be unfair to everyone.

**Summary**

In summary, this was an area where our participants expressed considerable anxiety over who was taking images, what was subsequently done with those images and what rights they had in relation to images. In this it should be noted that the concerns of our participants were similar to broader community concerns around these issues. Specific issues of concern to our participants were the following:

- Young people expressed concern with the storage and use of images;
- Female participants were particularly concerned that cameras may have a voyeuristic function;
- There was a fear that images would be used in an inappropriate or incriminating manner;
- The participants wanted to be informed of their rights, and believed they should have access to images of themselves;
- Young people wanted to have a voice in the debate.

As previously mentioned in Chapter 7, many of the participants felt they were targeted by security guards, whether because of their age, the fact that they spent time in public, or because the security guards perceived that they might be homeless.

There were many anecdotes from the young people regarding encounters with security at train stations, in parks and in and around shops in the city. This discussion between Bob and James highlights some of the reasons why the young people believed they were targeted:

Bob: Yeah we are, the way we dress, the way we look man, we’re straight up troublemakers.

James: Well they assume we are.

Bob: Yeah but our generation has been stereotyped severely, like drugs, bashings and all that crap.

The recent report of the Victorian Law Reform Commission (2010) noted that numerous submissions had expressed concern that surveillance in public places could lead to social exclusion. People experiencing homelessness, Indigenous communities, and young people are particularly vulnerable to such processes, as public spaces are important ‘social, living and cultural spaces’ (VLRC 2010: 64). As the Report goes on to note this tendency is amplified by the expansion of privately owned public space (VLRC 2010: 66). The concern therefore is that surveillance cameras intensify the sharp edge of exclusionary impulses already underway in our commercial areas. As Roy Coleman, talking of such processes in Liverpool suggested:

Street camera surveillance disproportionately surveys and casts suspicion on the poor in the spaces of the city. The construction of ‘the theme park city’ and the building of security minded institutions to police it only reinforce these processes, so that those walking the streets who are teenagers, dressed inappropriately and without branded shopping bags (low-income groups) are likely targets of security personnel whose ‘nose’ for suspicion has been directed at those who appear to be ‘walking or standing without due cause’ (Coleman 2004: 228)

In our focus groups incidents of being moved on by security guards were recounted with alarming frequency. In general, such incidents involved simply occupying particular spaces, or at most extremely trivial behaviours.
The following story recounted by Evan was indicative of the multitude of incidents reported.

**Evan:** I was hanging out at a shopping centre and my mate was playing with the soap and he got caught because the janitor told security guards. The security guards kicked me and my friends out so we couldn’t get back in. Like me and my friends, we didn’t do anything wrong, but you know.

**Sharon:** Just because they were playing with soap?

**Evan:** Yes, pressing the soap dispenser, that’s it, and we got kicked out for that.

A similar example of being moved for no particular reason, other than being young in a public place, was given by Rob and Skye, who discussed hanging out in a metropolitan train station:

**Rob:** I don’t even sit there all day; I get there at five o’clock man and get told to leave an hour later because of...

**Skye:** Doing nothing but chatting and nobody else’s problem and stuff. It’s not bad or anything.

Participants left little doubt that they felt targeted because of who they were rather than anything they might have done, As Warren commented:

Security, security is rather annoying. They keep hassling us at Flinders Street Station just because we’re bums and that’s where we hang around.

Sharon also considered that targeting was largely conducted on the basis of social class rather than on behaviour:

Security will move us; security will move anyone on, the lower class people mixing with the upper class.

Targeting such as that recounted by participants undoubtedly curtails the legitimate rights of young people to occupy public spaces. In addition, however, it may operate in more subtle ways to configure public spaces as places where many young people feel unwelcome and alienated. In focus groups one way in which this was seen to operate was through what Norris and Armstrong (1999) term ‘anticipatory conformity’. Put simply in the context of Melbourne, this means that many young people avoid places and spaces where they otherwise might go, simply to avoid the constant scrutiny of security guards. This was well articulated by Tim, who explained why he never remained long at Flinders Street Station:
I feel targeted, when I’m like at Flinders Street, I won’t want to stay there that long. I want to move on in 20 minutes man, that’s the longest I’ve spent there. I’ll stay at Flinders Street for 10 minutes and I’ll want to head off, you know I can’t handle staying there for too long and stuff.

Another issue which concerned our participants was the failure of private security guards in many locations to intervene in incidents where young people were at risk of victimization. Jason recounted that:

One of my mates got into a fight with another one of my mates. This is when the food van rocked up. There was a security guard at the door of this food place and he just like watched the whole thing. He didn’t do anything about it.

It is true that in general young peoples’ interactions with private security guards were negative. They were also incredibly frequent, and were so routine for some of them that they even had nicknames for individual guards, such as Chris’ description of ‘Ankle Biter’ and ‘Pit Bull’:

Well if it was Ankle Biter—it depends what security guard it is. If it was Pit Bull, she’d come and—she’d break it up and she’d push everyone out the way.

While this is true in general the interaction between young people and private security is more complex on the ground. The training of security guards, their employment backgrounds, the organizational culture of their firm and even individual personal dispositions can all impact on how these interactions are shaped. Thus it is important to acknowledge that there were instances where our participants had more positive experiences. Tyler, for example, who had slept rough in an inner city park, experienced more positive interactions and recalled:

The security guards are actually pretty good about moving on people. Like say - because I was homeless, I was streeting it for like two weeks. I was in ***** Gardens. The ***** Gardens security guards don’t move you on unless you’re not doing the right thing. Like drinking in the park and...
Summary

Our research revealed that being moved-on by security guards was a common experience for marginalized young people who spend considerable amounts of time in public space. This process amplified the marginalization of young people from legitimate access to places that are integral to their social world. Moreover, it frequently led to the avoidance of places where they had a legitimate right to be, for fear of conflict with security guards. Additionally, private security was most frequently (although not exclusively) experienced as punitive and was viewed as ineffectual should young people feel themselves at risk of victimization or harm. A major concern here is that the interaction of surveillance and private security agents magnifies this exclusionary potential. In summary, our focus groups suggest the following;

• Young people feel they are targeted by security guards who stereotype them because of their age and appearance;
• Interactions between young people and security guards and generally negative;
• Some found that security guards did not just target them for searches or to move them on, but they neglected to assist them when in need;
• Being moved on by security guards is possibly the most common way in which the rights of young people to occupy public space are violated.
10. Blades and Blame

In several of the focus groups the topic of conversation turned to the participants perception of the highly publicized ‘knife crime epidemic’.

While it might be considered that this is some distance from concerns over surveillance, it does however intersect with the broader concerns of young people regarding their rights in public space and simplistic conceptions of youth violence that impact upon these rights. It is difficult and often inadvisable to disentangle the issue of surveillance from the broader issue of public space. We have therefore included these discussions, as they were of considerable importance to our participants. Researchers must always remain sensitive to the issues of concern to those they are researching.

It is extremely unfortunate that the issue of knife crime has become simplified both in public discourse and policy response. This is in no small measure due to a cascade of sensational media reporting, often involving lurid accounts of individual stabbings. The notion of an ‘epidemic’ has been exacerbated by a policy response which lacks vision and constructs knife crime exclusively as a law and order issue. Moreover, the focus on youth potentially exacerbates some of the exclusionary processes identified in this report. It must be noted also, that although Australian research into this question is limited, findings to date suggest that the vast majority of young people do not carry weapons (AIC 2009; Bondy et al 2005).

Overall participants expressed considerable concern about becoming victims of violence in public spaces, particularly on Friday and Saturday evenings. The concern was with becoming victims of assault either with or without weapons. Importantly, there was considerable frustration expressed by participants that, while they were themselves fearful of victimization, they were often unfairly stigmatized by public and official perceptions of youth violence and perceived to be perpetrators.

Many participants believed they were being blamed for the perceived rise in knife crime. This was expressed by George:

Yeah like bashings and stuff like that. Like us people who are out on the street, we don’t f**king hassle no one, we don’t bother no one.

Another group speculated on who the real perpetrators of knife crime were in this interesting exchange:

Aaron: It’s all these other idiots that f**king...

Frank: It’s all the clubbies.
Con: Yeah people that already have houses, the people that aren’t on the street are the people who go out and do that s**t man.

Frank: Yeah because they’ve got enough money to pay 8, 10, 12 bucks for a drink, you know they go out and buy 10 drinks at a club, they come out...

Con: They’re all smashed.

Giles: All they want to do is fight.

Frank: Like there’s no way in hell you’ll catch me walking through the city on a Friday or Saturday night. I’ll be out at a mate’s place for sure...

Con: They’re all smashed.

Frank: Like there’s no way in hell you’ll catch me walking through the city on a Friday or Saturday night. I’ll be out at a mate’s place for sure...

This conversation also demonstrates these young people’s understanding of their risk of victimization and the measures they take to protect themselves. Other participants suggested that the perpetrators of violence were not youth but a broader non-specific demographic:

...it’s not us. That perception they’re putting out there is absolute bulls**t. It is a complete minority of people that have either been brought up thinking that violence is best, brought up thinking that intimidation is the way to respect. Brought up thinking that standover tactics is the best thing to do. You know, people who do seek violence they’re from everywhere, absolute everywhere. It can be anybody. It’s bulls**t the fact that they’re trying to make it a demographic, that it is this certain group of people that are committing these acts of violence and that.

Several participants commented on recent increased security measures aimed to target knife crime, again revealing the criminalizing and stigmatizing way in which such initiatives are experienced:

James: They got a whole bunch of independent observers to this and what they’ve supposed to have done is to put up an X-ray machine as you’re exiting North Melbourne Station because under the new laws, they’ve got the power to search you without reason and without warrant for knives. With that, they’re supposed to be scanning everyone from 80 year old women through to 8 year old kids.

Van: But they just done youths

James: That’s exactly what the independent observer said.

Van: They just let the others step by and pick on youths.

James: Anyone who looks like us got searched for the knives or whatever, it’s racial profiling.

Van: Yeah stereotyping man.
The search powers being discussed here are those granted to police under the *Summary Offences and Control of Weapons Amendment Act 2009*, and recently upgraded through the *Control of Weapons Amendment Act 2010*.

This legislation has granted Victoria Police broad search powers, allowing for the search of individuals, without warrant, in ‘designated areas’. Most worryingly the law permits the search (including strip search) of children or people with an intellectual impairment to be carried out without the presence of an ‘Independent Person’ who is not a police officer. The legislation was declared to be in breach of Victoria’s Charter of Human Rights and Responsibilities before it was passed through Parliament. The Act sets a very dangerous precedent for the sidelining of fundamental human rights and protections in the interest of the administrative expediency of police powers.

Removing the basic protection of an independent person who is not a police officer will escalate the potential for conflict and the likelihood of that young or disabled person committing an offence – the Act makes it an offence to obstruct or hinder search or fail to comply with direction. It will produce further distrust between police and young people and unfortunately, is highly likely to eventually result in incidences of mistreatment of individuals by police.

Whilst this report does not make specific recommendations in relation to this Act, it notes that the legislation has been the subject of serious concern of a number of advocates and of the Victorian Equal Opportunity and Human Rights Commission, for the breaches of the Charter of Human Rights and Responsibilities it contains and for the ways in which the law is likely to result in discriminatory practice against vulnerable groups of people in the community.
Summary

Writing of a synonymous panic over the ‘knife crime epidemic’ in Britain, Peter Squires (2009) has suggested that ‘the processes by which some young people have found themselves both socially marginalized, publicly demonized and increasingly criminalized has gathered pace’ (2009: 141). Knife crime is an exceedingly complex issue (see Squires et al 2008; Squires 2009), requiring correspondingly complex policy responses that encompass wider social and educational initiatives. The risk of police led enforcement based strategies is that young people already marginalized are disproportionately targeted and are further marginalized in the process. As Squires et al (2008) suggest:

*The youth violence issue is overwhelmingly constructed as a criminal justice problem, as if it were amenable to criminal justice solutions alone, something which more or tougher punishment, stronger laws or more police stop and search intervention might solve. It is deeply concerning that, to the extent that youth violence is construed as a ‘law and order’ problem, other potentially more effective and enduring policy responses tend to be sidelined in a self-defeating rush to ‘police’ the crisis, ‘enforce’ order and ‘punish’ the already marginal.* (2008: 6).

The current Victorian situation appears similarly problematic. There were four key points revealed in focus group discussions:

- Young people were themselves fearful of victimization;
- Fear of violence led young people to avoid particular public spaces;
- The participants feelings of vulnerability were exacerbated as they felt they were unfairly stigmatized as perpetrators of violence;
- Law enforcement initiatives were experienced as discriminatory, and young people felt unfairly targeted.
11. Policy Implications and Recommendations

Here we explore some of the policy implications that stem from this analysis of young people’s experiences of surveillance and of the regulation of public space by police or security guards.

We discuss some of the findings of the Victorian Law Reform Commissions (VLRC) investigation into Surveillance in Public Places that relate specifically to issues raised by young people in the focus groups. We also make some recommendations to strengthen the relevance of the VLRC’s findings to young people, particularly young people experiencing, or at risk of, homelessness.

The Victorian Law Reform Commissions investigation into Surveillance in Public Places

In early 2009, the Victorian Law Reform Commission were requested by the Attorney-General to consider a range of questions broadly relating to surveillance practice in Victoria and the adequacy of protections of privacy in that area. The Report of the Commission’s investigation was released in August 2010, and (amongst its many observations) offered insights into the potential for surveillance practice to further marginalize vulnerable members of the community if it does not consider the ways in which these groups utilize and rely on public spaces. As the report states:

Young people, Indigenous communities, people experiencing homelessness, and other marginalised and vulnerable members of society use public spaces more than others do because these groups rely on public places as social, living and cultural spaces. As a result, these groups experience more surveillance in public places than do other members of the community. (VLRC 2010:64)

For this reason, they are also particularly vulnerable to the abuse of powers in public surveillance practice and to being the target of policing to regulate behaviour in public spaces. If laws and practices relating to surveillance and to the regulation of public spaces are not sensitive to this reality they risk discriminating against these groups, breaching their rights to privacy and to the access of public spaces without discrimination, and compounding experiences of disadvantage and marginalisation.
Increased risk of being charged with an offence and being moved on from ‘safe’ spaces

The VLRC’s investigation shed light on the ways in which surveillance can expose people who are homeless to a higher risk of being charged with offences by virtue of their homelessness. St Kilda Legal Service reported to the Commission that:

The homeless...face an increase in the risk of being charged with a range of offences related to their homeless status. For example, if a person is homeless they have far greater likelihood of breaching the law around being intoxicated in a public place. Moreover, if their activities are monitored on CCTV they are more likely to be charged with this offence.

The Legal Service is also concerned that increasingly homeless persons are being pushed out of areas where they might previously have found shelter by the proliferation of CCTV cameras. For example, a CCTV camera positioned to record the sheltered waiting area of a railway station may have a ‘security’ function, but it can also facilitate train authorities ‘moving on’ a homeless person who uses the area to shelter for the night.

(VLRC 2010:65)

The Commission also reported ‘complaints by young people about being moved on when congregating in public areas’ (VLRC 2010:65). Numerous examples of this are documented in this report. Submissions to the VLRC described this as having the impact of disproportionately affecting young people’s access to services and to spaces young people chose to occupy to enhance their personal safety:

The commission was told of a number of instances in which young people and other marginalised groups have been moved on by security guards at shopping complexes and train stations, which has prevented them from enjoying public places and also moved them ‘away from sites they have elected to be in because they are safe’. The commission was informed that security guards frequently use CCTV images to help them identify groups or individuals for attention.

(VLRC 2010: 65)

The Commission was told that the use of surveillance for the purposes of ejecting “undesirables”, ‘essentially establishes that some people have a less legitimate claim to being in public places than others’ (VLRC 2010: 65). The experiences of such exclusionary measures are documented in this report, particularly in Chapter Nine.
The Commission went on to report that:

_The risk that certain people will be denied access to public space is magnified by the increase in privately owned public places, such as shopping centres and entertainment complexes. Some community organisations noted that their clients report difficulties arising from the use of surveillance and security in shopping centres. Walter Siebel and Jan Wehrheim suggest that the temptation to move along ‘undesirables’ may be acted upon with less public accountability in the case of private public places than would be the case with police on city streets_ (VLRC 2010: 65).

This reflects the issues raised by young people in the focus groups, once again as reported earlier in this report in Chapter Nine.

**Inappropriate use of footage**

The concern expressed by young people in the focus groups that images and footage collected for surveillance purposes would be used inappropriately, was also validated by the findings of the VLRC in their report:

_Another specific concern was with the publication of images captured by surveillance devices of people, particularly children, suspected of having committed criminal offences. The commission was told that there are CCTV captured images of young people displayed in some shops and shopping complexes. Concern was expressed over the potential impact that this practice can have on young people. A number of individuals and organisations were of the view that the publishing, dissemination and use of material captured by surveillance also requires regulation._ (VLRC 2010: 66)

**Access to footage**

Young people interviewed also expressed their concern that surveillance footage was not made available to them if they were the subject of that footage, and stated they believed this footage should be made available on request. The VLRC report showed the issue of access to footage was also of wider concern in the community:

_The issue of access to and retention of surveillance data—in particular CCTV footage—was of concern to several organisations the commission met. They noted that only those conducting the surveillance are aware of the period of time data are kept, and that community members are unlikely to be able to access the footage in time, particularly if the process involves getting legal advice. It was suggested that this is indicative of the general power imbalance between users and subjects of surveillance._
We were also told of people who had been victims of assault at nightclubs and other CCTV monitored places who were refused access to the footage of the incident. In submissions and forums it was alleged that assaults have been committed against members of the public by persons in positions of authority who were aware of the placement of CCTV and intentionally avoided being within its range. A surveillance user noted that police usually request access to the footage before it has been destroyed but that requests from the public are usually too late.

(VLRC 2010: 69)

Information about surveillance and rights

Young people also commonly articulated a strong desire to have access to information about surveillance practice and about their rights should they be the subject of surveillance. The VLRC (2010) recommended that an independent regulator of public place surveillance be created. Part of their role would be to encourage responsible practice through education and information provision.

Ensuring that information about surveillance practice and the rights of individuals is made accessible to young people (with a focus on ensuring that young people who are experiencing homelessness or disadvantage) should be a part of the responsibilities of the independent regulator in educating and promoting understanding in relation to public place surveillance.

Recommendations:

• That the Victorian Government adopt the recommendation made by the VLRC that an independent regulator of public space surveillance be created. That the regulator have the regulatory and educative functions as recommended by the VLRC. In order to encourage responsible surveillance the VLRC recommends that the regulator have the following responsibilities:
  • researching and monitoring surveillance technology and the use of surveillance in public places
  • educating, providing advice and promoting understanding of laws and best practice in relation to public place surveillance
  • developing and publishing best practice guidelines to illustrate appropriate use of public place surveillance technology.

• That the independent regulator, in fulfilling their responsibilities to educate, provide advice and promote public understanding of laws and best practice in relation to public place surveillance, consider
closely the needs and experiences of young people (with a focus on marginalized and vulnerable groups of young people, including young people experiencing or at risk of homelessness) in developing information about surveillance practice and the rights of individuals — with a purpose of ensuring the accessibility of information to these young people.

• That the independent regulator, in fulfilling their responsibilities to develop best practice guidelines to illustrate appropriate use of public place surveillance technology, incorporate information relating to the use of public places by young people (with a particular focus on marginalised young people and those experiencing homelessness) and make recommendations relating to practice measures that avoid exacerbating the vulnerability of these young people or criminalising their use of public space by virtue of their homelessness.

• That the independent regulator incorporates recommendations in the best practice guidelines relating to the inappropriate collection and distribution of images of children and young people suspected of having committed criminal offences by surveillance staff.

• That the independent regulator incorporate recommendations in the best practice guidelines in order to improve public access to surveillance footage when requested, incorporating a specific focus on measures to improve young people’s access to footage, in recognition of the barriers that administrative processes can create to young people’s access.

• Given that the VLRC does not recommend that the independent regulator have a function to receive individual complaints from members of the public regarding surveillance practice, that the regulator periodically investigate issues relating to risks of systemic discrimination in surveillance practice, including issues relating to the surveillance of young people. That these investigations incorporate a strong focus on hearing from young people about their experiences of surveillance. Information collected from such investigations should be reported to Parliament and inform best practice guidelines produced by the regulator.
12. References


