

Corruption in the police service in England and Wales:

Second report – a report based on the
IPCC's experience from 2008 to 2011

May 2012

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Foreword



In the summer of 2011, there were unprecedented levels of public concern about unethical and potentially unlawful behaviour by some journalists. This was swiftly followed by concerns about the propriety of relationships between some police officers and the media, including allegations of illegal payments by journalists in exchange for confidential information. These are allegations now being examined by Lord Leveson's inquiry.

This in turn led to broader concerns about police integrity and corruption. A series of reports was commissioned in parallel with the Leveson inquiry: one from Her Majesty's Chief Inspector of Constabulary on police integrity; one from Dame Elizabeth Filkin on the relationship between the Metropolitan Police and the media; and a request from the Home Secretary to the IPCC to report on its experience of investigating complaints of police corruption. At the same time, the IPCC has been carrying out or supervising investigations into allegedly corrupt relationships between police officers, mainly in the Metropolitan Police Service, and the media.

Part 1 of our report was submitted in August 2011, describing the role of the IPCC, the definitions of corruption and the issues arising from it. While this report provides an update on investigations around

police-media relationships that have been concluded or are ongoing, a full picture of the extent and effect of this cannot be drawn until they, and the Leveson Inquiry, have concluded. The lines between corruption, misconduct and poor judgment can sometimes be fine ones, as the cases so far concluded have shown. This reinforces the need for a clear definition, understood by both the public and police – and our findings on public perception indicate that the public, particularly in discussion, is able to perceive the nuances and potential risks of different kinds of police behaviour.

This report sets current concerns in the context of police corruption more broadly. It examines the public view of the nature, extent and effect of corruption in the police; analyses corruption-related complaints recorded by police forces in England and Wales and those cases that are referred by them to the IPCC; and provides case studies of the serious corruption investigations carried out by the IPCC.

The overriding message that comes out of this report is that corruption is not widespread, or considered to be widespread, but that where it exists it is corrosive of the public trust that is at the heart of policing by consent. Public confidence in and acceptance of the police exercising their considerable powers over us all is heavily dependent on a belief in the integrity of individual officers. That legitimacy is called into question and undermined by the kinds of behaviour described in this report, and by any attempts to justify or minimise behaviour that the ordinary citizen sees as corrupt – accepting generous hospitality, gaining personal benefit or abusing powers for personal gain – particularly when this is carried out or apparently condoned at senior levels.

Some of the IPCC's investigations have revealed

serious corruption, sometimes at a senior level and sometimes preying upon precisely those vulnerable individuals whom the police are required to protect. Those rightly attract the greatest public concern, and are matters where there is clear public support for, and the necessity for, independent investigation – though it is also reassuring that many of those cases came to light as a result of action by local forces and police authorities. This report outlines the individual and corporate vulnerabilities evident in those cases.

There was also measurable public concern, particularly in discussion, about lower-level issues, such as the acceptance of gifts or attempts to influence recruitment – particularly if they became routine or were carried out by senior officers. In those cases, there was, in general, acceptance that it was the responsibility of local management to be alert to, and to deal robustly with, such matters.

This reflects the arrangements that currently exist for dealing with complaints, including allegations of corruption. Less serious complaints should be dealt with at local force level; more serious matters should be referred to the IPCC. As our Part 1 report noted, each police force has significant dedicated resources to root out and investigate corruption, in the shape of professional standards departments and, in some cases, counter-corruption units. That reflects the fact that this is an issue that is at the heart of public confidence in the local force and that cannot and should not simply be offloaded to an external body. The resources of these units therefore far outstrip the resources that the IPCC has available for this work: the Metropolitan Police's professional standards department is approximately the same size as the whole of the IPCC – which is required to investigate all deaths following police contact and all other serious complaints, as well as dealing with appeals in less serious matters, across the whole of England and Wales.

For the system to work as it should, it is vital that all police forces are both alert to allegations of corruption and capable of dealing with them effectively and appropriately. It is therefore of some concern that our analyses show huge

variations across police forces, both in the rate of recorded corruption-related complaints per thousand officers and staff, and in the rate of serious allegations referred to the IPCC. There are no simplistic inferences to be drawn from this. The forces that record and refer more allegations may well be those that are most aware of the issue; there may be differences associated with the kind of area being policed. But the extent of the variation strongly suggests a need for Chief Constables to assure themselves that IPCC guidance on the definition of corruption, and the recording and referring of corruption complaints, is followed consistently.

It is clear that where the IPCC does deal directly with corruption allegations, its investigations have usually resulted in a positive finding. Forty-five per cent of the cases independently investigated or managed between 2008 and 2011 were referred to the Crown Prosecution Service (CPS) to consider prosecution; 77% of officers investigated faced misconduct proceedings and a further 7% resigned. The outcome of prosecution decisions and misconduct proceedings is clearly outside our remit, but we would hope that public concerns about the seriousness of these matters will be reflected in those decisions and proceedings.

However, the IPCC has directly dealt with only a relatively small number of such cases. The focus for its limited investigation resources has necessarily been those cases that involve death or very serious injury or abuse – where independent involvement or investigation is mandated under the Human Rights Act. It must be right that the primary responsibility for identifying and dealing with less serious cases of alleged corruption falls to the police service itself. It would require a significant transfer of resources and powers to the IPCC if it were to assume a much more prominent role, particularly in cases that require covert operations.

Nevertheless, the IPCC needs to be able to investigate cases of serious corruption – particularly those involving senior officers, serious criminal allegations and gross abuse of powers.

Within current resources, this can only be a small number, though we would like to be able to undertake more. We will be reporting annually on the outcome of those cases and the issues they identify. But we also need to be able to exercise some oversight over the way less serious cases are dealt with locally. The public is understandably doubtful about the extent to which, in this particular instance, the police can investigate themselves. Public trust may also therefore require greater independent assurance that cases dealt with internally have been properly handled. That can partly be achieved by reinforcing guidance to senior officers and professional standards departments that they need to ensure a consistent and robust approach to allegations and suspicions. But it also may require the IPCC to take a more proactive role: examining from time to time a sample of internal or locally handled complaints to see how they have been dealt with and their outcome.

This raises issues both of resources and powers. If the IPCC is to directly investigate more cases, or carry out some active oversight of local handling, this cannot be done within existing budgets, given the wide range of other statutory and human rights obligations. In addition, corruption investigations expose limitations to our powers that we have frequently referred to and that affect all investigations – the inability to investigate contracted-out employees, to gain access to data held by third parties, and to require formal response to our recommendations. These are matters we will be discussing with Ministers and the police service.

There is nothing in this report that suggests that police corruption is endemic, or that police forces and authorities are not making serious efforts to identify and deal with it when it does occur. However, there is clearly some confusion about what should be defined as corrupt, as opposed to a breach of conduct. There is also a public perception that independent oversight is essential in an area that goes to the heart of public confidence in the police, and that is fundamental to legitimacy and therefore to co-operation and compliance with the police. At a time of great

change and budget constraints in the police service, the IPCC's role in providing that oversight will be more important than ever. This report points the way forward.

Dame Anne Owers
Chair
Independent Police Complaints Commission (IPCC)

Executive summary

This is the second of two reports issued by the IPCC following a request from the Home Secretary in the wake of serious public concerns about phone hacking and the relationship between the police and the media.

The first report, published in September 2011, provided details of cases under investigation by the IPCC relating to the above issues, described the relative powers and roles of the IPCC and police forces themselves, and included some data, definitions and issues arising from corruption.

This report provides an update on concluded and ongoing cases, and puts those in the context of corruption more generally, using:

- new findings about the public's view of police corruption and its impact on public confidence in policing
- analysis of data on recorded public complaints about police corruption
- analysis of corruption cases referred to the IPCC by police forces and their outcome
- case studies and the vulnerabilities they expose

Two other reports – the inquiries by Her Majesty's Inspectorate of Constabulary, and by Dame Elizabeth Filkin – also deal with aspects of police integrity and relationships with the media. A recurring theme is the damaging impact of corruption on public trust and confidence, showing that a serious focus on this issue is necessary for police legitimacy and public co-operation.

Public views of police corruption and its impact on confidence

Three key findings emerge. First, though corruption is not at the top of public concerns about crime, where it does exist it is seen to corrode public confidence and trust in policing. Second, when members of the public were invited to reflect on potential instances of corruption, they were able to provide a nuanced and relatively sophisticated view. Third, there was general acceptance that serious cases required independent investigation, whereas less serious cases could be dealt with locally – though there remained some concerns about police investigating themselves.

- Despite the publicity given to alleged police links to the phone hacking scandal, the findings of a public survey and focus groups indicate that local crime issues are a greater concern for the majority of the public than police corruption. Not surprisingly, when asked for their views about police priorities, survey respondents gave counter-corruption activity a very low rating compared to other issues that they felt impacted on their lives more directly.
- Some focus group participants did raise police corruption as a concern and those with negative personal experiences of, and more direct contact with, the police tended to see it as more widespread or even endemic compared to those with positive experiences and less direct contact. A recent survey conducted by HM Inspectorate of Constabulary (HMIC) also found that around a third of respondents believed that corruption was a big problem for the police or was common (HMIC, 2011).

- Whatever the views about the prevalence of corruption, where it occurred it was held to undermine essential trust.
- A majority of survey respondents were able correctly to identify a series of scenarios as corruption. These included cases ranging from an officer coercing a woman to have sexual intercourse, to senior officers employing a relative against recruitment procedures. ‘Grey areas’ for survey respondents concerned cases where an officer might have been involved in misconduct e.g. unauthorised disclosure of information. Responses to other lesser incidences – free food and drink from a café or free entry into a night club – were more mixed, though even here over half the respondents believed this was definitely or probably corrupt.
- The focus groups provided a more sophisticated view of these areas. Corruption was defined by groups as *‘abusing one’s power for personal gain’*. In the case of excessive force being used against an arrestee, focus group respondents viewed this as serious misconduct rather than corruption, since it did not involve personal gain. Unauthorised disclosure was also viewed by some as misconduct. Some saw free food or entry as acceptable ‘perks of the job’, but others raised concerns that this could be the thin end of a wedge and identified a number of warning factors, such as regularity and seniority.
- When asked to rank six scenarios in terms of seriousness, survey respondents gave top ranking to officers: selling drugs they had confiscated; faking evidence against a burglar; accepting money from a criminal in exchange for information about a case. Those considered less serious involved officers: faking arrest figures for a news story; submitting a false expenses claim; using a warrant card to gain free entry to a football match. This aligns with the previously published IPCC definition of ‘serious corruption’ cases that should be referred to it by police forces.
- The focus groups provided further insights. Factors that defined seriousness included: the

seniority of the officer; the frequency of the act; the sums of money involved; the consequences; the presence of intent; the extent to which it involved criminal behaviour; the number of officers involved.

- When asked about who should investigate corruption, both survey respondents and focus group participants made a distinction between serious and less serious cases. The most serious types of case were viewed as requiring some form of external investigation, either by another force or by an organisation independent of the police. The less serious cases were perceived to be, the more likely that they were viewed as appropriate for handling by local managers or anti-corruption specialists from the same force. An external police force or an organisation separate from the police was viewed by focus group participants as providing an unbiased approach and a fairer review of the evidence.

Public complaints about police corruption

- While police corruption is generally something that happens away from the public’s gaze, the figures in this chapter indicate that some people do believe that they experience it and/or that it provides an explanation for some decisions with which they disagree. Over a three-year period local forces recorded a total of 2,692 people making 8,542 allegations relating to corruption¹.
- There were wide variations in allegations recorded across forces. These variations may reflect the different interpretations in forces of what is, and is not, considered police corruption. There is a need for a more robust and consistent definition and also for improvements to recording practices in the future.
- *Irregularity in relation to evidence/perjury* (3,758 allegations) is the most prevalent form of corruption allegation recorded by the police. This is followed by *improper disclosure of*

¹ A complaint by a member of the public may have one or more allegations attached to it.

information (3,521 allegations) and *corrupt practice* (1,263 allegations).

- Allegations of *irregularity in relation to evidence/perjury* were the most likely to be investigated, but *allegations of improper disclosure of information* were most likely to be substantiated (356 allegations, 21% substantiation rate). This reinforces the findings from a recent report on police integrity that the improper/inappropriate disclosure of information is a key area of work for the police in the future (HMIC, 2011). A total of 544 allegations associated with corruption (12% of those investigated) were substantiated over a three-year period.

Corruption cases referred by police to the IPCC

- *Referrals received* – the police referred to the IPCC 837 cases relating to alleged police corruption over a three-year period². 723 were ‘overt’ referrals in which the person suspected of corruption was aware of the allegations made against him or her and 114 were ‘covert’ referrals in which the person concerned was unaware that they were under suspicion or the subject of an investigation.
- *Differential rates in referrals* – the most striking finding from the analysis of corruption-related referrals at force level is the differential rates in which cases are referred to the IPCC. These ranged from 11 referrals per 1,000 police officers/staff to no referrals at all. There are a number of factors that may explain these variations, including inconsistencies in identifying potentially corrupt activity and different policies on referring cases to the IPCC. The wide variation is a matter of concern and action is proposed to tackle it.
- *Type of investigation* – the IPCC took a role in 30% of corruption cases referred to it. In terms of the different types of investigation: 3%

involved an independent investigation, 12% a managed investigation, 15% a supervised investigation and 70% were dealt with by the police force concerned. The number of IPCC independent investigations has increased in recent years, reaching 11 in 2010/11.

- *Covert investigations* – 73% of the 114 covert cases referred to the IPCC led to a supervised or managed investigation, usually the former. There were no independent investigations following covert referrals over the three years examined in this report, although they have occurred outside this time period.
- *Types of corruption* – nearly two thirds of incidents related to perverting the course of justice or theft/fraud. In a large proportion of these cases, no IPCC oversight was deemed necessary. This is indicative of the relatively lower-level allegations being referred in these cases, i.e. the theft of a small sum of money. The IPCC had the greatest oversight of incidents allegedly involving abuse of authority, where 28% of allegations were the subject of independent or managed investigations.

The outcome of corruption cases investigated by the IPCC

- Of the 104 independent and managed investigations considered during this period, the IPCC referred 47 (45%) cases to the CPS. In the 42 of those cases completed, involving 51 officers, 13 officers were charged and prosecuted, 13 were found guilty and 10 were imprisoned. In terms of rank, most officers were constables, with one being a sergeant and one being ACPO rank.
- Of the 113 officers subject to completed IPCC investigations, 87 (77%) were the subject of misconduct proceedings. These resulted in a finding of gross misconduct or misconduct for 76 (87%) of officers. In 18% of cases, officers were dismissed or required to resign, 34% of officers were given a written warning and 29% were subject to management action.

² Police forces are required to refer corruption cases to the IPCC when they are sufficiently serious and may do so voluntarily in less serious cases.

- Detailed examination of IPCC investigations reveals a number of individual and corporate vulnerabilities that need to be addressed. For individuals, they include: inappropriate association; financial insecurity; professional dissatisfaction or welfare issues; and substance misuse. Corporate vulnerabilities are chiefly around vetting and management and supervision and access to information (where senior officers in particular need to demonstrate their own integrity).

Conclusion and next steps

We identify a number of areas for change including:

- The need for clearer information for the public on what constitutes police corruption; the IPCC will produce a regular analysis of corruption cases it has dealt with identifying the emerging themes.
- The requirement for Chief Constables to ensure greater consistency in the recording and referral of corruption cases to the IPCC. The Commission has written to Chief Constables making clear its expectations and this will be reinforced in the Statutory Guidance to be issued later this year.
- The need for a more effective national system for handling allegations against very senior officers i.e. those of ACPO rank. The IPCC will work with HMIC, the National Crime Agency (NCA) and the CPS to establish a more formalised and robust system for escalating such complaints.
- Most corruption allegations will continue to be dealt with by the forces concerned, including their own standards and anti-corruption units. The IPCC will consider whether its oversight of these processes needs to be strengthened, and what resources would need to be available to do so.
- The public expects serious corruption to be investigated by an organisation independent of the police. The IPCC stands ready to take on

more corruption cases if additional resources could be made available. Within existing resources, the IPCC will continue to conduct a small but increased number of independent investigations into corruption cases, prioritising those involving senior officers, serious criminal allegations and gross abuse of police powers.

- The additional powers necessary to enable the IPCC to conduct the most effective corruption-related investigations: in respect of contractors, access to third-party data and the power to require the police and other responsible bodies to respond formally to our recommendations. Discussions are under way with Home Office officials and Ministers to take these forward.

The findings and conclusions can be examined in more depth in the following chapters. Chapter Two explores public views on what is corruption and who should investigate it. Chapter Three examines allegations of police corruption made by the public. Chapter Four presents figures on corruption cases referred to the IPCC by police forces and our decisions on whether or not to undertake our own investigation. Chapter Five presents the outcome of cases the IPCC investigated in terms of criminal and misconduct proceedings, gives more details of these investigations via a series of case studies, and outlines the related issues facing the police service. Chapter Six indicates the findings and implications and makes proposals for changes.

1 Introduction

In July 2011, following unprecedented levels of public concern relating to allegations of phone hacking by News of the World journalists, the Home Secretary used her powers under Section 11 (2) of the Police Reform Act 2002 to request a report on the Independent Police Complaints Commission's (IPCC) experience of investigating corruption in the police service. This was one of many pieces of work commissioned by the Home Secretary and the Prime Minister in the wake of the phone hacking scandal.

The Home Secretary requested that initial findings be provided by the end of August 2011, with a full report to follow. On 30 August 2011, the IPCC submitted its first report (Part 1) to the Home Secretary (see IPCC, 2011). This was laid before Parliament and made publicly available on 15 September 2011.

In addition to detailing the specific referrals received by the IPCC in relation to phone hacking and associated issues, the Part 1 report also set out the following:

- a description of the IPCC, its powers and responsibilities
- definitions of police corruption in current usage
- data on referrals from the police to the IPCC
- a selection of corruption case studies
- issues arising from corruption cases for the police service

The report concluded that corruption referrals to the IPCC have covered a wide range of behaviour and have been across all ranks, including the most senior officers. Issues and lessons identified for the police

service to date included supervision and leadership, misuse of computer systems and inadequate policies and procedures.

The report also explained that, since its establishment in 2004, the Commission has focused its resources mainly on investigating incidents where a member of the public has died or been seriously injured, and it was alleged that the police caused the death/injury or failed to prevent it. Such investigations are mandated under the Human Rights Act. In more recent years, the IPCC has had increased oversight of corruption matters, but, given limited capacity, these cases have remained relatively few in number.

Progress on phone hacking related investigations

In the Part 1 report the IPCC stated that it had received a number of referrals from both the Metropolitan Police Service (MPS) and the Metropolitan Police Authority (MPA). The report went on to detail the specific investigations that had commenced. An update on these investigations is provided below:

- The IPCC is continuing to supervise the MPS investigation into allegations of corrupt payments to police officers by the media. The level of IPCC involvement is reviewed whenever individual officers or individual recordable conduct matters are identified. To date five further referrals (not all from the MPS) have been received, two of which have resulted in independent investigations and three of which remain supervised. All investigations are ongoing.
- The IPCC's independent investigation into the

circumstances under which the MPS's Director of Public Affairs awarded a contract to a company run by Neil Wallis, former Deputy Editor of the News of the World. This concluded that Mr Fedorcio had a case to answer and the MPS decided that he should face allegations of gross misconduct. However, he chose to resign.

- The IPCC's independent investigation into allegations that former Assistant Commissioner John Yates secured employment for the daughter of Neil Wallis found no evidence of misconduct on the part of Mr Yates that would justify disciplinary proceedings, but concluded that he had shown 'poor judgment' in the manner in which he had forwarded her CV.

The first report also stated that the IPCC had received referrals from other police forces regarding alleged disclosures to newspapers and payments to officers. As a result of one of these, the IPCC conducted an independent investigation into allegations that a Surrey Police officer gave information to the News of the World in relation to the investigation into Milly Dowler's murder in 2002. Following the investigation it was determined there was no evidence to support the allegations made and no further action was taken.

During the period in which this second report has been drafted, evidence has been presented to the Leveson Inquiry that may result in recommendations governing relations between the police and the media and disclosure of information; the Inquiry's conclusions may impact on the work of the IPCC in this area in future.

The aim of this Part 2 report is to provide an insight into police corruption from the perspective of the IPCC's work. It is based on:

- new findings examining the public's views of police corruption and its impact on their confidence in policing
- analysis of previously published data on recorded public complaints about police corruption
- analysis of corruption cases referred to the IPCC by

police forces, including case studies and an identification of vulnerabilities.

Context

Corruption has always been an issue for policing. In the UK, the development of the modern police has been punctuated by high-profile scandals involving malpractice and misconduct (see Punch, 2009; Miller, 2003; Newburn 1999). Over the last four decades, high-profile cases have included those where officers have received payments from organised crime, most notably the Obscene Publications Squad and the Drugs Squad during the 1970s. Other cases involving the suppression of evidence, the assaulting of suspects, tampering with evidence and perjury include the Birmingham Six, the Guildford Four, the Carl Bridgewater affair, and the activities of the West Midlands Serious Crime Squad and those of the South East Regional Crime Squad. In addition to these and other landmark cases, more occur without making a major impact in the media and therefore on the public's consciousness.

Responses to police corruption have tended to focus on regulating police behaviour. These have included legislation, such as the Police and Criminal Evidence Act 1984, and the creation of Professional Standards Departments, including Anti-Corruption Units. More broadly it is clear that the issue of corruption is not simply confined to the British police. Low-level police corruption is an issue in many countries and similar scandals to those cited above can be found in the USA and Australia. These have resulted in numerous official inquiries, which have uncovered very serious systematic corruption as well as wider problems about police culture and poor management (see Knapp Commission, New York, 1972; Mollen Commission, New York, 1994; Fitzgerald Commission, Queensland, 1989 and Wood, New South Wales, 1997).

The recent allegations of police involvement in the phone hacking scandal have led to two additional reports alongside this one. Her Majesty's Inspectorate of Constabulary (HMIC) was asked by the Home Secretary to '*consider instances of undue*

influence, inappropriate contractual arrangements and other abuses of power in police relationships with the media and other parties. The resulting report, *Without Fear or Favour*, said that concerns about inappropriate police relationships being a sign of endemic failings in police integrity were not borne out by the evidence (HMIC, 2011). However, it did find that controls were required in areas not previously associated with corruption, such as corporate purchasing, the receipt of gifts and hospitality, use of credit cards, and police officers and staff having second jobs. The resulting recommendations included the need for senior officers to review corporate governance arrangements to ensure that these support the values of the force, and that they themselves promote the values of the organisation through their behaviour. The creation of robust systems was recommended to ensure that risks could be identified and monitored, as was the need for clear boundaries and thresholds in relation to these matters across the police service. HMIC also recommended that relevant training courses should include content on integrity and anti-corruption. This should especially be the case for those courses aimed at senior officers, while chief officers should consider briefing wider staff about what is, or is not, acceptable and what are areas of vulnerability. ACPO was expected to produce its action plan in response during April 2012.

The second report was produced by Dame Elizabeth Filkin at the request of the then Commissioner of the Metropolitan Police, Sir Paul Stephenson. This examined the 'ethical issues arising from the relationship between the police and the media'. It concluded that the perception that MPS personnel leak to the media was prevalent and damaging (Filkin, 2011). While Filkin found little hard evidence, she believed that improper disclosure to the media was occurring and, if left unregulated, would continue to harm the MPS and the public. Her report specifically defines three areas of concern with regard to MPS-media relations: the unauthorised disclosure of information; the relationships that allow this to happen; and the extent to which this area was regulated. The subsequent seven recommendations included the need for officers and staff to make a brief personal record of the

information they provide to the media. Senior managers were recommended to create an atmosphere that deterred improper disclosure of information and to strongly pursue leaks via criminal or misconduct sanctions. More broadly, Filkin recommended that core principles should be established that underpin contact with the media.

A recurring theme in these reports is the damaging impact that corrupt relations between the police and other parties can have on public trust and confidence. This theme forms part of recent academic work examining police legitimacy and public trust (Hough et al, 2010; Bradford et al, 2011). The emerging findings identify strong links between public trust and perceptions of police corruption, as well as links between these and public views about the legitimacy of the police and the citizen's duty to obey officers. Taken together, the above reports and research indicate that a serious focus on tackling police corruption is important, not just because it unearths unethical police behaviour, but because of the role it plays in wider public trust, views of police legitimacy and, on a practical level, co-operation and compliance with the police.

2 Public views of police corruption and its impact on confidence

The issue of police corruption has led to a large body of international literature, including official reports, codes of conduct and academic articles. However, there is very little information on public views of police corruption and how they think it should be addressed. Public views are important in the context of this report because the IPCC is responsible under the Police Reform Act 2002 for maintaining public confidence in the police complaints system. In considering how to respond to the Home Secretary's request for a report, the IPCC decided to conduct some new primary research to support its analysis of existing data and case material.

This chapter examines public views of police corruption and is based on the following two pieces of research commissioned by the IPCC:

- **survey of the general population:** this involved a series of questions about police corruption being placed in an omnibus survey run by Ipsos-Mori and put to a representative sample of adults across England and Wales
- **focus groups and in-depth interviews:** this explored public views in more depth with people selected to represent a range of life stages, social grades and attitudes to the police. Held in the Midlands, London and Wales (Solutions Research, 2011)

Further details on the two studies can be found at the end of this chapter, with the key findings presented below in response to a series of questions. A report by Solutions Research detailing the full findings of the focus groups and in-depth interviews can be found on the IPCC website.

The views expressed are, of course, those of the

survey respondents and focus groups, not the IPCC. What is clear, however, is that the more that individuals were invited to reflect on such matters, the more the contours of corrupt or potentially corrupt behaviour became apparent. This suggests that the public is able to take an informed and relatively sophisticated view of corruption, as long as they are presented with information and explanation.

To what extent is police corruption an immediate concern to the general public?

Survey respondents were presented with a list of policing activities and asked to pick their top three priorities. Table 2.1 presents the results and shows that investigating allegations of corruption was given a much lower priority than other options. More immediate concerns, relating to personal and community safety, scored much higher. This is not surprising, and was reflected in later focus group discussions, where one advantage of involving external organisations in investigating corruption was that it allowed the police to get on with the job of protecting the community. The perception that overt corruption is not a major issue is confirmed in a recent sweep of the European Social Survey (Bradford et al, 2011), which explored public trust in the police across 20 countries. One question in the survey sought a public assessment of the legality of police actions by asking how often they thought the police took bribes. UK respondents thought this much less likely than respondents from most other European countries in the survey. However, Scandinavian countries, Germany and Switzerland, received lower ratings.

Table 2.1 What do you think the priorities should be for your local police?

Priority for police	%
Patrolling the local area	78
Dealing with organised crime – like drug trafficking, gun crime and ID theft	47
Investigating burglaries in your local neighbourhood	41
Dealing with drunkenness and rowdiness in public places in the local area	40
Policing the roads in your neighbourhood	29
Making visits to local schools and other community organisations	21
Investigating allegations of police corruption in the local area	8
Other	1
Don't know	1

Note: 1. Multiple response question therefore percentages do not add up to 100%. 2. Unweighted sample: 1,777 people.

The HMIC review of police integrity also found that a majority of respondents did not consider corruption to be an issue for the police. However, it is notable that a significant minority (over a third) thought it was a ‘big problem’ and around a third thought that it was ‘fairly’ or ‘very common’ (HMIC, 2011)³.

Public perceptions of police corruption were also explored in the IPCC focus groups and the resulting more detailed findings are included later in this chapter. When focus group members were asked to discuss their current concerns and, in particular, their views and experiences of the police, corruption rarely featured spontaneously. When it did, the subject tended to be raised by those who described having, or knowing of, negative experiences with officers and in general had the most negative views of the police. Alleged corruption was spontaneously raised by this group, with examples such as bribery or ‘fitting people up’. When directly asked to consider the subject of police corruption and its extent, those with more negative personal experiences of policing – who were also those who

were more likely to have had direct contact with the police – tended to believe it to be more widespread and even endemic, compared to those with more positive or neutral experiences, and who were less likely to have had direct police contact.

‘I struggle to think that there is a lot of corruption...I think that the whole system works and if it was corrupt it wouldn’t.’

‘If it was endemic you’d see/hear a lot more of it...and you don’t.’

For these participants, any problems were not seen as being endemic, widespread or any different from other professions and organisations. When they did occur they centred on specific rogues or a ‘few bad eggs’. Conversely, others felt that corruption was an issue and one that was more prevalent than the general public was led to believe.

‘You can’t be so naïve to think there aren’t people out there who will just look after themselves and abuse their power or position.’

‘I think it goes on a lot.’

‘I think it (corruption) is a big issue, especially in areas where people feel victimised.’

Despite differences as to the extent of police corruption, focus group members were clear about its seriousness – that, where and if it existed, it fundamentally undermined the essential element of trust between the police and the public, which is essential for the public to have confidence in the way the police use their authority and power.

The survey respondents were asked if they could remember seeing or hearing anything about police corruption over the last three months. This time period covered the peak of media coverage about alleged police links to the phone hacking scandal and the subsequent coverage. 44% of respondents said that they could recall hearing or seeing something about police corruption during that

³ The HMIC-commissioned survey found that 36% of respondents thought that corruption was a ‘big problem’ for the police, while 34% thought that police corruption was fairly or very common (Duckfoot, 2011).

time. Table 2.2 shows where respondents had heard about police corruption. The vast majority cited television, radio or newspapers, and very few mentioned personal experience.

Table 2.2 Where respondents had heard about corruption

Source	%
Television/radio	84
Newspaper	49
Internet/social media	11
Word of mouth	8
Magazines/books	3
Personal experience	1
Other	1
Don't know	0

Note: Multiple response question therefore percentages do not add up to 100%
Unweighted sample: 789 people.

What do the public think 'police corruption' is?

Despite it being a difficult concept to define, the research indicates that members of the public, particularly in discussion, are able to form an accurate view about what behaviour might constitute police corruption. Furthermore, the research suggests that members of the public are able to distinguish between corruption and other types of police misconduct.

When asked to consider and define police corruption, focus group members initially described it as doing something 'wrong' – against the rules, on purpose. Further discussion added that it was done for a benefit, which was typically for personal gain.

'Tampering with a system to make it work in your favour.'

'Corruption is about abusing your position and power and it is serious. Things like bribery, evidence going missing, cover ups, senior officers turning a blind eye – that sort of thing.'

Greater reflection led to some themes emerging around what behaviour could be classed as corruption. The clearest form of corruption described involved some form of exchange – i.e. a **personal financial gain in return for 'something'**. Examples given of this centred on bribery, but also included alternatives to monetary exchange, such as lunches and gifts given in return for something. Another spontaneous theme identified concerned **perverting the course of justice**. Examples of this centred on maliciously tampering with outcomes such as 'fitting people up', 'withholding evidence' and 'covering up'. When discussed further, perverting the course of justice could, however, generate debate as to whether it was 'corruption' since the personal benefit could be less clearly seen. **'Fiddling figures'** to meet targets was also spontaneously seen as an example of corruption, although later in the sessions, this caused more debate when the issue of personal benefit was raised. **Abuse of power and position** and **inappropriate use of power** were also further themes – for example, senior officers being let off parking fines. A number of grey areas, such as the use of excessive force, were also raised and these will be discussed in more detail below.

To explore the public's views about what is and is not police corruption, survey respondents were provided with ten scenarios and asked to state whether they thought each one constituted police corruption or not. Table 2.3 presents the results and shows that the majority of respondents viewed the top five scenarios as *definitely* corruption and a large majority thought it *definitely* or *probably* was. These ranged from an officer offering to drop a charge against a woman in exchange for sex, through to a senior officer recruiting a relative without following recruitment procedures.

There was less consensus about the other five scenarios (see Table 2.4). Just under half of respondents thought an **officer hitting someone already being restrained** was *definitely* corruption and a further quarter thought it was *probably* corruption. This scenario was placed in the survey to see if people could distinguish between corruption and other forms of criminality or misconduct – in

Table 2.3 Do you personally think this is police corruption? Those **who definitely or probably agree it is corruption** – top five scenarios

Scenarios	Definitely corruption %	Probably corruption %	Total definitely/probably %
A police officer offers to drop a charge against a woman if she agrees to have sex with him	90	6	96
A police officer fakes evidence against someone thought to be guilty of murder	84	10	94
A police officer receives money from a journalist for providing details of a criminal investigation	77	17	94
A police officer encourages an offender to admit to crimes that he/she may not have committed	69	19	88
A senior officer recruits a relative without following recruitment procedures	58	27	85

Note: Unweighted sample: 1,777 people.

this case, excessive force. On this evidence it appears that they found this difficult. However, in the focus groups where more consideration could be given to the scenarios, a more nuanced view emerged. Here, this scenario was viewed as very serious misconduct with participants viewing it as potential corruption if there was some form of personal gain for the officer.

Just over four out of ten people in the IPCC’s survey believed an **officer giving local people unauthorised**

information about sex offenders living in the area was *definitely* corruption though this increased to nearly seven out of ten if those who thought it was *probably* corruption were included. Again, the focus groups provided some insight into why many people felt this was not corruption. Here participants appreciated that this was a ‘breaking of the rules’ and therefore misconduct. They were reluctant to categorise this as corruption because they often viewed it as helping the community and therefore it could be justified. This scenario was also

Table 2.4 Do you personally think this is police corruption? Those **who definitely or probably agree it is corruption** – bottom five scenarios

Scenarios	Definitely corruption %	Probably corruption %	Total definitely/probably %
During a raid on a house a police officer hits someone who is already being restrained	48	26	74
A police officer gives local people unauthorised information about sex offenders living in the area	42	27	69
A police officer regularly receives food and drink from a café without having to pay	26	30	56
An off-duty officer receives free entry to a night club because they are a member of the police	25	28	53
A police officer attends a meeting held by another organisation where a free lunch is provided	9	14	23

Note: Unweighted sample: 1,777 people.

not seen as particularly serious, although there were suggestions of concern over vigilantes and the lack of police protection for the sex offender in question. References were also made to similar cases reported in the press where previous sex offenders had their identity revealed and were unable to live in some communities for fear of reprisals. Although a moral dilemma, many focus group participants felt that this act should not be severely punished.

'A police officer may think he's doing the right thing by doing that, but actually for the law he's not doing the right thing so I would put it more in misconduct, he may be doing it because he thought it was good.'

The recent HMIC review concluded that police forces need to institute robust systems to ensure that risks around information disclosure are managed and monitored (HMIC, 2011, p5). It also concluded that the same approach should be taken to deal with gratuities and hospitality.

The IPCC examined the public's views about this area via two scenarios: **officers receiving free food and drink from a café**, and **using warrant cards to gain free access to a night club**. The survey results show that around half of respondents believed that this was *definitely* or *probably* corruption, though a quarter believed that it *definitely* was.

Some focus group members described simple hospitality or entry into a night club as a 'perk of the job': as something harmless and innocuous, perhaps unpremeditated or a way that police officers could be shown respect and gratitude for their work in the community. It was even considered a benefit to the café or night club owner to have a police presence.

'If a person offers that cup of coffee for free that's their choice, if I work behind that counter I would put the money in myself to pay for that cup of coffee so I bought it for them.'

In relation to the night club, while a few took a purist line – that anything involving getting something for nothing was corrupt – most did not

and invariably it was not regarded as serious.

'Corrupt? Yes... They are getting something for nothing.'

'Misconduct...I'll try that one! ...Grey area for me (worth investigating?) A waste of police resources.... You see I don't see it as a problem at all. All of us in life, if we could get something for free because we know somebody or they respect our position or they like us....'

However, a more nuanced view, particularly in relation to receiving free food and drink, emerged from some group members. Concerns were raised that this was 'the thin end of the wedge' which could lead to corruption. In addition, this was seen as putting the police officer in a potentially difficult situation if the provider of hospitality expected something in return. It was considered sensible that police officers should constantly have to exercise good judgement in this kind of situation.

'It started really as the young bobby on the street. It might only be a small thing like as he's going off his shift he goes into the local chippy and he says that's on me sir, enjoy your supper. And then it starts from there.'

Those focus group participants who saw these areas as potentially problematic and possibly leaving officers open to corruption identified a number of warning factors. These included if the hospitality became regular, it occurred outside of work time or it involved alcohol or more substantial items as gifts. Key concerns were if there was an expectation on the side of the police officer that it would be offered, if there was some form of 'intent' on the side of the organisation offering the hospitality, or if the officer was expected to provide anything in return. The type of organisation providing the hospitality would also be a consideration and their links to the police and their reputation were important aspects to consider.

'You always pay for a free lunch.'

Lastly, a small proportion of people in the survey felt **that an officer attending a meeting held by another**

organisation where a free lunch is provided could be categorised as corruption. This scenario was placed in the list to test public views about something that was neither corruption nor wider misconduct. This was reflected in the views from the focus groups where the scenario was not considered to be remotely serious or problematic and certainly not an act of misconduct or indeed corruption. Many pointed out that this was a feature of many jobs, professions and working environments and a pleasurable one where work and food were often combined.

‘Is he doing it as part of the duty, then it’s acceptable... So he’s actually doing his job. The fact food is being provided I don’t think has anything to do with it.’

Are members of the public able to distinguish between less serious and more serious forms of corruption?

In addition to exploring views about what is and is not police corruption, the IPCC examined whether the public could make a judgement about what might be serious and less serious forms of corruption. Table 2.5 presents six scenarios. Survey respondents were asked to rate these in terms of seriousness on a scale of one to ten. It shows that the top three regarded as serious involved officers selling drugs, faking evidence and receiving money from a criminal in exchange for information. Less serious in terms of ranking were faking arrest figures, submitting a false expenses claim and use of a warrant card to gain entry to a football match.

This ranking was closely replicated in the focus groups. Here, participants used a number of factors to determine seriousness and these highlight the overall complexity of this area and demonstrate how difficult it can be to give definitive answers. The factors used to determine seriousness are summarised as follows:

- **criminality:** where the act crossed the boundary

Table 2.5 How serious respondents considered corrupt activities – seriousness rated out of ten

A police officer	Mean rating
Sells ten ecstasy tablets taken from someone he has arrested	9.2
Fakes evidence against someone the officer believes to be guilty of a burglary	8.6
Accepts £50 from a criminal in return for information about an investigation	8.4
Fakes the number of people arrested for violent offences for a local newspaper story	7.2
Submits a false expenses claim totalling £25	6.5
While off duty uses his warrant card for free entry to a football match	5.7

Note: unweighted sample - 1,777 people.

into becoming a criminal offence

- **amount of money involved:** the greater the amount of money, the more serious the act was considered to be
- **seniority:** the more senior the rank, the more serious the public considered the act to be
- **frequency:** the more regularly that the act was carried out, the more serious the act was considered to be
- **intent:** if there was clear intent this was more serious than accidental
- **consequences:** if these impacted on the safety of any individual, then it was seen as serious, if the consequences had little or no impact on others, it was seen as less serious
- **seriousness:** crimes that were considered to be more serious e.g. falsifying evidence for a murder trial compared to falsifying evidence for a fine
- **nature of involvement:** was the individual acting alone or one of a number of officers? Suggestions of endemic and widespread involvement were a cause for greater concern

Who should investigate allegations of police corruption?

When asked about who should handle allegations of corruption, focus group members made spontaneous comments that favoured management of all corruption cases by organisations separate from the police force concerned. This was due to a number of beliefs and assumptions. For example, an external organisation would be better able to provide a fairer and more equitable review of a case, being less open to bias and less personally involved. There was a perceived danger that if an investigation was conducted by the force concerned there might be a temptation to protect its own officers. An external organisation was felt to be more likely to be in a position to make tough, difficult and perhaps less popular decisions. An external investigation into police corruption cases was perceived as reducing the possibility of the issues becoming endemic within a police force. An external body was also perceived to allow the police to remain focused on policing with less distraction from ‘regular’ day-to-day policing in the form of corruption investigations. This would hopefully translate into greater time for community policing, and visible presence on the streets.

‘... if you were in another profession... the external body would be the police investigating you so it gets to the point where the police can’t always investigate themselves. So you’re going to need someone that’s not affiliated to them.’

‘Who am I going to report to without seeing repercussions?’

‘What you need is an independent party that deals with all the police issues, someone who is not going to be swayed by freebies, impartial and nothing to do with the courts, justice system, or the case.’

‘If it starts internally they can decide well I like him and I don’t think he’d do this sort of thing or if there’s some information that he might do something they’ll hide that from the independent investigator.’

The survey asked who should investigate the six scenarios that respondents had ranked in terms of seriousness (see Table 2.6). For the three most serious scenarios, the largest group of respondents chose an independent organisation outside the police. Given that the next most popular choice for these scenarios concerned specialist anti-corruption officers from outside that police force, it is clear that respondents favoured external investigation of these types of case. This changed when respondents considered the scenario involving the faking of arrest figures. Here they were broadly divided between an independent organisation from outside the police investigating the case or the managers of the officers involved. The emphasis changed again when respondents considered less serious cases such as false expense claims and use of a warrant card by an off-duty officer to gain entry to a football match. Here, local managers were favoured by the largest group of respondents.

When reflecting on who should handle these cases, the views from focus group participants strongly supported the distinction made by survey respondents between an independent organisation for the more serious cases and managers of the officers for less serious cases. The three scenarios identified as most serious – falsifying evidence, receiving money from a criminal, and selling drugs taken in an arrest – were viewed as best addressed through an investigation by an external organisation.

Focus group participants viewed the example of using a warrant card for sports events as less serious and ideally suited to being managed internally within a police force. The investigation of the remaining two scenarios of false expenses and falsifying evidence was seen as dependent on a number of factors. For example, falsifying figures was seen as varying in seriousness and if it involved a senior person might point to an external investigation. However, not all viewed this as serious and others felt an internal management approach was more appropriate. The example of a false expenses claim also generated discussion and focus group participants, again, varied enormously in their views. Some believed in a tough line irrespective of the amount involved and therefore

Table 2.6 Who should investigate different allegations of corruption (%)

	An independent organisation from outside the police	Specialist anti-corruption officers from outside the officer's own force	Specialist anti-corruption officers from within the officer's own force	Managers of the officers involved	Don't know
A police officer					
Sells ten ecstasy tablets he has taken from someone he has arrested	45	29	14	10	2
Fakes evidence to strengthen a case against someone the officer believes is guilty of burglary	42	27	15	13	2
Accepts £50 from a criminal, in return for providing information about an investigation	38	26	16	18	2
Fakes the number of people arrested for violent offences for a local newspaper story	34	18	14	32	2
Submits a false expenses claim totalling £25	25	13	11	49	2
While off duty, uses his warrant card for free entry to a football match	22	10	10	53	4

1. Unweighted sample: 1,777 people. 2. Percentages may not add up to 100% due to rounding.

external investigation, whereas others suggested that smaller amounts would be best handled locally. The frequency of such incidents, the amount of money and the seniority of the officer would encourage an external and more formal investigation.

‘Serious offences relating to drugs, falsifying evidencewell they are more serious and you need an external team looking into it – the consequences are far more serious.’

What are the public’s views on the different options for investigating police corruption?

Focus group participants were asked to consider in more detail four different types of investigation. The option of **the managers of the police officers involved** was generally understood as referring to a direct line manager of the police officer – someone who was well known to the officer and an integral part of the

team. This approach to allegations of corruption was seen as being best suited to more minor, first offences, perhaps dealing with cases involving free food and drink, and expenses (but those that involved low amounts). Participants anticipated a brief review of the situation with a review of evidence and an investigation, but this would be contained and limited. They imagined that an investigation at this level would lead to a reprimand and a warning, possibly followed by re-training and advice. At a later date, there may be a further review and a change in procedures as a result. There was however, a general consensus that focusing on ‘real policing’ was more important than focusing on investigating corruption within the force.

Although focus group participants understood the reference to **specialist anti-corruption officers from within an officer’s own force** they found it difficult to differentiate this option from the use of managers of the officers concerned. Despite the reference to the specialist anti-corruption team, this form of investigation still raised concerns for some about possible bias and a lack of independence,

particularly if the cases being dealt with were serious. Participants assumed this approach would apply to less serious offences, but also would possibly apply in the cases of recurrent offenders, more complex issues, and perhaps where there were several officers involved in one case. When shown a description of their areas of responsibility, there was some surprise at the suggestion that this type of management was responsible for more serious cases, using covert and undercover methods, as this suggested a more extensive investigation.

“It just depends who they answer to, is it the head of police or is there a higher level? If the boss is the people who they are investigating, well...”

Specialist external anti-corruption officers were viewed by focus group participants as providing an increased level of independence as they were one step removed from the force where the alleged corruption took place. This immediately suggested suitability for more serious offences of wider misconduct and corruption, or where a case involved several officers or those in senior positions. The benefits of this approach were identified as a detailed and thorough investigation, although most were surprised by the high level of potential surveillance suggested in the description of this approach. The reference to a specialist team with expertise in corruption was appreciated and would bring a new angle to the management of the inquiry, although there were still some concerns, albeit at a lower level, about the opportunity for bias to creep in and whether or not they would be entirely independent. There was an appreciation that this method would be more time consuming, as focus group participants understood it to involve compiling full and detailed investigations leading to potentially more serious outcomes.

‘Even though they’re part of the actual police force maybe they’re still slightly detached...’

‘I would say it depends upon the severity of the incident and whether it is something that can be dealt with in the bud, it’s grabbing a local constable, the local sergeant, look, we’ve heard you’ve been doing this, stop it now.’

Focus group participants were very positive about the idea of an **independent organisation from outside the police force** dealing with allegations of corruption as it suggested something very different from the other options. They assumed that the focus would be on the most serious cases – reflecting the independent nature of this option. This independence, with no connections to the police, was thought to result in a lack of bias and a fairer review of the evidence. The staff conducting the investigation would not be known to individual forces and as such would have no vested interest in ‘protecting’ an individual.

There were a few low-level concerns expressed from focus group participants about a lack of familiarity with police procedures. However, there was an assumption that any external organisation would understand the organisational processes and would be well trained. When given the examples of cases that would be typically investigated, focus group participants viewed them as very serious cases that were on a large scale. On this basis some were surprised when it was suggested that proactive surveillance may not be a feature of an independent organisation.

In making a decision about the ideal investigation approach, focus group participants identified a range of factors that could affect the decision. In many ways these had much in common with the factors identified as being important in weighing up the seriousness of corruption allegations. A range of key factors to consider included:

- the seniority of the officer and their position within the force
- their position within the team
- the number of officers involved and whether it was restricted to just one individual or a whole team – this was seen as a very important parameter
- the nature of the corruption and the impact it had on the investigation of a crime
- the regularity or frequency of the offence

- the amount of money, if applicable, and the scale of deceit involved in carrying out the act

Overall, both the findings of the survey and the focus groups reflect a strong public support for an independent organisation to be involved in the investigation of the most serious cases of police corruption. This view is broadly in line with the IPCC's Statutory Guidance, which stipulates that serious cases of police corruption should be referred to the IPCC by forces so that a decision can be made about who should investigate the case. These findings are also reinforced by another public survey, which asked a representative sample of the general public what areas the IPCC should focus on (Inglis and Shepherd, 2007). The results showed that, by far, the single most important area was dealing with police corruption. A total of 87% of respondents saw this as a key area for the IPCC, compared to dealing with death following police contact (77%), handling the most serious public complaints (49%) and handling all public complaints (47%).

Summary

Three key findings emerge. First, though corruption is not at the top of public concerns about crime, where it does exist it is seen to corrode public confidence and trust in policing. Second, when members of the public were invited to reflect on potential instances of corruption, they were able to provide a nuanced and relatively sophisticated view. Third, there was general acceptance that serious cases required independent investigation, whereas less serious cases could be dealt with locally – though there remained some concerns about police investigating themselves.

- Despite the publicity given to alleged police links to the phone hacking scandal, the findings of a public survey and focus groups indicate that local crime issues are a greater concern for the majority of the public than police corruption. Not surprisingly, when asked for their views about police priorities, survey respondents gave counter-corruption activity a very low rating compared to other areas that they felt impacted on their lives

more directly.

- Some focus group participants did raise police corruption as a concern and those with negative personal experiences of, and more direct contact with, the police tended to see it as more widespread or even endemic compared to those with positive experiences and less direct contact. A recent survey conducted by HMIC also found around a third of respondents believed that corruption was a big problem for the police or was common (HMIC, 2011).
- Whatever the views on the prevalence of corruption, where it occurred it was held to undermine essential trust.
- A majority of survey respondents was able correctly to identify a series of scenarios as corruption. These included cases ranging from an officer coercing a woman to have sexual intercourse, to senior officers employing a relative against recruitment procedures. 'Grey areas' for survey respondents concerned cases where an officer might have been involved in misconduct e.g. unauthorised disclosure of information. Responses to other lesser incidences – free food and drink from a café or free entry into a night club – were more mixed, though even here over half the respondents believed this was definitely or probably corrupt.
- The focus groups provided a more sophisticated view of these areas. Corruption was defined by groups as *'abusing one's power for personal gain'*. In the case of excessive force being used against an arrestee, focus group respondents viewed this as serious misconduct rather than corruption, since it did not involve personal gain. Unauthorised disclosure was also viewed by some as misconduct. Some saw free food or entry as acceptable 'perks of the job', but others raised concerns that this could be the thin end of a wedge and identified a number of warning factors, such as regularity and seniority.
- When asked to rank six scenarios in terms of seriousness, survey respondents gave top ranking to officers: selling drugs they had confiscated;

faking evidence against a burglar; accepting money from a criminal in exchange for information about a case. Those considered less serious involved officers: faking arrest figures for a news story; submitting a false expenses claim; using a warrant card to gain free entry to a football match. This aligns with the previously published IPCC definition of 'serious corruption' cases that should be referred to it by police forces.

- The focus groups provided further insights. Factors that defined seriousness included: the seniority of the officer; the frequency of the act; the sums of money involved; the consequences; the presence of intent; the extent to which it involved criminal behaviour; the number of officers involved.
- When asked about who should investigate corruption, both survey respondents and focus group participants made a distinction between serious and less serious cases. The most serious types of case were viewed as requiring some form of external investigation, either by another force or by an organisation independent of the police. The less serious cases were perceived to be, the more likely that they were viewed as appropriate for handling by local managers or anti-corruption specialists from the same force. An external police force or an organisation separate from the police was viewed by focus group participants as providing an unbiased approach and a fairer review of the evidence.

Details of research studies

The survey questions about police corruption were placed in a face-to-face omnibus survey and put to a representative sample of 1,777 adults across England and Wales. This survey was conducted by Ipsos-Mori between 28 October and 3 November 2011.

The qualitative research involved six focus groups and nine in-depth interviews being conducted with people from a range of ages and life stages covering pre-family and DINKY ('dual income no kids yet') respondents, those with a family at home and 'empty nester' and retired respondents. A range of social grades were included in the research as well as people with positive, negative and neutral attitudes to the police. The fieldwork was conducted in the Midlands, London and Wales between 24 October and 1 November 2011.

3 Public complaints about police corruption

This chapter examines allegations of police corruption made by the public and recorded by the police. The figures relate to police forces in England and Wales for the financial years 2008/09 to 2010/11. As well as presenting the figures of the allegations made, the way in which they were dealt with and the outcomes of those that were investigated are examined.

What happens when a member of the public complains about police corruption?

Under the Police Reform Act 2002 police forces are required to record all complaints made by the public about the conduct of police officers and staff. Recording tends to focus on the specific allegations being made. For example, a person may allege that an officer gained unauthorised access to police computer systems and made a false statement in court. This would be recorded as two separate allegations⁴.

The types of allegation that fit within the definition of corruption used in this report are listed below along with some examples:

- *corrupt practice*: an officer perverted the course of justice by arranging to drop charges if an arrestee withdrew their complaint; stole a sum of money during a raid on a property; or misused a warrant card to gain access to a nightclub
- *irregularity in relation to evidence/perjury*: an officer made false entries in his/her pocketbook; lied in a statement so as to pursue a malicious prosecution; perjured him/herself; induced

witnesses to give false evidence; or destroyed evidence

- *improper disclosure of information*: an officer used police computer systems to access information for personal reasons; shared information on someone's previous convictions with local residents; or made an unauthorised disclosure to the media

Examples of situations that may lead to these types of allegation include:

- failed prosecutions
- the charging and/or bail process
- searches of vehicles, persons or premises
- inappropriate relationships with members of the public or press

Caution should be exercised when examining the following figures. Firstly, recording an allegation does not mean it is true. The allegations recorded will be a mixture of those with merit and those that may be malicious or spurious. Only through further handling will this become clear. Secondly, recording relies on police personnel across forces using their judgement to record complaints in the first place, and then to allocate allegations to the correct category. Complaints recording in general is an issue: the IPCC last year upheld 58% of appeals from complainants against non-recording⁵. In addition, given the number of people involved in this process, it is likely that there are inconsistencies in the classification of these allegations. It should not, therefore, be assumed that the forces that record the greatest number of

⁴ For more information about the recording of complaints see the IPCC's Statutory Guidance (IPCC 2010).

⁵ See reports at http://www.ipcc.gov.uk/en/Pages/police_complaints_stats.aspx

corruption allegations are those with the greatest problem in this area: forces showing high recording rates may be those that are more alert to the issue.

How many allegations of corruption have been recorded by the police?

Table 3.1 presents the number of corruption allegations recorded between 2008/09 and 2010/11. A total of 8,542 allegations were recorded during this time period⁶. These were made by 2,692 people whose profile was in line with the wider profile of complainants – the majority were White males between 18 and 49 years of age.

The most common allegation was *irregularity in relation to evidence/perjury*, followed by improper disclosure of information and corrupt practice. Arguably, although *corrupt practice* is the smallest category, it also represents the most serious as it includes attempts to pervert the course of justice as well as theft. It is, however, likely that cases included in this category will vary widely in their severity.

Taken as a whole, these three groups of allegations represent 5% of all recorded complaints made by the public⁷. Looking across the three years covered by these figures, there was a 15% increase in the number of recorded allegations of corruption. However, this is part of a rise in overall complaints recorded, rather than a disproportionate increase in corruption allegations.

When looking at the number of allegations recorded across police forces it is important to take into account the widely different sizes of forces in terms of numbers of officers and staff. To address this, the rate of allegations per 1,000 police officers/staff has been produced (see Annex, Table

Table 3.1 Number of corruption allegations recorded 2008/09 to 2010/11

Corruption allegation category	N	%
Corrupt practice	1,263	14
Irregularity in relation to evidence/perjury	3,758	45
Improper disclosure of information	3,521	41
Total corruption allegations	8,542	100

A1). Overall, across the three years the average rate for corruption allegations was 33 per 1,000 officers/staff. However, what is very striking is the wide variation in the rates among forces: ranging from 10 to 69 allegations per 1,000 officers/staff.

Forces were asked for their views about the wide variations in numbers of allegations recorded. The responses highlighted two points. Firstly, forces stated that they were robust and thorough in their recording practices and in line with IPCC recording guidance. Secondly, when specifically explaining the variation in rates across forces, many raised the difficulty of categorising allegations and the degree of interpretation open to the assessor. In the case of *improper disclosure of information* this could mean that allegations not involving corruption were included, for example when an officer wrongly disclosed information that they considered they were disclosing legitimately. These are, however, issues common to all forces. The wide variations suggest that there is inconsistency of approach to them.

How are allegations of corruption handled by the police?

Table 3.2 shows how allegations were dealt with over the three-year period⁸. The most common method was by conducting an investigation (55%). The type of investigation will depend on the nature and seriousness of a complaint and the

6 The figures presented in this chapter do not include data from the Ministry of Defence Police.

7 A total of 172,115 allegations about the conduct of police officers and staff were made by the public between 2008/09 and 2010/11 with the largest groups being 'other neglect or failure in duty', 'incivility, impoliteness and intolerance' and 'other assault'.

8 Figures in Table 3.2 differ from those in Table 3.1 because they refer to numbers of allegations closed at the end of the time period, rather than those recorded on receipt.

Table 3.2 Means by which corruption allegations were handled 2008/09 to 2010/11

Means of dealing with complaint	Corrupt practice		Irregularity in relation to evidence/perjury		Improper disclosure of information		Total corruption allegations	
	N	%	N	%	N	%	N	%
Investigated	617	54	2,156	60	1,688	51	4,461	55
Local resolution	127	11	607	17	988	30	1,722	22
No further action	404	35	835	23	638	19	1,877	23
Total	1,148	100	3,598	100	3,314	100	8,060	100

likely outcome. An investigation might range from telephone enquiries conducted in a few hours to a more extensive process, perhaps taking a number of months. The most commonly investigated allegation category was *irregularity in relation to evidence/perjury* (60%), closely followed by *corrupt practice* (54%) and *improper disclosure of information* (51%).

Just over a fifth of allegations (22%) were dealt with by *local resolution*. This usually involves a local police supervisor providing an explanation or information to clear up a misunderstanding; providing an apology on behalf of the force; or an outline of what actions will be taken to prevent similar complaints in the future. This was most commonly used for allegations of *improper disclosure of information* (30%) followed by *irregularity in relation to evidence/perjury* (17%) and *corrupt practice* (11%).

No further action may occur, for example, if the complainant decides to *withdraw* an allegation. It

may also occur when a police force decides to *dispense* an allegation due to it being vexatious, oppressive or involving insufficient evidence, or *discontinue* it because they are unable to conclude an investigation due to, for example, a complainant refusing to co-operate. Table 3.2 shows that a fifth of allegations (23%) fell into the category of *no further action*. This was most likely to happen to allegations of corrupt practice (35%) compared to the other categories.

What are the results of investigations into allegations of corruption?

The fact that an allegation has been made and recorded does not mean it is true. If an allegation is sufficiently serious then an investigation will be commenced to establish whether or not allegations of misconduct are *'substantiated'*. Table 3.3 shows that of the corruption allegations

Table 3.3 Result of investigations into allegations of corruption 2008/09 to 2010/11

Corruption allegation category	Substantiated		Unsubstantiated		Total N
	N	%	N	%	
Corrupt practice	47	8	570	92	617
Irregularity in relation to evidence/perjury	141	7	2,015	93	2,156
Improper disclosure of information	356	21	1,332	79	1,688
Total corruption allegations	544	12	3,917	88	4,461

Note: 1. This table combines the outcomes of allegations dealt with by investigation pre and post 1 April 2010⁹.

⁹ As of 2010 allegations subject to an investigation are judged in terms of whether they are *'upheld'* rather than *'substantiated'*. An allegation will be upheld where the findings show that the service provided fell below the standard a reasonable person could expect (IPCC, 2010).

investigated between 2008/09 and 2010/11, a total of 12% were substantiated and 88% were unsubstantiated. This is similar to the picture for *all* allegations made by the public about the police, of which 10% were substantiated during the same time period.

Those involving allegations of *improper disclosure of information* were most likely to be substantiated (21%) – more than twice the level of the other two categories. Those least likely to be substantiated were allegations of *irregularity in relation to evidence/perjury* (7%).

substantiation rate). This reinforces the findings from a recent report on police integrity that the improper/inappropriate disclosure of information is a key area of work for the police in the future (HMIC, 2011). A total of 544 allegations associated with corruption (12% of those investigated) were substantiated over a three-year period.

Summary

- While police corruption is generally something that happens away from the public's gaze, the figures in this chapter indicate that some people do believe that they experience it and/or that it provides an explanation for some decisions with which they disagree. Over a three-year period local forces recorded a total of 2,692 people making 8,542 allegations that related to corruption¹⁰.
- There were wide variations in allegations recorded across forces. These variations may reflect the different interpretations in forces of what is, and is not, considered police corruption. There is a need for a more robust and consistent definition and also for improvements to recording practices in the future.
- *Irregularity in relation to evidence/perjury* (3,758 allegations) is the most prevalent form of corruption allegation recorded by the police. This is followed by *improper disclosure of information* (3,521 allegations) and *corrupt practice* (1,263 allegations).
- Allegations of *irregularity in relation to evidence/perjury* were the most likely to be investigated, but allegations of *improper disclosure of information* were most likely to be substantiated (356 allegations, 21%

¹⁰ A complaint by a member of the public may have one or more allegations attached to it.

4 Corruption cases referred by the police to the IPCC

This chapter provides an overview of corruption cases referred to the IPCC by police forces over the last three financial years. It presents figures on the number of referrals and how they were handled. These cases may come to light in police forces in a number of ways. For example, anti-corruption units within police forces may be notified of concerns about a particular police officer by that officer's colleagues or members of the public. Proactive work may also identify concerns about individuals. Examples here include analysis of records of who has accessed information from police IT systems or regular drug testing of officers and staff in sensitive roles.

Police forces are required to refer to the IPCC corruption cases that are sufficiently serious to require IPCC involvement. The IPCC Statutory Guidance defines the types of 'serious corruption' that require referral, including the following allegations:

- any attempt to pervert the course of justice or other conduct likely to seriously harm the administration of justice, in particular the criminal justice system
- payments or other benefits or favours received in connection with the performance of duties amounting to an offence in relation to which a magistrates' court would be likely to decline jurisdiction
- corrupt controller, handler or informer relationships
- provision of confidential information in return for payment or other benefits or favours where the conduct goes beyond possible prosecution for an offence under Section 55 of the Data Protection Act 1998

- extraction and supply of seized controlled drugs, firearms or other material
- attempts or conspiracies to do any of the above (IPCC, 2010, paragraph 211)

Police forces may also voluntarily decide to refer cases that fall outside the above list to the IPCC. They may do so because the force wants an external view on how to handle the case or because an aspect of the case, other than corruption, means that it has to be referred.

How has corruption been defined when analysing cases referred to the IPCC?

The IPCC's first report outlined the various definitions of corruption available. In order to decide whether a case can be classed as corruption in this report, the IPCC has drawn on two key sources. These are:

- the referral criteria on 'serious corruption' provided in the IPCC Statutory Guidance (IPCC, 2010)
- the ACPO Counter Corruption Advisory Group (ACCAG) definition. This defines corruption as: *'any activity carried out by an individual for gain, favour, advancement or reward that is inconsistent with the proper practice of their office, employment or responsibility'*

The result of including the ACPO definition is that the following figures may include cases that involve corruption, but may not be serious enough to have been referred to the IPCC as 'serious corruption'. These cases may have been referred to the IPCC

Table 4.1 All referrals to the IPCC and corruption referrals 2008/09 to 2010/11

Financial year	All referrals	Corruption referrals	Corruption referrals as a % of all referrals
2008/09	2,396	215	9
2009/10	2,724	289	11
2010/11	2,376	333	14
Grand total	7,496	837	11

under other referral criteria¹¹ (see IPCC, 2010).

How many referrals on corruption has the IPCC received during the three-year period?

Table 4.1 presents figures on corruption referrals between 2008/09 and 2010/11. During that time the IPCC dealt with a total of 7,496 referrals of all types, from police forces in England and Wales^{12,13}. Over the same period the IPCC received a total of 837 referrals that related to alleged or suspected corrupt activity: around one in ten of all referrals¹⁴. Of these, the vast majority (723) were ‘overt referrals’ in which the person suspected of corruption was aware of the allegations made against him or her. The remainder (114) were ‘covert referrals’ in which the person concerned was unaware that there was suspicion about their conduct and might be under investigation without their knowledge. At least five cases were known to be the subject of both an overt and covert referral and, for clarity, have been counted once in Table 4.1.

The overall number of referrals has fluctuated over the three-year period, while the total number of corruption referrals has increased by over half. This increase may be due to the IPCC undertaking work with ACPO and police anti-corruption leads to

improve the referral of these cases. There have also been improvements in the way that IPCC staff classify both overt and covert referrals for ease of identification from case record systems.

How are these corruption cases investigated?

When the IPCC receives a referral, it considers the circumstances of the case and decides whether to investigate independently or, alternatively, to manage or supervise a police investigation. In some circumstances, it is decided that a particular case is best dealt with by the police and so it is referred back for a local investigation or for the police to deal with as they see fit¹⁵. When determining the appropriate level of oversight for a case, the IPCC considers a number of factors. These include the seriousness of the case, levels of public interest, and the potential impact on community or wider public confidence in the police service.

Table 4.2 shows that between 2008/09 and 2010/11, the majority of corruption referrals were sent back to the force concerned for a local investigation or other form of handling (70%). The next largest group involved ‘supervised’ investigations (15%), which are conducted by the police with the terms of reference being set by the IPCC. These were followed by ‘managed’ investigations (12%), which are conducted by the police under the direction and control of the IPCC. These tend to be cases where there is sufficient significance and probable public concern that the investigation needs an independent element. Lastly, the IPCC used its own investigators to independently

11 These figures have been generated using the IPCC’s case tracking system and are therefore dependent upon the accurate classification of cases by IPCC staff.

12 A small number of cases included here will have been recorded as public complaints and included in the figures for the previous chapter.

13 A further 12 corruption referrals came from the Serious Organised Crime Agency – seven in 2008/09; two in 2009/10 and three in 2010/11.

14 Approximately 14 cases were referred both covertly and overtly and we have sought to count these cases once. However, a lack of available information on some covert cases may mean that a small number have been counted as covert and overt cases.

15 For details on IPCC modes of investigation see the IPCC Statutory Guidance (IPCC, 2010).

Table 4.2 Decisions on corruption referrals 2008/09 to 2010/11

Decision on type of investigation	2008/09	2009/10	2010/11	Total	% of Total
Independent	5	5	11	21	3
Managed	41	34	26	101	12
Supervised	33	54	38	125	15
Dealt with locally	136	196	258	590	70
Grand Total	215	289	333	837	100

investigate those cases likely to raise the greatest public concern or have the greatest potential damage to communities or the police (3%)¹⁶. In recent years, the IPCC has extended the use of independent investigations in corruption cases alongside its primary focus on death related referrals.

When these figures are compared with wider figures on all referrals for the same time period, it is clear that corruption referrals were twice as likely to be the subject of a managed or supervised investigation¹⁷ and slightly less likely to be independently investigated or sent back for handling by the force concerned. These figures can also be compared with the figures on deaths following police contact, which has been a key focus of the IPCC since its creation. Over the last three years, more than two-thirds (69%) of the 280 cases involving a fatality have been the subject of a managed or independent investigation¹⁸. The corresponding figure for the 837 corruption cases is 15%.

How many corruption referrals are referred covertly to the IPCC?

In some circumstances, due to the nature of the case, it may be necessary for the police to refer a matter to the IPCC on a covert basis. Due to the sensitivity surrounding undercover investigations, a different process is used for dealing with covert referrals, whereby knowledge of the referral is restricted to a small number of IPCC staff, on a need-to-know basis. This is the most appropriate action to take in cases where the police want to maximise the opportunity to collect evidence about those suspected of wrongdoing, which would otherwise be jeopardised if a referral was made overtly.

Table 4.3 presents the number of covert corruption referrals the IPCC has received over the last three financial years. In total there were 114 covert

Table 4.3 Decisions on covert corruption referrals 2008/09 to 2010/11

Decision on type of investigation	2008/09	2009/10	2010/11	Total
Independent	0	0	0	0
Managed	0	4	2	6
Supervised	10	36	31	77
Dealt with locally	17	5	9	31
Grand Total	27	45	42	114

16 The data on investigation type presented in this section is based on the investigation decision at the point the case is referred. An investigation may be 're-determined' as the case progresses and more information becomes available.

17 The corresponding figures on types of investigations for all referrals are independent: 5%; managed: 6%; supervised: 7%; dealt with locally: 82%.

18 See reports at http://www.ipcc.gov.uk/en/Pages/reports_polcustody.aspx

corruption referrals: 27 in 2008/09; 45 in 2009/10; and 42 in 2010/11.

Between 2008/09 to 2010/11 the IPCC did not conduct any independent investigations into referrals received covertly¹⁹. However, it did decide that oversight was required in 83 (73%) of the 114 cases. 77 (67%) of these were supervised by the IPCC, but carried out under the direction and control of the police, and 6 (5%) were conducted by the police under the direction and control of the IPCC. A further 31 (27%) covert investigations were carried out locally without any IPCC involvement deemed necessary.

Which forces referred allegations of corruption and what are the rates of corruption referrals compared with trends in all referrals?

There are large differences in the size of police forces across England and Wales and a direct comparison of numbers of referrals received by each force would not take into account this variation. In order to draw more meaningful comparisons between forces, it is useful to look at the rate of referrals per 1,000 police personnel.

Between 2008/09 and 2010/11 the average number of corruption cases referred per force was 3.2 per 1,000 police personnel (see Annex, Table A2). However, this rate differed widely across forces. This ranged from 11 referrals per 1,000 personnel to none at all. Six forces had a referral rate of below one per 1,000 police personnel while five had a rate of over five cases per 1,000 police staff.

As with the variation in corruption allegations recorded (see above), there are a number of possible reasons for these differences. Some forces are more actively looking for corruption, with different levels of effort and resource being directed at anti-corruption activity and therefore higher referral rates. Some forces may choose voluntarily to refer cases that sit outside the IPCC's Statutory Guidance definition of

'serious corruption'. This may be part of a wider picture in which some forces have a higher rate of referral of all case types. While in the early years of the IPCC's existence forces have grown accustomed to the Commission's focus on and expertise in investigation of cases involving deaths following police contact, the fact that fewer corruption cases have been dealt with may have given rise to a sense that the Commission had less interest or indeed expertise in such matters. In the interests of public confidence that the issues are being tackled consistently, it is important that a clear, shared definition of what constitutes corruption, and what deserves referral, is developed so that forces ensure they refer matters to the IPCC as required.

What themes of corrupt actions are present in referrals?

In May 2010, ACPO produced a report that detailed key findings from a strategic risk assessment carried out in 2008/09 into incidents of corruption in UK police forces (ACCAG, 2010)²⁰. Each of the corruption referrals received by the IPCC over the reporting period has been categorised into one or more of the five threat action themes identified in that analysis²¹. It is important to note that cases have been coded according to the information available at the point of referral; this information is often limited and means that the data presented here is likely to underestimate the actual number of issues present. For example, it may become clear that an incident recorded as unauthorised disclosure also involved misuse of systems, but that this information was not known or explicitly detailed at the point of referral.

The referrals are grouped under five broad themes:

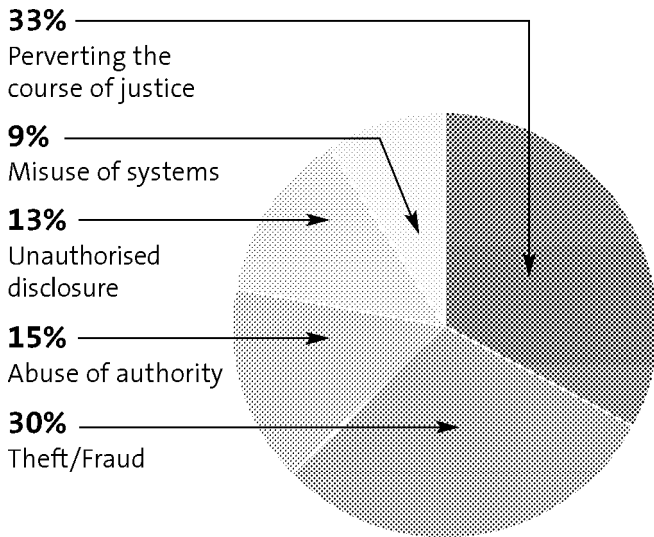
- **unauthorised disclosure** including the disclosure of personal details of offenders, suspects or civilians; crime report information; or information that could jeopardise a court case

²⁰ This review included data from UKBA, HMRC and SOCA in addition to the police force analysis.

²¹ Thirteen covert referrals were excluded from the thematic analysis due to insufficient information to make a decision about relevant themes. Also, ACCAG identified six core themes; the five detailed above and an additional one on 'drug supply'. Due to the small number of cases which fell into this category in the IPCC analysis, this was amalgamated with Theft / Fraud i.e. theft of seized drugs with intent to supply.

¹⁹ However, the IPCC has used covert methods when investigating overt cases.

Figure 4.1 Type of corruption referral to the IPCC 2008/09 to 2010/11



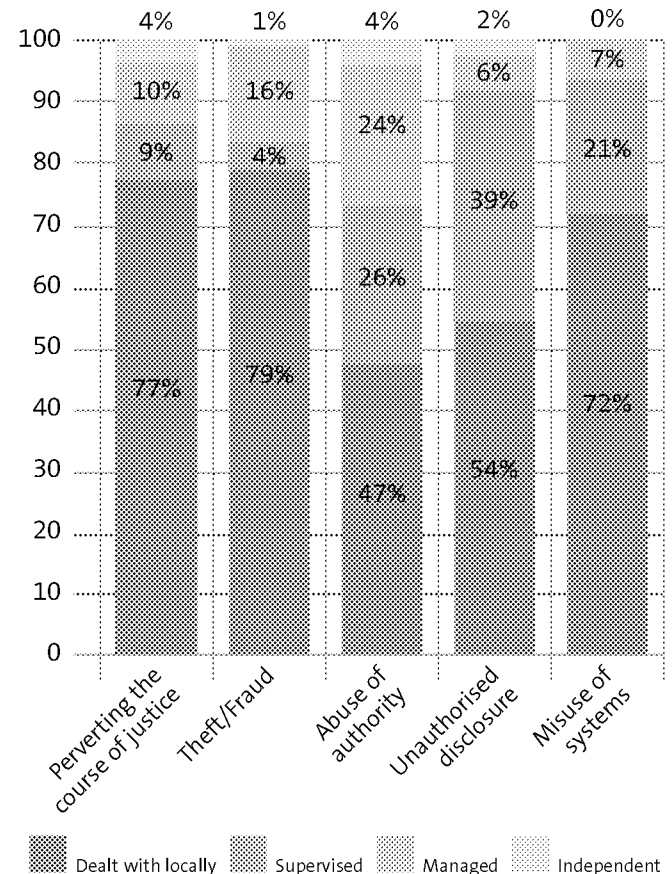
- **abuse of authority** including the abuse of the trust or the rights of a colleague or civilian and the misuse of police power and authority for organisational or personal gain, of self or of others. For example, an officer engaged in sexual intercourse with a vulnerable female while on duty or profited from falsifying force performance figures
- **theft and fraud** including theft, while on duty, of property, including that taken on arrest, including money, and/or of seized items where property was not returned, including illicit drugs; fraudulent expense or overtime claims; and unauthorised personal use of police credit cards. These cases range widely in their severity, for example, an allegation of theft may be for a small sum of, say twenty pounds, up to several thousand pounds
- **misuse of systems** including the unauthorised access of police systems for personal gain, such as searching police databases for details of vulnerable females, ex-partners or information relating to known third parties, including on behalf of friends or family
- **perverting the course of justice** including falsification of records, perjury at trial, falsification of witness statements, and tampering with evidence

Of the corruption-related referrals received by the IPCC, 823 could be classified according to the above themes. 90 cases had more than one theme identified. Therefore in the information presented below the totals will exceed the actual number of cases referred.

A third (307) of all referrals included an allegation or suspicion of an attempt to *pervert the course of justice* (see Figure 4.1). The next largest category was *theft or fraud* (30%) (a majority of these allegations were regarding the theft of cash). 15% (135) of cases involved alleged *abuse of authority* by a member of the police, 123 (13%) involved some element of alleged *unauthorised disclosure* and 82 (9%) cases involved alleged *misuse of systems*.

Figure 4.2 shows how these cases were handled. As depicted, the IPCC had the greatest oversight into incidents allegedly involving *abuse of authority*; 28% of these cases were managed or independently

Figure 4.2 Breakdown of the mode of investigation decisions for the five corruption themes



investigated by the IPCC. In contrast, cases involving allegations of theft or fraud were most likely to be dealt with locally by the force (79%).

Summary

- *Referrals received* – the police referred to the IPCC 837 cases relating to police corruption over a three year period²². 723 were ‘overt’ referrals in which the person suspected of corruption was aware of the allegations made against him or her and 114 were ‘covert’ referrals in which the person concerned was unaware that they were under suspicion or the subject of an investigation.
- *Differential rates in referrals* – the most striking finding from the analysis of corruption related referrals at force level is the differential rates in which cases are referred to the IPCC. These ranged from 11 referrals per 1,000 police officers/staff to no referrals at all. There are a number of factors that may explain these variations, including inconsistencies in identifying potentially corrupt activity and different policies on referring cases to the IPCC. The wide variation is a matter of concern and action is proposed to tackle it.
- *Type of investigation* – the IPCC took a role in 30% of corruption cases referred to it. In terms of the different types of investigation: 3% involved an independent investigation, 12% a managed investigation, 15% a supervised investigation and 70% were dealt with by the police force concerned. The number of IPCC independent investigations has increased in recent years, reaching 11 in 2010/11.
- *Covert investigations* – 73% of the 114 covert cases referred to the IPCC led to a supervised or managed investigation, usually the former. There were no independent investigations following covert referrals over the three years examined in this report, although they have occurred outside this time period.
- *Types of corruption* – nearly two thirds of incidents related to *perverting the course of justice* or

theft/fraud. In a large proportion of these cases, no IPCC oversight was deemed necessary. This is indicative of the relatively lower-level allegations being referred in these cases, i.e. the theft of a small sum of money. The IPCC had the greatest oversight of incidents allegedly involving *abuse of authority*, where 28% of allegations were the subject of independent or managed investigations.

²² Police forces are required to refer corruption cases to the IPCC when they are sufficiently serious and may do so voluntarily in less serious cases.

5 The outcome of corruption cases investigated by the IPCC

This chapter begins by presenting information on the current status of the corruption-related referrals that were independently investigated or managed by the IPCC. It then goes on to outline any known conduct and/or criminal proceedings that resulted from these investigations. Finally, a series of case studies and any key areas of learning for the police from a number of selected studies have been included.

How many IPCC investigations were completed during the three-year period?

When the IPCC receives a referral, it considers the circumstances of the case and decides whether it needs to be investigated under its direction and control or whether it can be investigated by the police, either with or without IPCC supervision. Over the three-year period, the IPCC made a decision that 122 of the 837 corruption-related referrals should be conducted under the direction and control of the IPCC, either as an independent or managed investigation. As shown in Table 5.1,

94 (77%) of these investigations were completed during the reporting period. In eight cases the investigation was ongoing and in a further seven cases a decision on how to proceed was pending from the CPS, force or appropriate authority.

Referrals are often made very soon after a complaint or conduct matter is first recognised and so the amount of information available is often limited. In six of these investigations, further information came to light after the point of referral that led the IPCC to re-determine the mode of investigation so that it was no longer under the IPCC's direction and control. In addition, six of the investigations were conducted covertly and the outcome is not yet known. In a further case an officer apparently committed suicide before the proceedings were complete.

What criminal sanctions did officers receive?

When an investigation indicates that a criminal

Table 5.1 Status of investigations by investigation type, 2008/09 to 2010/11

Investigation status	Independent	Managed	Total
Proceedings complete	13	81	94
Investigation ongoing	5	3	8
Awaiting decision by CPS/force/appropriate authority	3	4	7
Outcome not yet known (covert investigations)	0	6	6
Re-determined	0	6	6
Death of officer	0	1	1
Grand total	21	101	122

offence may have been committed, the IPCC will consider all the available evidence and decide whether it is appropriate to refer the case to the CPS so that it can decide whether a criminal prosecution should be brought against the officer. The IPCC considered 104 independent and managed investigations and decided to refer 47 (45%) to the CPS. In the remaining 57 cases, it was decided that there was no, or insufficient, evidence to send the case to the CPS.

Of the 47 cases that were referred, five are pending a decision from the CPS about whether or not there should be a criminal prosecution. The 42 completed cases involved a total of 51 officers. Of these, 18 officers were charged and prosecuted, 13 were found guilty and five were acquitted. It was decided that no further prosecution action should be taken against the other 33 members of police personnel.

Of the 13 found guilty:

- ten received a prison sentence²³
- one was given a suspended sentence
- one was fined
- one officer who was convicted of a number of data protection offences and one misconduct offence is awaiting a retrial in connection with further misconduct allegations

These individuals faced allegations including rape and sexual assault, the fraudulent use of corporate credit cards, perverting the course of justice, the provision of false statements, and the misuse of police databases. Eleven of those found guilty were constables, one was a sergeant and one was a Commander. In the majority of these cases, issues around the officer's conduct came to light following concerns raised by a member of the public.

Of the five officers acquitted at court, three were senior officers from the same force who were linked to an investigation involving claims by

²³ In one case a conviction was quashed at the Court of Appeal but the officer was reconvicted at a retrial.

police staff for allegedly granting false exemptions from speeding penalties. The remaining two were a sergeant prosecuted for a sexual offence and a constable prosecuted for inappropriate use of a corporate credit card.

What misconduct procedures were undertaken?

In addition to criminal sanctions, officers and staff may face police disciplinary procedures. On conclusion of a managed or independent investigation, the evidence is assessed and a decision is made by the IPCC as to whether or not an officer may have breached the professional standards expected of them and therefore has a *case to answer* for misconduct or gross misconduct. This decision is then communicated to the police force or authority, which is responsible for deciding how the case should be taken forward. The force will consider whether the conduct should be dealt with through management action or whether the member of staff needs to face disciplinary proceedings i.e. a misconduct meeting or hearing.

The IPCC is not responsible for decisions on misconduct, but if the IPCC Commissioner disagrees with the action proposed by the force, s/he has the power to direct that disciplinary action be brought²⁴. If it is determined that there is *no case to answer*, an officer may still be subject to management action or the matter may be dealt with under Performance Regulations²⁵. In some cases it may be decided that no further action is required. It is in the public interest (and that of the officer) that action is taken promptly to avoid an officer being suspended on full pay for longer than absolutely necessary.

Table 5.2 shows that a misconduct meeting or hearing²⁶ was held for three quarters (87) of the 113 police personnel who were subject to completed investigations. In a further 18 cases it

²⁴ See Schedule 3, Paragraph 27 of the Police Reform Act 2002 (as amended).

²⁵ See http://statguidance.ipcc.gov.uk/Pages/cond_out.aspx

²⁶ The range of sanctions available in a misconduct hearing is broader than those in a meeting. A hearing is chaired by a member of ACPO whereas a meeting is chaired by a member of police or support staff. These procedures are detailed in the new Police Misconduct and Performance Regulations, which came into effect on 1 December 2008.

Table 5.2 Number of police personnel facing misconduct procedures in completed independent and managed investigations

Misconduct process	Total police personnel	%
Full powers hearing	25	22
Misconduct hearing	13	12
Misconduct meeting	49	43
Total hearing/meeting	87	77
No action	18	16
Resigned	8	7
Grand total	113	100

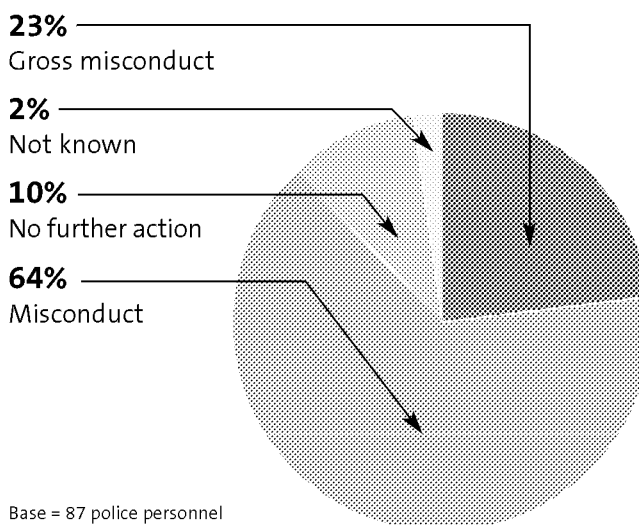
was decided that a meeting or hearing was not necessary and in eight instances the officers resigned following the conclusion of the investigation and prior to the completion of the process.

Figure 5.1 shows that for the 87 police personnel who attended a misconduct meeting or hearing, the panel agreed that there was a case to answer for 76 (87%) individuals²⁷: 64% (56 individuals) resulted in a finding of misconduct and 23% (20) in gross misconduct. Misconduct is defined as a breach of the Standards or Professional Behaviour and gross misconduct is a more serious breach, which may justify dismissal. For nine people (10%) the force decided that no further action was necessary.

What misconduct sanctions did officers receive?

Forces can consider a range of actions and sanctions during misconduct proceedings. Table 5.3 shows that the most common outcome was the issuing of a written warning (34%) with four of these being final written warnings. The next

Figure 5.1 Individual outcomes for police personnel subject to misconduct hearings/meetings (%)



largest group involved officers or staff who were subject to management action (29%), which may involve, for example, the requirement to undergo specific training or supervision. The next largest group was officers who were dismissed or required to resign (18%). Five officers were given words of advice and four received fines or reprimands²⁸. A further five individuals retired or resigned before the process was complete.

Table 5.3 Misconduct actions/sanctions received by police personnel

Misconduct action/sanction	Number	%
Written warning/final written warning	26	34
Management action e.g. training, supervision	22	29
Dismissal/required to resign	14	18
Words of advice	5	7
Fine/reprimand (old misconduct system)	4	5
Retired/resigned	5	7
Grand total	76	100

²⁷ Misconduct meetings/hearings often consider more than one allegation against an officer. At least one of these allegations will relate directly to corruption, but not necessarily all. The findings and sanctions presented here relate to the outcome of the hearing / meeting. In a small number of cases it may be that the finding is based on an allegation that does not relate directly to corruption.

²⁸ On the 1 December 2008 a new system for dealing with police performance and discipline was introduced. This followed the Taylor Review of police disciplinary arrangements, which aimed to provide a fair, open and proportionate police conduct system. Sanction such as 'required to resign', fine and reprimand are no longer valid under the revised system.

What was officers' employment status at the end of the process?

Table 5.4 shows the known employment status of the 113 police personnel who were subject to a managed or independent investigation that started and was completed within the three-year period. 72 (64%) of these officers were known to be still employed by the police service, 13 (12%) had been dismissed or required to resign and 14 (12%) had resigned or retired voluntarily.

Table 5.4 Officers' employment status on completion of the investigative process

Employment	Number	%
In same/different post	72	64
Dismissed/required to resign	13	12
Resigned/retired	14	12
Total known	113	100
Not known	14	-

Corruption case studies

This section describes a number of cases that have been investigated under the direction and control of the IPCC. The key corruption themes are also highlighted. Each of these investigations has now been completed and the following descriptions summarise the circumstances and outcome²⁹. The review of these cases for this report has highlighted a number of key themes around learning and vulnerability associated with corruption and the IPCC proposes that these are developed in a Learning the Lessons bulletin on this subject to be released later in the year.

Case study one: Perverting the course of justice

A Commander in the MPS with 26 years' service was convicted of misconduct in a public office and perverting the course of justice and received

29 Please note that a small number of these cases preceded 1 April 2008 and so will not have been included in the figures on referrals and investigation presented in chapters four and five.

a sentence of **three years imprisonment** at a retrial in February 2012. The Commander entered 'not guilty' pleas to the above indictments, but the jury returned unanimous 'guilty' verdicts on both counts.

An earlier crown court conviction in February 2010, in which the officer had been sentenced to four years imprisonment, was quashed by the Court of Appeal in May 2011 and a retrial was ordered. This led to the officer's reinstatement following an earlier dismissal from the MPS. However, he did not return to operational duty and remained suspended until being re-convicted in 2012.

The convictions followed the completion of an IPCC independent investigation prompted by a complaint received by the MPA from a man who had been arrested and held in police custody. The trial judge, in sentencing the officer, commented: "You used your position and power to arrest a man because of a private dispute you had with him. You arrested him without good cause and you then made false statements about his arrest". The Crown Court heard evidence that the senior officer was guilty of a "wholesale abuse of power" after it was found that he had confronted the man before arresting and attempting to frame him. This included an allegation that the man had caused an injury to the officer by stabbing him in the abdomen with a piece of broken metal. Following an examination of the officer a medical expert concluded that in her opinion, the injuries were consistent with self infliction.

Case study two: Abuse of authority

The Chief Constable of North Yorkshire received a **final written warning** after admitting gross misconduct at a conduct hearing. This was the first time in 34 years that a serving Chief Constable had faced such a hearing. In an earlier management meeting, the Deputy Chief Constable of the same force received **management advice** after a finding of discreditable conduct and failing to challenge and report improper conduct.

These sanctions followed the completion of an IPCC independent investigation into allegations of irregularities in a North Yorkshire Police

recruitment exercise, which had been highlighted by North Yorkshire Police Authority. The investigation revealed that the Chief Constable and the Deputy Chief Constable jointly assisted a relative of the Deputy Chief Constable in circumventing the first stage of a recruitment exercise and that the Chief Constable had also assisted a member of his extended family.

Following a separate investigation, into different aspects of the same recruitment exercise, two members of Human Resources (HR) staff were **dismissed** and a Police Constable received a **final written warning**. This investigation carried out by North Yorkshire police, under the management of the IPCC, found that HR staff used their position to help both themselves and an acquaintance to progress in the recruitment exercise. It also found that a Police Constable had similarly assisted Police Community Support Officers.

Case study three: Misuse of systems, unauthorised disclosure

A retired 63-year-old Detective Chief Superintendent and a retired 55-year-old Detective Constable received **prison sentences of 18 months** and **four years** respectively after admitting charges of misconduct in a public office and conspiracy to commit fraud. The convictions followed the completion of a covert investigation carried out by the South Wales Police Anti-Corruption Unit under the supervision of the IPCC.

After retiring from South Wales Police, the ex Detective Chief Superintendent established his own business as a private investigator and his co-defendant had rejoined the force as a member of civilian staff. The investigation revealed that the two men then struck up a corrupt agreement whereby, in exchange for payment, the civilian administrator would conduct illicit checks on police databases and disclose information to the investigator to assist him in his work. The investigation also revealed that the administrator had links with a known criminal and he was found guilty of money laundering after the police seized £200,000 from his property.

Case study four: Abuse of authority, misuse of systems, perverting course of justice

In November 2010 a Northumbria police constable with 11 years service was convicted at Crown Court of two counts of rape, three indecent assaults and six counts of misconduct in a public office. The 41-year-old officer received a sentence of two terms of **life imprisonment**.

The conviction followed an investigation carried out by Northumbria Police and managed by the IPCC. The investigation found that over an eight-year period the officer had used his position to target vulnerable women who he had come into contact with through the course of his duties. Many of the women had been arrested by the officer, who had used his contact to exploit and threaten them. It was also established that he had used police databases to extract information about women he had identified as potential victims.

Case study five: Theft/fraud

Between 2008 and 2011, six MPS officers were convicted of criminal offences and 34 others were subject to various levels of misconduct as a result of an investigation into the misuse of corporate American Express (Amex) credit cards.

The investigation, which began in October 2007, was carried out by the MPS Directorate of Professional Standards under the management of the IPCC. The accounts of all 3,530 MPS corporate credit card holders were reviewed, which resulted in 60 criminal and misconduct investigations. Six of these officers received custodial sentences ranging from a **six-month suspended sentence to three years imprisonment**. These officers were found to have un-reconciled spends ranging from £1,000 to over £93,000.

In addition, 34 police personnel were dealt with through the police misconduct system. This resulted in:

- two being required to **resign**
- four being **fined**

- two receiving a *reprimand*
- 24 receiving written *warnings*
- two receiving *words of advice*

Case study six: Abuse of authority

The IPCC concluded that it was unacceptable for North Yorkshire Police Authority to give a Deputy Chief Constable more than £30,000 without any means of auditing how that money was spent. This followed the completion of an IPCC independent investigation into financial claims for training made by the then Deputy Chief Constable of North Yorkshire Police.

The IPCC investigation determined that the 49-year-old had been awarded a contract when he joined the force as Deputy Chief Constable, which, in addition to his salary, included a non-pensionable payment of £10,000 per annum. This payment was to cover the cost of private medical insurance and personal development training. In total the officer received over £31,000 during his less than four-year employment with the force. In addition, the Deputy Chief Constable, who had 31 years' service, claimed nearly £12,000 from North Yorkshire Police despite already being in receipt of the £10,000 per annum allowance.

The officer, who had retired from North Yorkshire Police shortly before the investigation began, was asked by the IPCC to assist with the investigation by either voluntarily attending an interview or providing a statement to explain his decisions. He chose not to co-operate. As he had retired prior to the investigation, no disciplinary action could be taken against him.

Case study seven: Unauthorised disclosure, misuse of systems, perverting the course of justice

A Detective Constable who held a specialist drugs role within the Crime Services Division of North Wales Police was *required to resign* following a police misconduct hearing. The 35-year-old officer with 15 years experience was found to have disclosed information to a previous girlfriend about a forthcoming drugs search on her property.

During the course of the investigation, which was conducted by North Wales Police under the management of the IPCC, it was discovered that the officer had accessed force intelligence systems to view information relating to the search on several occasions prior to the execution of the warrant. It was also found that during the same period he had made several phone calls to the female suspect.

The CPS was consulted, but decided not to pursue a criminal prosecution.

Case study eight: Perverting the course of justice, misuse of police systems

In late 2010 an ex police constable from Gloucestershire Constabulary with four years service pleaded guilty to misconduct in a public office on the first day of his Crown Court trial; he had already entered a guilty plea to perverting the course of justice at a pre-trial hearing in February 2010. He received a sentence of **12 months imprisonment**. This followed the conclusion of an IPCC independent investigation into his actions following the death of a 25-year-old member of the public.

The investigation found that in the early hours of 14 February 2009 the 36-year-old officer had found two men lying unconscious on a pavement in a residential area; he had been unable to rouse the men and had left them where he had found them. A short time later, following a report to police from a member of the public, two other officers attended the scene. While they were able to rouse one of the men, the other could not be revived and was pronounced dead at the scene.

The investigation revealed that after the officer had been notified of the death he repeatedly lied to colleagues about the events of the night and offered a false account of his actions, stating that he had spoken to the men and that he had seen them walk away from the scene. In order to give his claims further credence, he had accessed force systems to keep abreast of the developing incident.

Case study nine: Abuse of authority, unauthorised disclosure, misuse of systems

A police officer who acted as a Registered Sexual Offenders Manager in the Public Protection Unit of

Cumbria Constabulary was found guilty of misconduct in a public office and sentenced to **four years' imprisonment** following a crown court trial. The married 49-year-old Detective Constable, who had been a serving officer for 24 years, was found to have used his position as a police officer to facilitate relationships with vulnerable women.

The charges were brought on completion of an investigation carried out by Cumbria Constabulary under the management of the IPCC. This was preceded by a covert investigation conducted by the force Professional Standards Department.

The investigation found that over a four-year period, the officer had used police systems inappropriately to gain information about the women. It was also found that he had disclosed a confidential document to ingratiate himself with a woman he wanted to have sex with. While some of the women entered into consensual relationships with the officer, the investigation concluded that this did not negate the fact that he had abused his position as a police officer.

Case study ten: Abuse of authority, misuse of systems

A 55-year-old South Wales Police Constable with 28 years service admitted in court to 12 charges of causing a computer to perform a function to obtain withheld data. He was handed a **conditional discharge and ordered to pay £85 costs**.

The Community and Local Intelligence Officer **resigned** from the force following the conclusion of an investigation carried out by South Wales Police under the management of the IPCC. The officer was found to have unlawfully accessed confidential information on the police national computer about members of the homosexual community for personal reasons. He had also made unauthorised checks on police systems to ensure that his vehicle had not been recorded in areas frequented by the homosexual community.

Case study eleven: Perverting the course of justice

Two Cheshire Constabulary police officers received

written warnings after they were subject to internal misconduct proceedings. This followed the conclusion of an IPCC independent investigation, which found that the officers had breached force policies and procedures in relation to their dealings with a prison inmate.

The two Detective Constables were found to have collected the remand prisoner from HMP Altcourse and taken him on an unauthorised drive around Cheshire with the intention of attempting to clear up local unsolved crimes. During the drive the officers collected the prisoner's girlfriend and, against force policy, allowed her to remain with him in the rear of the vehicle for the duration of the journey. The investigators found that the list of offences the prisoner admitted to during the visit had been pre-prepared by one of the officers prior to the meeting. It was further alleged that the prisoner brought drugs and a mobile phone back into the prison following his interaction with the officers.

Case study twelve: Abuse of authority

An MPS police officer was **dismissed at a misconduct hearing** after he was found to have indecently assaulted a vulnerable young woman. The hearing followed an investigation by the MPS under the management of the IPCC.

The Police Sergeant, who had been a serving officer for ten years, visited the 19-year-old woman at her home address after a request for assistance by London Ambulance Service. The officer, accompanied by a colleague, found the woman had some minor cuts to her wrists, which did not require treatment. Within an hour of the officers leaving the premises, the Sergeant made a second visit to the house, this time unaccompanied. He stated the purpose of this visit was to check on the woman's welfare.

The woman later reported that during these visits the officer had inappropriately touched and kissed her against her will. The MPS stated that the officer's actions were a clear abuse of authority involving a vulnerable young woman and that this behaviour was a gross breach of the woman's trust.

What learning has been identified from these investigations?

Since its inception, the IPCC has been keen to ensure that the police learn lessons from investigations and complaints, to increase public confidence that incidents will not recur and to improve policing. Recommendations are made to individual police forces and their authorities and it is for those forces and authorities at a local level to determine how best to implement them. The IPCC Commissioner for the force will review and discuss progress on implementation with chief officers and with the relevant police authority. As recommendations made to an individual force may well be relevant to all forces, the IPCC works with ACPO, Association of Police Authorities (APA) and the Home Office to review and identify learning from investigations and disseminate this nationally via Learning the Lessons bulletins³⁰.

The IPCC has also recently begun a piece of work with ACPO Counter-Corruption Advisory Group (ACCAG), which will examine abuse of powers by the police in respect of vulnerable members of society, such as cases four, nine and twelve presented in this report. Through case study examples, the IPCC and ACCAG will jointly pose questions for the police service about the prevention, prediction and investigation of these types of cases. This is a difficult and sensitive subject, which is likely to require the expertise of a wide range of groups within the police service.

Some of the issues identified from the 12 cases cited in this chapter are highlighted below.

What employee vulnerabilities were identified?

Inappropriate association

Inappropriate association between officers and potentially compromising individuals outside of the service was identified, for example, in cases

³⁰ See <http://www.learningthelessons.org.uk/pages/default.aspx>

that involved unauthorised disclosure and misuse of systems. While in some cases there was a clear realisable gain for the officer involved, it was also evident that the motive could be misguided personal loyalty.

ACCAG state that all forces should have policies and mechanisms in place for people to report compromising relationships so that they can be appropriately managed and monitored (ACCAG, 2010). Confidential and anonymous ways for police personnel to report concerns about a colleague's integrity tend to involve telephone lines and email³¹. The challenge is to ensure that these measures are managed and promoted effectively.

Financial insecurity

Recent research by the Police Mutual Assurance Society (PMAS) reported that 9% of police staff are currently at financial risk (quoted in HMIC, 2011), with the view that this will increase over the coming year. Some of the cases reviewed by the IPCC demonstrate the risks associated with financial hardship in terms of propensity to engage in debt-driven corruption i.e. theft, fraudulent expense claims and the misuse of corporate credit cards. The Commission recommended in one case that the force create a debt policy to ensure that anyone in a situation of financial hardship could be better detected and assisted.

Financial insecurity also places increased pressure on staff to seek secondary employment. This has its own inherent risks, including possible conflicts of interests and exposure to criminal networks.

Professional disaffection/welfare

It was clear in some cases that an employee's disaffection with his/her role had an impact on their propensity to become involved in a corrupt act, not necessarily through intentional 'sabotage', but perhaps through a lack of professional commitment. Equally, welfare issues were highlighted that impacted on an individual's professional behaviour and motivation. Investigations have led to recommendations on

³¹ Since 2008 the IPCC has had its own dedicated phone line and email address for the use of police staff and officers wishing to report concerns of wrongdoing.

the improved identification, supervision, monitoring and support of 'vulnerable' police staff.

Substance misuse

It is clear that the impact of substance misuse can increase some officers' vulnerability to corrupt activity, not only due to the physical or financial impact of drug use, but also because of the risks associated with contact with other drug users or people engaged in criminal acts.

What organisational vulnerabilities were observed?

Vetting

The existence of robust vetting policies undoubtedly helps to reduce the possible risks of a force having to later deal with corrupt activity. However, vetting policies are not always comprehensively applied and in one case there was a suggestion that a previous arrest for a related offence may not have adequately been dealt with. In another instance, an individual's previous disciplinary sanctions had not been appropriately recorded or reviewed. One factor that may deserve examination is whether vetting procedures were less rigorous during the surge in police numbers that occurred after 2001.

It is recognised that vetting is not only about security policies applied on entry to the service, but should also involve ongoing monitoring. For example, a recommendation from one IPCC investigation required the force to maintain a register of staff's disciplinary outcomes. It was further recommended that the head of the force Professional Standards Department periodically review the document to ensure that there were no issues relevant to staff members' current roles.

Management/supervision

Significant in a number of cases were potential issues relating to staff supervision and management. It is evident that there were instances where deficient or suspicious behaviour had gone unnoticed or unchallenged. As a result of the investigations into the misuse of Amex cards,

the MPS made significant changes to its policies in relation to corporate credit cards, introducing greater accountability and surveillance, limits on spending and a reduction in timescales for officers to reconcile their accounts.

The issue of staff management was also raised in a number of cases in which officers were suspected of sexual assaults and rapes. In a number of these cases the credibility or background of the some of the victims (e.g. some were sex workers) may have meant that initial allegations were called into question. In such cases forces may need to consider the use of covert methods to investigate and gather evidence about an officer's behaviour.

An additional theme to emerge from the IPCC's cases concerns the actions of ACPO rank officers, a number of which feature in the case studies in this report. They specifically raise questions about whether these senior officers saw themselves as being 'above the rules' that they expected their junior officers and staff to follow. As the recent HMIC report recommends, ACPO officers not only need to ensure that their organisation has integrity through the creation and enforcement of values and standards; they also need to promote these through their own behaviour (HMIC, 2011).

Information/IT access

An important theme in work on corruption relates to information access. Investigators made recommendations regarding the restriction of sensitive information on a need-to-know basis rather than having general access for all staff. Use of robust auditing was also encouraged in respect of the release of sensitive information with the auditing being publicised to all staff in an effort to minimise misuse.

Summary

- Of the 104 independent and managed investigations considered during this period, the IPCC referred 47 (45%) cases to the CPS. In the 42 of those cases completed, involving 51 officers, 18 officers were charged and prosecuted, 13 were found guilty and 10 were

imprisoned. In terms of rank, most officers were constables, with one being a sergeant and one being ACPO rank.

- Of the 113 officers subject to completed IPCC investigations, 87 (77%) were the subject of misconduct proceedings. These resulted in a finding of gross misconduct or misconduct for 76 (87%) of officers. In 18% of cases, officers were dismissed or required to resign, 34% of officers were given a written warning and 29% were subject to management action.
- Detailed examination of IPCC investigations reveals a number of individual and corporate vulnerabilities, which need to be addressed. For individuals, they include: inappropriate association; financial insecurity; professional dissatisfaction or welfare issues; and substance misuse. Corporate vulnerabilities are chiefly around vetting management and supervision, and access to information (where senior officers in particular need to demonstrate their own integrity).

6 Conclusion and next steps

This report has examined the IPCC's experience of investigating police corruption, focusing on the period 2008 to 2011. We have also presented new findings, from research commissioned during the preparation of this report, on public views about police corruption. We have analysed previously published data on recorded complaints from the public alleging corruption by officers or staff. We have also presented figures on the cases referred to us by police forces, those we investigated and those dealt with by local police forces.

This report cannot provide a definitive picture of police corruption. The only cases over which the IPCC has direct oversight are the most serious cases of corruption referred to us by police forces. The number and rate of those referrals varies considerably between forces, as does the number of corruption allegations recorded by different forces. No conclusion about actual levels of corruption can be drawn from these figures, other than that there are likely to be significant inconsistencies in recording and defining such complaints, which need to be addressed across police forces.

Undoubtedly the behaviour presented here, in particular that of the officers in the case studies in chapter five, will shock members of the public. They reflect a range of issues which, in surveys and focus groups, were clearly held to be both serious and corrupt. The public may take some reassurance from the fact that many of the cases quoted have come to light as a result of police forces and authorities identifying and referring them to the IPCC. It is our experience from working with the police in relation to these and other cases that significant efforts are being made across the country to root out and deal with corruption.

There is, however, more that can be done. Our experience of working with forces and the analysis in this report have identified areas where we think change is needed. This chapter discusses the implications of our findings and analysis and indicates what we plan to do, and what we believe others should do, in the light of those findings.

Public information

The research we conducted for this report shows that the public can make judgements about corrupt behaviour based on the context and understands what constitutes serious corruption. Public reporting of the data and individual cases is important to improve accountability and enhance public confidence. The current confusing array of definitions and ways of recording such allegations is unhelpful in achieving this.

As well as providing consensus about whether or not particular types of cases constitute corruption, a single clear definition would allow answers to questions about how common it is, its key features, why it matters and whether it is a growing phenomenon. We intend to work with ACPO, the CPS and other key interested parties to develop a shared definition of police corruption. Following this we will revise our guidance to forces on the recording and referral of allegations to ensure greater transparency and consistency for both the service and the public. We will aim to complete this work by the end of 2012 as part of issuing our planned revised Statutory Guidance.

We have also concluded that we should make information more routinely available to the public. The IPCC already publishes annual data on the public's complaints about the police and produces

an annual report on deaths following police contact. The IPCC and police forces regularly release information to the public on individual cases when these end in criminal or misconduct sanctions. We recognise that some matters must be kept confidential in order to protect current or future investigations. However, there is very little in the public domain to show that actions are being taken against police corruption more generally and the themes that have emerged from cases.

We therefore plan to provide an update on our corruption investigations and the key emerging themes on a periodic basis, including providing information for the public on why some behaviour that might be acceptable in other walks of life are at best unacceptable and at worst corruption when conducted by a police officer or staff member. We would encourage ACPO to consider taking similar action with regard to anti-corruption work conducted across and within police forces. The objective of putting such information in the public domain would be to reassure the public that actions are being taken against corruption, that the IPCC is exercising oversight and that this area is being seriously addressed by the police service.

We therefore plan to report annually on corruption cases from 2011/12 onwards. We anticipate that such information will be vital to the Police and Crime Commissioners due to be elected during 2012 and we will want to ensure that they are able to draw on our data to inform their priorities in holding their Chief Constable to account on behalf of the public.

IPCC oversight

Our report presents figures on the referral of corruption cases to the IPCC and shows that these vary widely across police forces. These figures should not be seen as indicating which forces have a greater or lesser problem with corruption; rather it is likely that they reflect differing local recording and/or referral practices across forces. Some forces may be taking a cautious approach and referring more corruption cases to the IPCC than we need to

see; others, however, may not be referring to us the more serious cases that we must see. This is supported by the fact that a small number of forces have referred very few cases to us over the three years this report examines.

Chief Constables must ensure that their Professional Standards Departments follow the IPCC's Statutory Guidance and refer cases to the IPCC when they meet our definition of 'serious corruption'. This is particularly relevant in respect of covert cases. Police forces should not wait to refer these cases to the IPCC until shortly before an arrest is to be made when we have little opportunity for effective oversight. Instead, we expect a referral to be made when the likelihood of corrupt behaviour moves from the possible to the probable. In particular, we expect forces to discuss referral with us in any case where they are making use of surveillance or other intrusive powers. We will clarify the requirements in the Statutory Guidance being issued later this year and, in the meantime, we have made our expectations clear to Chief Constables. We recognise that it is likely to result in higher levels of referral to the IPCC and that this will have resource implications for us; we will monitor the effect on our workload over the coming year to ascertain how this can be managed without adversely impacting on our ability to fulfil our statutory duties.

Nevertheless, the great majority of corruption allegations will be dealt with by police forces themselves. That is the way in which the system is meant to work – and, as our Part 1 report showed, police forces themselves have significant resources, in the shape of Professional Standards Departments and anti-corruption initiatives, to deal with all but the most serious matters. However, there is understandably public concern, reflected in our survey and focus groups, about the police investigating themselves in this area. The IPCC has a statutory guardianship role over all complaints, whether or not they are investigated locally, and we shall therefore be examining how best we can exercise that role. Part of that is achieved through issuing Statutory Guidance, but we will also be considering whether a more

proactive approach is needed, and can be resourced.

IPCC investigations

A clear finding in this report is that the general public expects an independent body like the IPCC to be investigating cases of serious police corruption. This is supported by previous research, which placed investigating police corruption as a higher priority for the IPCC than investigating deaths following police contact (Inglis and Shepherd, 2007). It is evident, from the figures provided in this report, that in the great majority of these cases, IPCC investigations are able to substantiate the need for misconduct proceedings, and in nearly half of those cases, to uncover evidence that justifies a referral to the CPS.

The IPCC is clear that it wishes to have oversight of the most serious cases of police corruption that cause greatest public concern and damage public confidence in policing. Over the past four years, we have increased annually the number of independent investigations relating to corruption matters from a handful to around 15 in the year ending March 2012.

The IPCC employs staff with the skills and experience to undertake investigations of overt corruption allegations. The challenge will be to identify the resources required to undertake more of this work while also conducting independent investigation into deaths following police contact, to ensure we comply with our duty under the Human Rights Act 1998. Within current resources, we are able to focus on a small number of the most serious allegations and, in particular, prioritise those matters involving senior officers, those involving gross abuse of powers for personal gain and others causing significant public concern. Any move to undertake large numbers of corruption investigations would require significant additional resources, whether transferred from the police budget or elsewhere in government expenditure.

We do not believe it credible for the IPCC to conduct covert independent investigations into

police corruption. This would require us to be a significantly different kind of organisation with the considerable resources, specialist equipment, skills and staff time to undertake potentially long periods of surveillance. There are also a number of practical issues, such as access to law enforcement agencies whose members are being investigated, and whether external IPCC investigators would be best placed to investigate cases requiring a high degree of understanding about a specific force's IT systems. We believe, however, that there is the option (already exercised in appropriate cases) of using covert methods within overt independent cases and conducting covert independent investigations with specialist support (such as surveillance) from a law enforcement agency not connected to the case.

We are aware from a number of recent or current investigations of allegations involving very senior officers (ie those of ACPO rank), that it is not easy for those with concerns about the behaviour of their superiors to know where to take them. We believe that the system for escalating such matters to an external body, whether HMIC, SOCA or ourselves could be further improved. We will work with those bodies, along with the National Crime Agency and the CPS to establish more effective systems that command public confidence.

IPCC powers

Our experience of IPCC investigations over recent years suggests three areas where a change in our statutory powers is necessary in corruption and other cases. All the proposals below require changes to primary legislation. We have already indicated the necessity for these to Home Office ministers and officials and are in discussions about how they may be taken forward.

The first of these involves "contracted out" staff working in the police service, where our powers are currently limited to those who are designated (under section 39 of the Police Reform Act 2002) as detention officers or escort officers. Contracted out staff performing roles other than detention or escort officers do not fall directly within our remit.

For the IPCC to investigate such staff on corruption matters under the current legislative regime there would need to be an IPCC criminal investigation already underway in relation to police officers or staff and any investigation could apply only to criminal allegations, not wider complaints or conduct matters. The IPCC is very concerned that this gap in our oversight will damage public confidence. Given the likelihood of a growth in the use of contracting out arrangements there is a clear and urgent need to extend the IPCC's remit to include these staff in relation to all types of investigation.

The second area concerns IPCC investigators seeking information from third parties, including from individuals, public and private bodies. This information is often personal data for the purposes of the Data Protection Act 1998 and therefore, when our investigations do not include a criminal dimension, many third parties are unwilling to provide data for fear of breaching data protection laws. It would assist our non-criminal investigations if a gateway could be created allowing disclosure without fear of unlawful data processing.

The third proposed change concerns the recommendations that emerge from our investigations on corruption and other matters. A number of our investigations identify institutional failings within police forces about which we make recommendations for change. There is currently no regulatory framework or mechanism to ensure that such recommendations are properly followed up or enforced and this has caused public criticism. The public do not understand why we cannot "make the police take action". A statutory framework in which IPCC institutional recommendations require a formal published response by the responsible authority within a specific period of time would help to reinforce public confidence in the work of the IPCC, particularly following high-profile cases of public concern. It would also allow the new Police and Crime Commissioners to follow up the issues raised.

Public confidence

Public confidence in and acceptance of the police exercising their considerable powers over us all is heavily dependent on the public seeing and believing in the integrity of individual officers. That legitimacy is called into question and undermined by the kinds of behaviour described in the case studies in chapter five or indeed by lesser examples of officers falling short of the standards of behaviour we expect. The public is rightly sceptical about the police service as a whole when senior officers behave inappropriately, seem to claim "there is no corruption here" or try to justify or minimise behaviour that the ordinary citizen sees as corrupt – accepting generous hospitality, gaining personal benefit, abusing their powers for personal gain. Public confidence is not enhanced by the fact that there is little public information about all this. In fact the opposite is true; the absence of reliable information alongside press reporting of individual incidents fuels suspicion and distrust.

Summary

We identify a number of areas for change including:

- The need for clearer information for the public on what constitutes police corruption; the IPCC will produce a regular analysis of corruption cases it has dealt with, identifying the emerging themes.
- The requirement for Chief Constables to ensure greater consistency in the recording and referral of corruption cases to the IPCC. The Commission has written to Chief Constables making clear its expectations and this will be reinforced in the Statutory Guidance to be issued later this year.
- The need for a more effective national system for handling allegations against very senior officers i.e. those of ACPO rank. The IPCC will work with HMIC, the NCA and the CPS to establish a more formalised and robust system for escalating such complaints.

- Most corruption allegations will continue to be dealt with by the forces concerned, including their own standards and anti-corruption units. The IPCC will consider whether its oversight of these processes needs to be strengthened, and what resources would need to be available to do so.
- The public expects serious corruption to be investigated by an organisation independent of the police. The IPCC stands ready to take on more corruption cases if additional resources could be made available. Within existing resources, the IPCC will continue to conduct a small, but increased, number of independent investigations into corruption cases, prioritising those involving senior officers, serious criminal allegations and gross abuse of police powers.
- The additional powers necessary to enable the IPCC to conduct the most effective corruption-related investigations: in respect of contractors, access to third-party data and the power to require the police and other responsible bodies to respond formally to our recommendations. Discussions are under way with Home Office officials and Ministers to take these forward.

Annex A: Tables of complaints and referrals by force

Table A.1 Public allegations of corruption recorded by forces 2008/09 to 2010/11

Police force	Corruption allegations recorded by force	Total force officers and staff (police personnel)	Number of corruption referrals per 1,000 police personnel
Avon and Somerset	152	5,953	26
Bedfordshire	95	2,403	40
British Transport	125	4,479	28
Cambridgeshire	152	2,715	56
Cheshire	143	4,121	35
City of London	13	1,344	10
Cleveland	108	2,260	48
Cumbria	88	2,204	40
Derbyshire	147	3,741	39
Devon and Cornwall	246	6,383	39
Dorset	100	2,935	34
Durham	66	2,511	26
Dyfed-Powys	146	2,101	69
Essex	254	6,609	38
Gloucestershire	74	2,339	32
Greater Manchester	287	13,043	22
Gwent	137	2,600	53
Hampshire	323	6,610	49
Hertfordshire	131	4,253	31
Humberside	178	4,195	42
Kent	204	6,820	30
Lancashire	231	6,139	38
Leicestershire	117	3,838	30
Lincolnshire	96	2,423	40
Merseyside	267	7,348	36
Metropolitan	1,487	55,706	27
Norfolk	90	3,164	28
North Wales	142	2,791	51
North Yorkshire	141	2,858	49
Northamptonshire	65	2,794	23
Northumbria	183	6,780	27
Nottinghamshire	126	4,453	28
South Wales	206	5,364	38
South Yorkshire	165	5,683	29
Staffordshire	103	4,034	26
Suffolk	92	2,655	35
Surrey	181	4,543	40
Sussex	157	5,718	27
Thames Valley	317	8,552	37
Warwickshire	90	2,014	45
West Mercia	257	4,443	58
West Midlands	450	12,740	35
West Yorkshire	309	10,035	31
Wiltshire	101	2,457	41
Grand total	8,542	256,151	33

Note: This does not include Ministry of Defence statistics.

Table A.2 Corruption referrals to IPCC 2008/09 to 2010/11

Police force	Total referrals	Rate of total referrals per 1,000 police personnel	Total corruption referrals	Number of corruption referrals per 1,000 police personnel
Avon and Somerset	163	27.4	6	1.0
Bedfordshire	85	35.4	5	2.1
British Transport	111	24.8	7	1.6
Cambridgeshire	137	50.5	12	4.4
Cheshire	103	25.0	1	0.2
City of London	26	19.3	0	0.0
Cleveland	65	28.8	4	1.8
Cumbria	55	25.0	6	2.7
Derbyshire	139	37.2	22	5.9
Devon and Cornwall	205	32.1	15	2.3
Dorset	94	32.0	3	1.0
Durham	71	28.3	6	2.4
Dyfed-Powys	95	45.2	16	7.6
Essex	177	26.8	20	3.0
Gloucestershire	51	21.8	8	3.4
Greater Manchester	322	24.7	25	1.9
Gwent	113	43.5	7	2.7
Hampshire	186	28.1	17	2.6
Hertfordshire	62	14.6	4	0.9
Humberside	88	21.0	4	1.0
Kent	136	19.9	12	1.8
Lancashire	105	17.1	12	2.0
Leicestershire	97	25.3	7	1.8
Lincolnshire	87	35.9	10	4.1
Merseyside	220	29.9	15	2.0
Metropolitan	1,877	33.7	345	6.2
Ministry of Defence	30	-	7	-
Norfolk	124	39.2	14	4.4
North Wales	117	41.9	7	2.5
North Yorkshire	39	13.6	5	1.7
Northamptonshire	134	48.0	7	2.5
Northumbria	103	15.2	10	1.5
Nottinghamshire	170	38.2	15	3.4
South Wales	227	42.3	40	7.5
South Yorkshire	128	22.5	4	0.7
Staffordshire	169	41.9	13	3.2
Suffolk	84	31.6	13	4.9
Surrey	76	16.7	7	1.5
Sussex	102	17.8	6	1.0
Thames Valley	161	18.8	29	3.4
Warwickshire	102	50.6	22	10.9
West Mercia	160	36.0	9	2.0
West Midlands	370	29.0	30	2.4
West Yorkshire	268	26.7	8	0.8
Wiltshire	62	25.2	2	0.8
Grand total	7,496	29.1	837	3.2

Note: a single referral may be linked to one or multiple officers. Ministry of Defence Police figures not available in official statistics on police force strength therefore no rates produced. For figures on force strength please see column 'Total force officers and staff (police personnel)' in Table A1.

Table A.3 Corruption referrals to IPCC by type of investigation 2008/09 to 2010/11

Police force	Type of investigation				Total
	Independent	Managed	Supervised	Local	
Avon & Somerset	0	1	0	5	6
Bedfordshire	1	0	0	4	5
British Transport	0	0	1	6	7
Cambridgeshire	0	0	0	12	12
Cheshire	1	0	0	0	1
City of London	0	0	0	0	0
Cleveland	0	2	2	0	4
Cumbria	0	1	0	5	6
Derbyshire	0	0	1	21	22
Devon and Cornwall	0	2	5	8	15
Dorset	0	0	2	1	3
Durham	0	3	1	2	6
Dyfed-Powys	0	1	3	12	16
Essex	0	1	1	18	20
Gloucestershire	1	0	1	6	8
Greater Manchester	3	5	8	9	25
Gwent	0	0	3	4	7
Hampshire	0	0	2	15	17
Hertfordshire	0	0	0	4	4
Humberside	0	1	0	3	4
Kent	0	0	3	9	12
Lancashire	0	4	1	7	12
Leicestershire	0	0	0	7	7
Lincolnshire	0	0	0	10	10
Merseyside	1	3	4	7	15
Metropolitan	11	58	39	237	345
Ministry of Defence	0	0	0	7	7
Norfolk	0	1	0	13	14
North Wales	0	0	1	6	7
North Yorkshire	0	3	0	2	5
Northamptonshire	0	3	1	3	7
Northumbria	0	1	5	4	10
Nottinghamshire	0	0	0	15	15
South Wales	0	4	6	30	40
South Yorkshire	1	0	0	3	4
Staffordshire	0	1	0	12	13
Suffolk	0	0	2	11	13
Surrey	0	4	1	2	7
Sussex	0	1	2	3	6
Thames Valley	1	1	12	15	29
Warwickshire	0	0	2	20	22
West Mercia	0	0	1	8	9
West Midlands	0	0	11	19	30
West Yorkshire	1	0	3	4	8
Wiltshire	0	0	1	1	2
Grand total	21	101	125	590	837

Note: a single referral may be linked to one or multiple officers.

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